

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, November 6, 2019
9:00 a.m.

Senator Hearing Room
555 Court Street NE
Salem, OR 97301

PRESENT: Commissioner Kevin Cameron and Commissioner Sam Brentano. Also present were Jan Fritz, chief administrative officer, Jane Vetto as county counsel, and Brenda Koenig as recorder.

ABSENT: Commissioner Colm Willis

Commissioner Cameron called the meeting to order at 9:00 a.m.

PUBLIC COMMENT

None.

CONSENT

None.

ACTION

(Video Time 00:01:32)

BUSINESS SERVICES

1. Consider approval of the ratification of the Federation of Oregon Parole and Probation Officers (FOPPO) Collective Bargaining Agreement (CBA) 2019-2021. –Colleen Coons-Chaffins and Undersheriff Jeff Wood

Summary of presentation:

Colleen Coons-Chaffins:

- The CBA is a tentative agreement with FOPPO;
- Members of the FOPPO union ratified the CBA on October 29, 2019;
- Details of the ratified CBA include some of the following:
 - The CBA is a two year agreement that will go into effect on June 30, 2021;
 - The articles noted with the letters CCL (Current Contract Language) had no modifications;
 - Modified articles include the following:
 - Article 5 – Holidays;

- Language was cleaned up and Commissioners Day was formerly added.
- Article 6 – Vacation Leave:
 - Language related to vacation leave for senior employees was cleaned up.
- Article 7 – Sick Leave:
 - Language was cleaned up for Section 8 titled Notification:
 - Clarified the absence notification between the employee and the supervisor.
- Article 9 – Health and Welfare:
 - Language was updated for Section 3 titled County Health Insurance Contributions:
 - Contributions for 2020 will be \$1,721; and
 - Contributions for 2021 will be \$1,850.
- Article 10 – Wage Administration:
 - Language was added for the following:
 - Instructor incentives;
 - Education incentives:
 - A two percent increase for deputies with the following:
 - Ten years of service;
 - A Department of Public Safety, Standards, and Training (DPSST) Certificate; and
 - An Associate of Arts Degree.
 - A four percent increase for deputies with the following:
 - Fifteen years of service;
 - A DPSST Certificate; and
 - A Bachelor of Arts Degree.
 - CPR (Cardiopulmonary Resuscitation); and
 - WRNA (Women’s Risk Need Assessment):
 - A specialized assessment designated for women that provides improved results for criminal genetic risk factors.
- Article 27 – Salaries:
 - A two percent cost of living adjustment (COLA) that is retroactive to July 1, 2019; and
 - A two percent COLA effective the first pay period in July of 2020.
- Article 28 – Overtime:
 - Language was clarified in the following sections:
 - Section 1 relating to computing overtime hours and instructions on how to accomplish this; and

- Language in Section 4 titled Institutions Division Coverage was no longer applicable and was removed.
- Article 29 – Payroll Deduction and Fair Share:
 - Language was updated for fair share employees:
 - Members will be provided the following opportunities:
 - To elect to pay dues; and
 - To elect to cease dues.
 - FOPPO will be permitted to meet new employees within 30 days of hire to confer about FOPPO membership.
- Article 32 – Transfers:
 - Language was cleaned up related to filling employment vacancies and working with the union to accomplish this.
- Article 34 – Life of Agreement and Termination:
 - A two year agreement that starts July 1, 2019, and ends on June 30, 2021;
 - Two Letters of Agreement were renewed for the following:
 - The Sheriff’s Office workers compensation wage continuation:
 - The agreement is related to workers compensation and the extenuating circumstances that warrant this.
 - Voluntary ORPAT (Oregon Physical Abilities Test) testing:
 - This was renewed through December 31, 2021.

Undersheriff Jeff Wood:

- The contract is for the Sheriff’s Office parole and probation deputies who manage the following for an estimated 3,100 offenders:
 - Caseloads;
 - Prison diversion programs; and
 - Prison reentry programs.
- Funding has played a challenging role with the agreement:
 - Fewer positions will be available within community corrections.
- FOPPO members are well educated; and
- The agreement addresses the county’s need to recruit, train, and retain qualified employees.

Board discussion:

- The county has observed a reduction in state funding assistance for FOPPO positions:
 - The county has limited budgeted resources available and will be relying on increased productivity from current FOPPO employees.
- The county relies on FOPPO employees for public protection; and
- Funding assistance is a state wide issue that impacts every county.

MOTION: Commissioner Brentano moved to approve the ratification of the Federation of Oregon Parole and Probation Officers Collective Bargaining Agreement 2019-2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:15:41)

DISTRICT ATTORNEY

2. Consider approval of the Grant Agreement with the Oregon Department of Justice in the amount of \$284,162.45 for a victim assistance restitution advocate through September 30, 2022.
–Susana Escobedo and Pami Guerra

Summary of presentation:

- The grant will fund one full time restitution advocate for a three year period;
- The employee will focus on services provided to victims of burglary and robbery:
 - Assist in requesting restitution; and
 - Assist with gathering the documentation needed to present at court.
- The county has observed a significant increase in restitution rights requested since the inception of the project in 2011:
 - The services have had a positive impact on the community and provided more long term victim support.
- In the last three years, the restitution advocate has provided long term services to an estimated 1,133 victims which includes:
 - An estimated 310 cases for burglaries in the first degree; and
 - An estimated 98 cases for robberies in the first degree.
- Advocacy services that are provided to victims include some of the following:
 - Informing the victim of their rights;
 - Attending court hearings with the individual;
 - Prepping the individual for trial;
 - Assisting with restitution; and
 - Assisting with the gathering of resources from the community.
- A guide has been created to provide information to employers to help them understand the impact that an employee suffers when they have been a victim of a business robbery;
- An estimated 1,171 victims have been assisted through the project since 2016; and
- An estimated \$5,427,000 in restitution was submitted to the courts in 2018.

Board discussion:

- The \$284,162.45 is an increase over prior years due in part to the following:
 - Cost of living increases; and
 - Cost of benefits increases.
- The purpose of restitution is help the victim feel financially secure again;
- Juvenile offender cases have a higher rate of restitution being paid back to victims than adult offenders cases:
 - Supervision can make an impact on the turnaround time for restitution.
- Victims not receiving restitution in a timely manner are provided the following:

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- Information to speak with a probation officer; and
- The District Attorney's Office has the option of taking the matter back to court.

MOTION: Commissioner Brentano moved to approve the Grant Agreement with the Oregon Department of Justice in the amount of \$284,162.45 for a victim assistance restitution advocate through September 30, 2022. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:24:30)

HEALTH AND HUMAN SERVICES

3. Consider approval of the retroactive Grant Agreement with Oregon Criminal Justice Commission in the amount of \$398,804 for services performed in support of the Marion County Adult Drug Court Program from July 1, 2019 through June 30, 2021. –Cydney Nestor and Patricia Davis

Summary of presentation:

Commissioner Kevin Cameron:

- The Oregon Criminal Justice Commission wanted more oversight for the grant process:
 - They wanted to prevent the misuse of grants throughout the state.
- This resulted in process changes in 2019:
 - Grant requests are now being reviewed through the Public Safety Coordinating Council; and
 - The time frame for contracts has been impacted.
- The commissioners expressed their apologies to the vendors for delaying the payment of contracts in order to implement the new process changes.

Cydney Nestor:

- The new grant process is very complex and entails working through the following:
 - Three government entities;
 - The procurement process; and
 - Contracting rules and requirements.
- The Health and Human Services Department has been assigned the role of fiscal intermediary:
 - They are receiving the incoming funds; and
 - They are also responsible for dispersing the funds out.
- The retroactive contracts are for five specialty courts:
 - The Adult Drug Court;
 - The Mental Health Court;
 - The Veterans Treatment Court;
 - The Juvenile Fostering Attachment Treatment Court; and
 - The Juvenile Drug (STAR) Court.
- Individuals appearing in the specialty courts are impacted by the following:
 - Behavioral health;
 - Substance abuse;

- Health factors;
- Housing factors; and
- Criminal justice involvement.
- Health department employees are working in different functions in all of the specialty courts, providing a variety of services which includes the following:
 - Direct treatment services;
 - Drug treatment services;
 - Consultations with the courts for mental health needs; and
 - Advocating for parents that are appearing in court.

Patricia Davis:

- Individuals are appearing in drug courts because of their addiction:
 - This has caused problems with the individual, their associates, and the community.
- Individuals are given the opportunity to work through the circumstance with some of the following potential outcomes:
 - The felony charge can be reduced to a misdemeanor:
 - Felony charges can make it difficult to obtain housing and employment.
 - A prison sentence may be eliminated; and
 - Parents with children are given the opportunity to reevaluate their lives.

Board discussion:

- The grants were reviewed by the Public Safety Coordinating Council;
- Funding for the Health and Human Services Department direct service staff remained stable and no reductions were seen; and
- The commissioners are supportive of all the specialty courts and the work that they perform:
 - Ms. Nestor’s specialty court and grant summary was adequate;
 - No further discussion pertaining to the courts or grants was needed; and
 - Legal Counsel confirmed the commissioners could proceed with motions on Action Items 3 through 10.

MOTION: Commissioner Brentano moved to approve the retroactive Grant Agreement with Oregon Criminal Justice Commission in the amount of \$398,804 for services performed in support of the Marion County Adult Drug Court Program from July 1, 2019 through June 30, 2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:33:55)

4. Consider approval of the retroactive Intergovernmental Agreement with the Marion County Circuit Court in the amount of \$215,000 for services performed in support of the Marion County Adult Drug Court Program from July 1, 2019 through June 30, 2021. –Cydney Nestor and Patricia Davis

MOTION: Commissioner Brentano moved to approve the retroactive Intergovernmental Agreement with the Marion County Circuit Court in the amount of \$215,000 for services performed in support of the Marion County Adult Drug Court Program from July 1, 2019 through June 30, 2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous.

(Video Time 00:34:21)

5. Consider approval of the retroactive Grant Agreement with Oregon Criminal Justice Commission in the amount of \$273,950 for services performed in support of the Marion County Family Drug Court Program from July 1, 2019 through June 30, 2021. –Cydney Nestor and Patricia Davis

MOTION: Commissioner Brentano moved to approve the retroactive Grant Agreement with Oregon Criminal Justice Commission in the amount of \$273,950 for services performed in support of the Marion County Family Drug Court Program from July 1, 2019 through June 30, 2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous

(Video Time 00:34:48)

6. Consider approval of the retroactive Intergovernmental Agreement with the Marion County Circuit Court in the amount of \$141,216 for services performed in support of the Marion County Family Drug Court Program from July 1, 2019 through June 30, 2021. –Cydney Nestor and Patricia Davis

MOTION: Commissioner Brentano moved to approve the retroactive Intergovernmental Agreement with the Marion County Circuit Court in the amount of \$141,216 for services performed in support of the Marion County Family Drug Court Program from July 1, 2019 through June 30, 2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous

(Video Time 00:35:17)

7. Consider approval of the retroactive Grant Agreement with Oregon Criminal Justice Commission in the amount of \$291,746.95 for services performed in support of the Marion County Supervised Treatment and Recovery (STAR) Court Program from July 1, 2019 through June 30, 2021. –Cydney Nestor and Patricia Davis

MOTION: Commissioner Brentano moved to approve the retroactive Grant Agreement with Oregon Criminal Justice Commission in the amount of \$291,746.95 for services performed in support of the Marion County Supervised Treatment and Recovery (STAR) Court Program from July 1, 2019 through June 30, 2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous

(Video Time 00:35:48)

8. Consider approval of the retroactive Intergovernmental Agreement with the Marion County Circuit Court in the amount of \$134,264 for services performed in support of the Marion County Supervised Treatment and Recovery (STAR) Court Program from July 1, 2019 through June 30, 2021. –Cydney Nestor and Patricia Davis

MOTION: Commissioner Brentano moved to approve the retroactive Intergovernmental Agreement with the Marion County Circuit Court in the amount of \$134,264 for services performed in support of the Marion County Supervised Treatment and Recovery (STAR) Court Program from July 1, 2019 through June 30, 2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous

(Video Time 00:36:22)

9. Consider approval of the retroactive Grant Agreement with Oregon Criminal Justice Commission in the amount of \$243,681 for services performed in support of the Marion County Veterans Treatment Court Program from to July 1, 2019 through June 30, 2021. –Cydney Nestor and Patricia Davis

MOTION: Commissioner Brentano moved to approve the retroactive Grant Agreement with Oregon Criminal Justice Commission in the amount of \$243,681 for services performed in support of the Marion County Veterans Treatment Court Program from to July 1, 2019 through June 30, 2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous

(Video Time 00:36:57)

10. Consider approval of the retroactive Grant Agreement with Oregon Criminal Justice Commission in the amount of \$339,657 for services performed in support of the Marion County Mental Health Court Program from July 1, 2019 through June 30, 2021. –Cydney Nestor and Patricia Davis

MOTION: Commissioner Brentano moved to approve the retroactive Grant Agreement with Oregon Criminal Justice Commission in the amount of \$339,657 for services performed in support of the Marion County Mental Health Court Program from July 1, 2019 through June 30, 2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous

(Video Time 00:37:28)

11. Consider approval of Amendment #7 to the Provider Services Agreement with the Mid-Valley Behavioral Health Network to add \$145,250.71 for a total of \$44,104,497.46 for mental health provider services through December 31, 2019. –Cydney Nestor and Patricia Davis

Summary of presentation:

- The \$145,250.71 is the county’s portion of the 2018 performance metrics;
- The county contributes to two of the performance metrics that the Coordinated Care Organization (CCO) is responsible for:
 - The first metric requires the following assessments for all children entering foster care:
 - Dental;
 - Medical; and
 - Mental health:
 - Marion County Health and Human Services staff are responsible for providing the mental health assessments; and
 - The assessment requires completion within 60 days.
 - The second metric requires a follow-up consultation for CCO members who were treated in acute care or an emergency room for a psychiatric issue:
 - This requires completion within seven days following the discharge of the individual.

Board discussion:

- The CCO has twenty metrics that they target:
 - A specific percentage is required for each metric:
 - Organizations assist with meeting the metric percentages; and
 - Organizations can receive a payment once the percentage has been reached.

MOTION: Commissioner Brentano moved to approve Amendment #7 to the Provider Services Agreement with the Mid-Valley Behavioral Health Network to add \$145,250.71 for a total of \$44,104,497.46 for mental health provider services through December 31, 2019. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous

(Video Time 00:40:32)

12. Consider approval of Amendment #3 to the incoming funds Intergovernmental Agreement (IGA) with the Oregon Health Authority to add \$382,040 for a total of \$2,901,896 for the Regional Partnership Implementation through June 30, 2021. –Katrina Rothenberger

Summary of presentation:

- A work session was held to discuss the agreement;
- The contract amendment is for public health modernization funds;
- Program Element #51 in the amendment has two sections that will receive funding:
 - Section #1 will receive \$256,683:
 - It is a single county local investment; and
 - Funding is for the time period of October 1, 2019 through June 30, 2020.
 - Section #2 will receive \$125,357:
 - It is the county's regional partnership:
 - It supports staff time with Marion County and Polk County;
 - The partnership works on communicable disease control; and
 - Funding is for the time period of October 1, 2019 through June 30, 2020.

Board discussion:

- The state budgeted \$15 million for health care modernization; and
- The funding that the county will receive is not sufficient enough to cover the governmental model for delivering public health services.

MOTION: Commissioner Brentano moved to approve Amendment #3 to the incoming funds Intergovernmental Agreement with the Oregon Health Authority to add \$382,040 for a total of \$2,901,896 for the Regional Partnership Implementation through June 30, 2021. Seconded by Commissioner Cameron; motion carried. A voice vote was unanimous

PUBLIC HEARINGS

9:30 A.M.

None.

Commissioner Cameron read the calendar.

Commissioner Cameron adjourned the meeting at 9:58 a.m.

CHAIR

COMMISSIONER

COMMISSIONER

Board Sessions can be viewed on-line at

<https://www.youtube.com/playlist?list=PLSUQ1gg6M78UsBE3q6w4rdf59Z5rXkEi5>

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