



# NORCOR

## CORRECTIONS FACILITIES

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## NORCOR

### Board of Directors

### Minutes of the Board Meeting

### August 16, 2018

#### **1.0 PRELIMINARY BUSINESS:**

Tom McCoy welcomed Representative Bonham to the NORCOR Board Meeting. Quorum was determined and the Board Meeting was called to order on August 16, 2018 @ 10:07AM 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; Molly Rogers- Wasco County Youth Services Director; Rod Runyon- Wasco County Commissioner; Brad Lohrey- Sherman County Sheriff

Tom McCoy asked if there was any discussion on the Minutes. Bob Benton moved to approve the Board Meeting Minutes from June 21, 2018 as well as the Special Called Board Meeting Minutes from August 10, 2018. Steve Shaffer seconded the motion. There was no further discussion.

*Vote:* The motion passed with unanimous approval.

#### **2.0 BUSINESS ITEMS:**

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

Tom McCoy noted that, with the busy agenda for the meeting today, the Public Comments would be confined to about 5 minutes. Tom further asked that the Public Comments cover NORCOR and not be about the Administrator selection process or about the lawsuit. Bryan Brandenburg added that the comments needed to be about NORCOR specifically.

Richard 'Red' Stevens, a Wasco County Pastor, read into the record a letter that he wrote to the members of the Board regarding a report from Willamette Week on the previous year's ICE inspection of NORCOR. Richard also urged the Board to make sure that they were prepared for the transition of a new Administrator.

Marilyn Wilkes, a member of the NORCOR Community Resources Coalition (NCRC) and resident of The Dalles, updated the Board on the goals of the NCRC:

- Terminate NORCOR's contract with ICE
- Seek alternative funding that allows the facility to meet its budgetary requirements
- Inform communities about the needs of NORCOR
- Inform communities about the difference between a jail and a detention center for undocumented immigrants
- Build positive relationships with key civic leaders, elected officials, public agencies, and private funding entities to help meet goals
- Build on the existing programs available at NORCOR
- Assist local law enforcement agencies in taking immediate and appropriate action to meet the need for more mental health beds

Chris DeBruler, a resident of Hood River, read a statement into the record regarding her disgust at the separation of immigrant families that occurs under the current administration as well as her displeasure with Representative Walden and the Republican political party as a whole. Bryan Brandenburg objected that this is not a subject that pertains to NORCOR.

Reverend Ron Werner, representing the Interfaith Movement for Immigrant Justice (IMiJ), spoke briefly about the fact that the contract that NORCOR holds with ICE involves the greater community. Reverend Werner urged the Board to not balance the budget on the backs of the most vulnerable in our communities.

• ***2.2 Approval of Amendments to the NORCOR Bylaws – Diana McDougle***

It was suggested that the Board go through the proposed amendments to the NORCOR Bylaws one by one. It was noted that a change in the Bylaws requires a 3/4 majority vote in favor of the amendment, in other words, four votes are required.

*Amendment to Article IV: Regarding Juvenile Director Representative on the Board*

Bob Benton made a motion to approve the changes to the NORCOR Bylaws, Article IV, as presented. Steve Shaffer seconded the motion.

*Discussion:* Molly Rogers presented the fact that, while the Juvenile Directors appreciate the recognition of being officially on the Board, they still believe that they should have a vote on the Board as well. Rod Runyon brought a list of questions that had been prepared by the Wasco County Commissioners as they went through each of the proposed changes to the NORCOR Bylaws. The first question presented was if NORCOR's Legal Counsel had enough time to become familiar enough with the Bylaws to be able to comfortably make changes. Diana noted that the Bylaws state that there can only be a change to the Bylaws through this process and it was her understanding that when the non-voting position of Juvenile Director representative was added to the Board there was only a Resolution that was passed and that the Board had not gone through the process of changing the Bylaws to fit what was actually being practiced. Rod read a statement from the Wasco County Commission in support of this amendment and in support of giving the Juvenile Director

Representative a vote on the Board. Rod suggested that this amendment be tabled until the next meeting. Tom McCoy noted that the issue on the table was that of the Juvenile Directors having a representative sit on the Board and that the issue of a vote is a separate issue for another time. Tom further noted that this clarification of having a Juvenile Director Representative on the Board needs to be taken care of.

*Votes in favor of the motion:* Tom McCoy, Steve Shaffer, Brad Lohrey, and Bob Benton

*Votes opposed to the motion:* Rod Runyon

*Amendment to Article V: Regarding Executive Sessions*

*Discussion:* Rod Runyon suggested that the wording on the amendment be changed to automatically include the presence of Board Member alternates in Executive Session.

Rod Runyon made a motion to approve the Amendment to Article V, as written, with the addition of the word alternates. Bob Benton seconded the motion.

*Vote:* The motion passed with unanimous approval.

*Amendment of Article VII: Regarding Elected Officials*

*Discussion:* Tom McCoy suggested eliminating the phrase, from the floor, from the amendment.

Bob Benton made a motion to accept the amendment of Article VII, with the additional change of eliminating the phrase, from the floor. Brad Lohrey seconded the motion.

*Vote:* The motion passed unanimously.

*Amendment, Eliminating Article VI: Regarding the NORCOR Executive Committee*

*Discussion:* Tom McCoy pointed out that this Article had been necessary when there were two representatives from each county on the Board, but now that the NORCOR Board is the Executive Committee, Article XI is redundant and unnecessary.

Steve Shaffer made a motion to eliminate Article XI from the NORCOR Bylaws. Brad Lohrey seconded the motion.

*Vote:* The motion passed with unanimous approval.

*Amendment to Article XV: Regarding the Budget Officer*

*Discussion:* Rod Runyon suggested tabling this amendment and read into the record a message from the Wasco County Commissioners. The consensus was that this proposed amendment to Article XV would be tabled until NORCOR's legal counsel had more time to analyze it further.

• ***2.3 Letters of Support – Bryan Brandenburg***

Bryan read several letters of support from various individuals in support of the positive changes that have been implemented at NORCOR since his arrival.

• ***2.4 Stepping Up- NORCOR Power Point – Bryan Brandenburg***

Bryan gave a PowerPoint presentation regarding the changes to programs that NORCOR and community partners have put into place since his arrival as Administrator. This presentation included information on updated practices and graphs of the impact these changes have made on recidivism

rates. A member of the public asked if the Board could put together a statement in answer to the article in the Willamette paper regarding the deficiencies that were fixed, while the ICE auditors were still here at NORCOR and about what other certifications NORCOR could obtain to be run more efficiently and without a contract with ICE. Bryan answered that the one accreditation that he would have liked to see NORCOR get, along with PREA (Prison Rape Elimination Act) Certification was ACA (American Correctional Association) Accreditation. Another member of the public noted that the bars on one of the graphs did not match the colors of the key for the graph. Tom McCoy asked if it could be corrected and posted to the website.

- **2.5 NORCOR Update/Status/Year-to-date Financials – Bryan Brandenburg**

Bryan presented the end of the year financials for the fiscal year 2017/2018. Bryan noted that ending fund balance almost nearly matches the beginning fund balance for fiscal year 2018/2019. Bryan then presented the statistics for the year-to-date.

- **2.6 NORCOR Juvenile Department Update/Status – Jeff Justesen**

Jeff summarized that work that had been done in the Detention Facility since the DRO Report was published.

- Policies that had been changed
- The addition of a youth manual
- The development of a level and incentive system
- Improvement of the grievance process which includes an appeal process
- Less time in rooms and more activities to participate in
- Hired a new teacher and attempting to hire an instructional assistant

- **2.7 Resolution 18/19-2: Resolution to Request an Increase in County Subsidies**

Resolution 18/19-4: Adjusts budget to cover the purchase of Full Body Scanner

Brad Lohrey made a motion to approve Resolution and Order No. 18/19-4 as written. Steve Shaffer seconded the motion.

*Discussion:* Brad gave a brief description of the need for the purchase of the Body Scanner. A member of the public asked if the Body Scanner would eliminate the need for a strip search. Brad answered that it would certainly help to cut down on the need for strip searches, but that occasionally, as circumstances dictate a strip search might still be needed for safety reasons.

*Vote:* The motion passed unanimously.

Resolution 18/19-2: Request for increased subsidies from Member Counties

There was no motion put forth for this resolution. Resolution and Order No. 18/19-2 failed.

Resolution 18/19-3: Movement of funds from Contingency to cover legal fees and warehouse repair

Bob Benton moved to approve and adopt Resolution and Order No. 18/19-3. Steve Shaffer seconded the motion.

*Discussion:* Steve Shaffer asked if the legal fees were going to be covered by a special assessment from the member counties. The consensus was that the counties would not be asked to cover the

legal fees at this time. Molly Rogers asked legal counsel if both the legal fees and the warehouse repair fit the definition of contingency. Diana McDougle requested a few moments to review the definition of contingency. The motion was tabled for the time. Bob Benton later withdrew his motion.

Rod Runyon asked how much revenue was earned from the warehouse rental. Bryan answered that the rental brings in just under \$55,000 per month. Rod asked if some of the rental money received is set aside for repairs. Bryan answered that we have a rental repair line item, but there is not enough in that line item to cover the unexpected roof repair that was needed on the warehouse. Rod suggested that the Board visit the issue of setting aside more of the revenue from the warehouse rental for repairs as they come up.

### **3.0 REPORTS AND DISCUSSION – ACTION THAT MAY BE REQUIRED:**

- ***3.1 Sheriff Board –***

Brad Lohrey reported that the Sheriffs had not had a meeting, but that they have been in close contact over the hiring process. There had been some concern about the pace of the hiring process, in the beginning of the process, however the Sheriffs are feeling very comfortable with where the process is at right now.

- ***3.2 Juvenile Directors –***

Jim Patterson agreed with Sheriff Lohrey that the process has been fair and open and that a lot of good candidates that were vetted. Amber DeGrange added that the hiring panel was a good way to do this process. A member of the public noted her concern that, with the hiring panel being all white and male, the perspectives of everyone within the four counties is not represented in this hiring process.

Molly Rogers reported that the Juvenile Directors have been working with Senator Hansell's office in regards to support for the facility with two different populations, Measure 11 and a stabilization piece with OYA. Molly noted that Jeff has given a lot of feedback on Oregon's Detention Guidelines.

- ***3.3 Legal Counsel –***

Diana McDougle had no report for the public session of the Board Meeting.

- ***3.4 Commissioners Comments –***

Rod Runyon requested that money requests, in the future, be presented in separate resolutions and not be combined if they are covering different subjects.

Steve Shaffer called for help from the community to help coordinate an effort to make mental health care a top priority.

- ***Resolution 18/19-3: Movement of funds from Contingency to cover legal fees and warehouse repair- Revisited***

*Discussion:* Diana reported that she had no concerns legally regarding Resolution 18/19-3. Steve Shaffer made a motion to approve Resolution and Order No.18/19-3, a resolution to pay for legal fee

and warehouse repairs costs out of contingency in the amount \$188,225. Brad Lohrey seconded the motion.

*Vote:* The motion passed with unanimous approval.

- **3.5 Next Board Meeting –**

The next regular scheduled Board Meeting is scheduled for October 18, 2018 @ 10:00 AM.

The two candidates for the Administrator position, Mike Fletcher and John DeVaney, introduced themselves to the Board and to the public.

- **3.6 Executive Session ORS 192.660 (2)(h) Documents Exempt from Public Disclosure and ORS 192.660 (2)(i) Personnel –**

The Board adjourned into Executive Session at 12:07 PM.

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

The Board returned from Executive Session at 12:17 PM. Tom McCoy announced that the interviews for the two administrator candidates would be interviewed in Executive Session, after lunch, this afternoon and that any discussion and decisions resulting from the interview process would be conducted in a separate Open Session the next day, August 17, 2018 at 4:00PM. Diana noted that the meeting occurring the next day will be noticed on the online version of the local paper, since the paper is no longer printed daily as well as on NORCOR's website.

- **3.8 Adjournment:** The meeting was adjourned @ 12:20PM.

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Date

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Tom McCoy, NORCOR Board Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Beth Anderson, NORCOR

Respectfully submitted,  
Beth Anderson, NORCOR