

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:

G:\BOARD SESSIONS\BOARD SESSION MINUTES\2019\11-6-2019

- 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.

*Kiri Conner*

---

CHAIR

*James A. Brant*

---

COMMISSIONER

Not Present At Meeting

---

COMMISSIONER

**Board Sessions can be viewed on-line at**

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