

MAYOR'S AD HOC COMMITTEE ON
STRUCTURED SOBER LIVING HOMES
WEDNESDAY JULY 13, 2016
PRESCOTT, ARIZONA

MINUTES OF THE MEETING OF THE CITY OF PRESCOTT'S MAYOR'S AD HOC COMMITTEE ON STRUCTURED SOBER LIVING HOMES HELD ON WEDNESDAY JULY 13, 2016, in the COUNCIL CHAMBERS, located at CITY HALL, 201 SOUTH CORTEZ STREET, Prescott, Arizona.

A. Call to order.

Meeting was called to order by Glenn Martin, Chairman at 5:00 p.m.

Roll call.

COMMITTEE MEMBERS PRESENT:

Glenn Martin, Chair man
Phil Goode, Co-Chair
Constance Cantelme, Member
Tom Montague, Member
Lauren Newington, Member
Jeri Smith-Fornara, Member
Sue Jordan, Member
Doug Dolan, Member (New)

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B. Chair Martin welcomed Deputy Chief Bonney as well as new committee member, Doug Dolan. Doug Dolan gave a brief description as to his background. Dolan stated he is a Prescott resident and owner of Recovery in the Pines. He stated he too is an individual in recovery and has a heart for people in recovery.

C. Approve June 8, 2016, minutes

Chair Martin asked for questions or changes to the minutes of June 8, 2016. Member Sue Jordan requested that on page 3 Jon Paladini reflected Joe. Correction noted and made.

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- D. Jon Paladini presented overview of Ordinance No. 4967-1505, disruptive policies. Paladini went over brief details of what the ordinance is and pertains. Ordinance available upon request. Chair Martin commented that the ordinance has been active since March and questioned if there have been any properties designated as a disturbance. Paladini stated the ordinance was adopted in March but was put in place the 1st of April. Paladini stated that there is currently not a property that has been in violation of this ordinance. Chair Martin asked what Legal suggests to the public if someone calls the police department and the police show up and there is no longer a disturbance going on. Paladini replied that if you have the capability to record what is going on do so. That way once the officer shows up they can see what was going on prior to their arrival. Paladini urged that he is in no way encouraging neighbors start recording petty noise; but if there is a chronic noise problem then record it being that the state requires the government to prove the case. Co-Chair Goode questioned Deputy Chief Bonney about the disposition report indicates that no incident report is being taken, how does the agency follow up. Deputy Chief Bonney encouraged the community to partner with us in these incidents. She stated we need people to document the incidents. If the officers do not witness the behavior that is erroneous or illegal then the officer cannot take paperwork. Deputy Chief went on to explain that if a citizen says they have called numerous times, the officer and dispatcher has the capability to search the CAD system to see the number of calls for service. Member Cantelme questioned Deputy Chief Bonney about when officers come in for briefing, if they are directed or instructed on what constitutes a disruptive property. Deputy Chief Bonney replied the officers utilize the reasonable person standard and to use their discretion. She also noted that the department makes sure that the officers are aware and how they can use the tool effectively.
- E. Code Enforcement, Michael Fleming presented and update of community residences and the number and locations of them in the city. Fleming stated that last month there were approximately 172 homes. With a current audit it was discovered that it was determined 61 homes no longer being used as a community residence. Out of 74 that they believed were no longer in use, it was determined there were still 13 still being used as a community residence. 1 of the 13 is being used for an elder care facility. Member Cantelme asked Fleming how does he count if it's an

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Apartment complex. Fleming referred the question to Community Development for answer. Member Montague asked if the 61 were to reopen, does the grandfather clause still uphold. Fleming said that there is a 6 month window to re-open.

- F. Community Development, George Worley presented the updating of application forms and instituting new safety inspections. Worley stated that in order to take the grandfather status away a letter of notice must be sent and has been sent to the 61 residences. If a property owner does no longer want to use the residence as a community residence they can notify us and voluntarily give up that status. Worley went on to say that a residence can be utilized as a residence but there needs an inspection and be within a certain radius of other homes that will then help the cluster situations within Prescott. Co-Chair Goode suggested that if a citizen notices that a home is no longer being utilized as a community residence to let community development know so they can send the letter. Member Cantelme asked Worley to address the multi-family apartments and the limit. Worley said each apartment unit is looked at 2 people per bedroom. Building and Fire code will direct that. Cantelme mentioned that if you have a 2 bedroom apartment and it's said to be able to house 4 people, there will not be room for a house manager. Worley commented that 1 of those 4 would have to be a house manager. Cantelme asked if the 800 feet rule would apply being that it is an apartment complex. Worley said it is measured from the lot not the individual units in the complex. Member Smith-Fornara commented that there have been as many as 8 people per apartment and nothing has been about it.
- G. Presentation by Molly McGinn and the update on the training program at Yavapai College. There is a high level design in the program. McGinn mentioned a focus group and the purpose to gather what the general idea of the training will be and get feedback from owners, police department, house managers; on what else they would like to see in the program. Certification at that base level of training. The focus group will take place Thursday July 21 and classes start in the early fall semester. McGinn has had a large input of how to be a good neighbor. Member Newington asked McGinn for the

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Power point and updated copy of syllabus. Newington also asked if the focus group was open to committee members. McGinn stated that there has been a great interest from the public of wanting to be in attendance but per McGinn it's not open to the public. Member Cantelme also requested the curriculum and the concern of 1 or 2 hours of training, possibly not taken seriously enough. Are there perimeters set as to who can obtain a certificate. McGinn shared it is a 4 day course and 24 total hours of content and at Yavapai College. The core curriculum is at a rigorous level for the 7 modules. Paladini shared that this course is open to the public. There will be minimums set in the ordinance.

Chair Martin reiterated that the committee is based on safety issues within the community. Decisions will be made by city elected officials.

Member Dolan commented on the grey area in certain cases. There are some 21 year olds that complete more in their sobriety that some in their 40's. Dolan stated he will not trust someone new in their sobriety to run his business but it will be good to have those guidelines set for those that are responsible for the people in the home.

- H. Presentation by Mary Beth Hrin on Health Net issue. Hrin read a statement that the nonpayment continues to be a problem since the end of 2015. There are 5 providers that have been removed from a pre-payment review process however these providers have received no payment or at a fraction of what they should. It has developed significant budget deficits for many providers here in Prescott. There are still some providers still letting clients go due to no reimbursement by Health Net at this time. Providers are laying off staff and close to going out of business. Member Dolan validated that it's not just Health Net it's other providers across the board. Insurance companies are doing a lot of damage. Hrin explained there are kids being let out of the program much sooner than they are ready. Member Newington asked where these kids are ending up; the streets. Hrin said that they get in groups and put their money together and get a hotel.

Hrin then introduced a client who has been treated horribly by the treatment facilities, Trey Auker. Trey Auker discussed his experience with local treatment facility; Promise

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Recovery Center and Viewpoint Dual Diagnosis Recovery Center, and what went on in the home/center and with the clients. Examples being; getting kicked out, being over medicated, threats of being put out into the street for refusing medications, not allowed to contact parents, overdosing on medications, facility lying to family about the patient, personal belongings not being given when kicked out, at time of leaving the home he was given a bag of over 500 pills and left at a hotel. Auker went on to say that despite all of these negatives; this is something that needs to change. He does not believe that getting rid of the homes is the answer and that the house manager training is a good idea. Auker is thankful for the town and for all the rehab houses. He feels the problem is how they are run. Member Smith-Fornara asked if Auker has been able to find a place to go and he has. Member Cantelme asked Auker if other patients felt the same way as he did about having trained house managers. He said yes. Chair Martin asked Deputy Chief Bonney if anything she heard was criminal. Deputy Chief replied depending on what medication is administered is certainly a concern. Depending on the type of medication given certainly does fall under Arizona statute and a criminal felony. Member Dolan stated that DHS (department health services) is the one to call if you have a complaint about a licensed facility as well as the police. Member Montaque reiterated that if these facilities ask you to leave the facility, they have severed ties with you and they cannot keep your property. Call the police so they can conduct a civil standby or take a theft report. Auker stressed that people are dying.

- I. Chair Martin then opened it up to public Comment; James Biebers residing at 734 Black Drive commented that to the east of him is a rehab house going on 5 years and to the west of him there is another residence. Biebers shared that the police have been there numerous times. His truck and home has been vandalized several times. Biebers stated he has called the police 12 times. He mentioned that he is trying to get a person who used to live in the home to come forward and talk about the Heroin that goes on in the home. 5 years ago, 12 men lived next door to him and then women moved in. Police were called for incidents and nothing was done. Biebers stated that animal control had been to the residence to the west of him 8 different times. He said that when he has called animal control and police there was a sign put up that if the police are called again, he will be shot with their guns. Biebers said that he stopped calling the police. Member Dolan appreciated his comment and stated that is why his business is not located in family neighborhoods. Chair Martin asked how many times Biebers called the

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Police from March. Biebers said zero times. He said he received no satisfaction from the police so he would go over there himself. Member Jordan emphasized the importance of recording and a personal example is the location behind them noticed and activity has died down.

Chuck Abbott with Abbott Insurance spoke on behalf of the medical insurance, regulation, in-patient, out-patient, how great the certifications would be and would solve problems. Co-Chair asked Abbott if the new certification program would be of value for the businesses looking for liability insurance; being able to provide that certification. Abbott replied yes and that Insurance companies will be looking for the certifications and annual inspections.

J. Next meeting – 5:00 p.m. Wednesday August 10, 2016, City Council Chambers

K. Meeting adjourned at 7:00 p.m.



Glenn Martin, Chairman

Attest:



Joyce Anderson,
Police Records Supervisor