

**BOARD OF COMMISSIONERS'
REGULAR MEETING**

July 12, 2011

1:30 p.m.

Commissioners' Conference Room

Commissioner Faye Stewart presided with Commissioners Jay Bozievich, Rob Handy, Sid Leiken and Pete Sorenson present. Acting County Administrator Alicia Hays, County Counsel Stephen Vorhes and Recording Secretary Melissa Zimmer were also present.

11. **PUBLIC SAFETY**

a. DISCUSSION/Jail Beds.

Stewart recalled that last week there was a press conference discussing the direction Sheriff Turner is moving forward with. Stewart thought there should be a discussion with the Board. He commented that they know of the budget difficulties Turner has had. He asked for a briefing of the dates and direction Turner is headed.

Tom Turner, Sheriff, commented that with budget cuts it is difficult in the Sheriff's Office. He recalled on May 10 when he gave the budget presentation for the Sheriff's Office, he discussed a number of issues that surrounded the proposed budget. He added the proposed budget was based on a number of concessions that were made through a number of different mechanisms, all of which had to act together in order to get to an end product. He stated that one of the difficulties for the Sheriff's Office was that so many mechanisms had to act together to get the right amount of money that it would be difficult if things didn't function properly. He made several suggestions during the budget presentation. He said the Sheriff's Office is a large target at 42 percent of the discretionary fund. He indicated that it is all the money they have to function with. He said what was most concerning was the food and medical vendors going to a private party. He said it was intended to recover \$1.2 million in savings over a period of time between October and the end of the fiscal year. He indicated that was a conservative estimate. He added their estimates were between \$800,000 at the low end and \$2.4 million. He noted on May 10 if it didn't work, he would have to pay more money. He added that was the beginning of the conversations that if he doesn't cut now, he will have to pay more money in the future.

Turner reported on June 15 he came to the Board to say that he was concerned the budget wasn't going to be implemented in time and it wouldn't yield enough money. He thought \$600,000 seemed safer than \$1.2 million and he was worried that was one of the concessions they would have to make. He added if they didn't get the full \$1.2 million, they would be looking at other services cut from patrol to Parole and Probation. He noted that the Sheriff's Office budget is really tight. He recalled at that time he announced they would have to reduce to a 20 hour patrol

as opposed to a 24 hour patrol. He noted the other thing at risk is changing Parole and Probation to stopping supervision of misdemeanor offenders. He added that he was not getting any concessions from his organization, meaning the labor unions were not coming to the table. He noted at the same time he was getting the information about what the payroll deduction was going to have to be for his organization. He stated that he has to come to the table to cut positions to make the numbers.

Turner indicated the budget was adopted on June 22 and they had a PSCC meeting and he hoped the Sheriff's Department would receive more money. He said when July 1 hit, the bill was due and he had to start paying the bills and he was afraid if he didn't start to pay the bills early, he would have to pay more later. He added that he wasn't willing to take the risk in waiting. He indicated that it included reduction in jail beds, reduction in misdemeanor supervision and reduction of patrol. He commented that they are at the absolutely minimum to provide services for the citizens of Lane County. He said he wants to try to provide for the citizens of Lane County and the organization and he thought he could do better on the notification. He stated that he has been mentioning that the cuts are coming and he is trying to get it right sized and to move on with business. He added that he didn't see any positive issues coming their way money wise.

Stewart recognized that Turner is the CEO of his department and he makes the decisions because he is elected to do that. Stewart said he still had questions because he didn't receive the final accounting of the Community Corrections allocation. He thought that a \$3.2 million gap with their budget was impossible.

Leiken indicated that he had a frank conversation with the Sheriff. He agreed with Stewart that Turner has the expertise to make the decisions. He viewed the closure of the jail beds as a short term issue.

Turner said the difficulty is this is one of the only options he sees to make the budget this year. He added that there will be a worse budget coming next year. He thought if there was a revenue source or mechanism to make it work, he would want to re-open the jail beds.

Leiken wanted to start developing something long term. He added that it will have to resonate with the citizens. He thought a special taxing district was a possibility. He wanted to see options to deal with this for the long term. He noted without Secure Rural Schools and without the timber money, it will be challenging to deal with the budget they have. He wanted to partner with the citizens in Lane County.

Stewart asked what was going to be cut and what the citizens could expect.

Turner responded they are losing 84 jail beds. He said that every time they talk about Lane County, they have to remember there is a federal consent decree that

was put on the Lane County Sheriff's Office through the Lane County Jail many years ago. He explained it is money for 84 jail beds, but they could only fill 79 beds. He said what it means to Lane County is that there is the potential for 750 additional offenders to be released into the community. He added those offenders may be of a fairly high threat rate. He said the difficulty they have is those offenders are potentially statutorily violent. He hoped they hold the right ones in jail, but he indicated that it is part of the risk assessment tool and part of the jail's job to keep the most violent and most dangerous people in the correctional facility as they can. With regard to patrol, he explained it is hard to move from anything other than 24 hour service. He said because of the reduction in personnel, they have had to go to a 20 hour patrol. He said it is still a 24 hour response department, but they might not have a deputy out on the street, but they are responding from home. He said another reason why he wanted to cut quickly and balance as soon as possible was because of the contractual overtime they have with employees. He indicated if they get called in from home, it kicks into an overtime scenario and it might cost some money. He added that it reduces the response to lower priority calls. He said they will have more of a phone methodology than they have in the past. He said it allows them to have the ability to monitor what is going on.

With regard to Parole and Probation, Turner explained that it will be dealing with three less Parole and Probation officers. He said that will force them in a position where they wind up monitoring 85 percent less misdemeanor offenders. He added the federal grants they now have will allow them to monitor the domestic violence offenders. He indicated they are waiting to see the food and medical services contract they hope to get. He said if that works, it might allow them to rebuild some if they get more of a savings than they anticipated. He added it will allow for a safeguard.

Stewart thought there was still an opportunity to achieve some savings in medical and food services and employee benefits. He thought they could bring back services with those savings in the future.

Bozievich indicated that he backs Turner with regard to the budget. He didn't think the Board fully understood the gamble they were asking Turner to take. He wanted to revisit the cost savings. He wanted Budget to bring back second tier cuts to see if they could review a different service to get cost savings instead of jail beds. He indicated that the community wants them to prioritize. He commented that for a lot of the community, public safety is number one. He wanted to look at other options for immediate cuts. He heard that the Secure Rural Schools money is not what they had originally anticipated when they adopted the budget. He said they are talking about an additional \$1.2 million less in SRS funding. He commented that it is not looking good for next year. He said they have to look at long term solutions to fund the public safety system. He said they need to work with the state and federal government to find a way to

provide the services. He asked administration to look at their options and revisit the whole issue.

Stewart shared the same direction as Bozievich. He wanted administration to bring this back as a conversation. He said they have to address the shortfall with the SRS check they are going to receive this year.

Leiken concurred.

12. **COUNTY ADMINISTRATION**

a. Announcements

None.

b. Job Description for Legal Counsel

Stewart said this was requested to bring back before the Board. He indicated that different paths were being looked at for County Counsel.

Sorenson wanted to break it down in manageable parts. He thought they should think about the job description and get opinions of people. He said an issue is experience and training. He asked if eight years of government experience will exclude lawyers who have managed law offices as large as Lane County's, but they would be out of contention because they don't fall within the eight year category.

Madilyn Zike, Human Resources, explained that she took the qualifications from the past posting for County Counsel. She recalled it was seven years of experience but she did some research into what other counties were doing and it was between seven and eight years for experience.

Sorenson didn't think they should put down that they needed governmental experience. He wanted to also be open to the private sector.

Zike responded that they do have that flexibility. She said with most positions in HR they discuss comparable experience.

Bozievich thought the language was flexible enough for them to consider. He thought it was important that whoever is their Legal Counsel, that they have governmental legal experience because it is a unique branch of legal practice. He agreed adding "commensurate with experience."

Leiken thought if they put too many qualifiers in they won't have a field open up to people who truly have an interest. He thought experience should be a quantifier.

Zike explained that this was their first try with this. She added they always have substantial questions they ask of candidates.

Stewart recalled at the last meeting, a majority of the Board asked to track a dual path, one with posting of this position and the other piece was to prepare an RFP/RFI that could look at the department from an outside view and make recommendations.

Zike indicated that piece is moving forward. She thought it would take about ten weeks to get the RFP/RFI developed and to get responses. She thought it was doable to run the processes parallel. She asked if in the interim they wanted to have that person being the Acting County Counsel until the two processes were completed.

Bozievich supported running the processes parallel so as they get into the selecting process they might start getting some information back about right sizing the department and the balance of contracting out versus internal. His concern in the short term is that they are down several positions with an upcoming retirement. He added the current Acting County Counsel has expressed an interest in applying for the permanent position. He thought it might be an opportunity to bring in an interim Acting County Counsel in the near future and that brings another position into the department temporary.

Zike said they would be looking at ten to twelve weeks with the recruitment.

Sorenson thought they should keep it simple and put the notice out that the position is open. He was open with the dual track. He thought for him the focus should be getting the job description done and getting the recruitment started.

Leiken said he was fine with the process to move forward on hiring permanent counsel. He wasn't sure about bringing in an outside County Counsel while they go through the process. He agreed that this is the first order of business and if they want to have a larger discussion on County Counsel in the future they could go that route, but he wanted to get things done in the short term. He thought if they go with an outside firm that it will take longer than a few months.

Zike explained the direction was clear that they want her to work on the job announcement. She indicated that she would do that and get the recruitment in full gear. She added that she heard from the Board before how much they value getting the announcement out as widely as possible. She added that they will be working on the supplemental questions. With regard to the RFP/RFI, she will work with contract staff to get the scope of work and deliverables and get it back to the Board. She said the Board wants to determine if they are going to contract County Counsel out or keep the existing structure, but have someone come in to

do some analysis of the workflow and then make a recommendation to the Board about changes they might want to make.

Handy wanted to move forward posting the position. He wanted a clear understanding that if they bring someone in temporary, that they would not be a candidate for the permanent position.

Zike noted there are positions of County Counsel 2 and 3 that are currently open. She said they are in the process of screening the applications and the filing of those positions have been moving forward.

Stewart reiterated that Zike move forward with the posting of the position. He heard support in pursuing an RFP/RFI process. He was interested in what the options might be short term for Acting County Counsel in light of the workload and what some of the options are. He wanted this to come back the first meeting in August

13. **COUNTY COUNSEL**

a. Announcements

None.

14. **COMMISSIONERS' ANNOUNCEMENTS**

Leiken announced that tomorrow night the Springfield Chamber of Commerce is having a business after hours at PK Park at 5:30 p.m. He reported that this weekend Summer Fair will take place in Springfield.

Stewart announced there are numerous events this weekend throughout the County. He indicated the Bohemian Festival is taking place in Cottage Grove with a parade and carnival starting Thursday evening through Sunday. He also announced the Coburg Golden Years. He said that tomorrow he will be in Roseburg at a Resource Advisory Council for the Rogue, Siskiyou, Umpqua RAC and will not be able to attend the afternoon public hearings. He reported on Sunday he met with Congressman Greg Walden about Secure Rural Schools and O & C proposals. He said Walden wasn't very optimistic seeing an extension of Secure Rural Schools at this point.

15. **EXECUTIVE SESSION as per ORS 192.660**

None.

16. **OTHER BUSINESS**

None.

There being no further business, Commissioner Stewart adjourned the meeting at 2:40 p.m.

Melissa Zimmer
Recording Secretary