

Benton County proposed Human Services Administrator Personnel Action of Termination  
Franklin County evaluation of BC proposed employment action.

~~Print date: August 5, 2015. Please note—this timeline is incomplete as of this printing.~~

Timeline:

**April, 2014** – Robb interview with David Sparks and Fred Bowen for Human Services Administrator position. Ms. Robb speaks to both about bringing Joel Miranda with her as her admin assistant because he has a passion for housing and she had worked with him for about 8 years. That request is responded to favorably - Fred or David responded that, yes, it's not an uncommon practice to want to bring along someone that you trust or are comfortable working with. (referenced in 9/22/2014 Hallstrom letter to Diaz' attorney B. Davis)

*Offer letter dated May 14, 2014*  
**May 21, 2014** – approval to hire Linda Robb by both Boards. Sparks meets with Robb and Joel Miranda in the Cougar room and hands Robb an envelope with a complaint about Tracy Diaz, Human Services Chief Deputy. Sparks told Robb, you are going to need to get rid of Diaz. Robb takes this as strongly suggested and would be in her best interest.

**July 7, 2014** – Robb begins as Human Services Administrator. *See Job Description*

**July 29, 2014** – BC Board approves creation of Administrative Assistant position in Human Services (position Joel Miranda was hired into on 10/1/2014). Lexi Wingfield (BC Personnel Dept. Director) and Linda Ivey (Human Services Financial Director) help grade at 11 resulting in savings to budget as unfilled position had been budgeted at a grade 12.

**July 31, 2014** – Robb sends email to Small, Delvin, Beaver & Sparks: re: meeting with Sparks and Hallstrom in regards to creation of new Admin Asst. position in Human Services (identifies funding sources, explains funding for position is not related to CRU funding cuts as money is from a different source)

**August 1, 2014** Robb notifies Diaz of Pre-Disciplinary meeting (copy to Wingfield). Robb believes Steve Hallstrom, Benton County Deputy Prosecuting Attorney prepared this letter, and there is an email transmitting it to Robb. Typed by "bms", same initials as on termination letter prepared by Hallstrom)

**August 2, 2014** Diaz response (to Wingfield, Hallstrom & Robb) includes the following reports:

- 1) Joel Miranda's criminal background was well known in HS organization
- 2) Ivey is reported to say "she would not want to sign her name to authorize payment for things Joel Miranda was assigned to because of his criminal background and that she would contact the auditor's office to discuss her concerns."

**August 4, 2014** – Email from Robb to Beaver, Small, Delvin, Sparks – notifying them of Diaz termination (Hallstrom preparing termination letter) – all notified prior to Diaz being told.

**August 4, 2014** – Diaz termination

**August 2014** – Administrative Assistant position posted on NeoGov. About 10 applicants (See Hallstrom September 22, 2014 letter to Diaz' attorney B. Davis)

**August 29, 2014** – Offer letter to Miranda, actual employment conditioned upon passing background check.

**August 29, 2014** – Letter from Diaz attorney, Brian Davis (Leavy Schultz Davis & Ruff), to Benton County Commissioner Jim Beaver submitting a complaint about Diaz' termination.

Reports: Miranda had a criminal background and Robb knew of it.

**September 1, 2014** – Miranda Background Check Authorization (addressed to Maria in HS, delivered by Robb to BC Personnel Dept. Wingfield. Received from BC about 7/28/15

- Miranda hand writes his report of grand theft convictions (94) from Florida and provides cause number as requested on form

(Supplements Miranda's employment application submitted via NEOGOV which accurately answered no conviction in past 7 years)

**September 2, 2014** – Email from Marilu Flores (Staff in BC Commissioners office) to Beaver, Delvin, Small, SmithKelty; Sparks; Hallstrom; Robb: forwarding letter from Diaz' attorney B. Davis (with attachments).

Reports – Miranda's criminal background

**September 3 - 4, 2014** – Background Check on Joel Miranda requested by BC Personnel Dept. via Sterling (background check company).

**September 3 – 5, 2014** – Background Check report on Miranda completed via Sterling (background check company).

- County Locator identifies Miranda identified in Jurisdiction: Leon County, Florida (this is consistent with Miranda's disclosure of 94 counts of grand theft in Florida on Background Authorization)

**September 5, 2014** – Wingfield notifies Robb that Miranda has cleared BC background and can proceed with employment.

**September 5, 2014** – Robb calls Miranda with report that he has been cleared for background check.

**September 5, 2014** - Miranda resigns employment with Catholic Family Services based upon being cleared by BC Personnel Dept.

**September 22, 2014** - letter from Hallstrom to Diaz' attorney B. Davis rebuking all complaints made by Diaz against Robb.

\*Pull content

**October 1, 2014** – Miranda start date. Karlee Ainsworth from BC HR processes on-boarding paperwork for Miranda.

**January 1, 2015** – Miranda BC Master Personnel Action Form – allocation change in wages per: BOC action 1/13/2015 consent agenda – to align charges to Cost Allocation Plan for Human Services as developed by Financial Manager Ivey.

**March 25, 2015** Robb informed by Cable that there was a rumor being reported by CRU employees that CRU was being closed as a county program and moving to Lourdes Counseling Center. Cable reported that Small had confirmed this.

**March 25, 2015** Robb called Small who reported he had been talking about this since 8/2014 and didn't inform Robb because he did not want it out in the community. Robb spoke about her frustrations at being excluded and anger at decision. Small reported he had met with Barbara Mead and GCBH staff Roughton & Wilson as well as FC Comm. Koch on this issue. Robb requested to address the Boards on this. Small said to bring it to an executive session on April 7.

**March 25, 2015** Robb spoke with Smith-Kelty. Smith-Kelty said she and most of county knew and had advised Small to speak to Robb about it. She empathized with Robb's frustration and suggested speaking to Sparks.

**March 25, 2015** Robb spoke with Sparks and expressed concerns with moving ahead and supporting privatization of CRU. Sparks said he was frustrated with Small not having informed Robb and Small declines Sparks suggestion to keep Robb informed. Sparks reported to Robb that he suspected that HS staff knew because he believed Small had spoken with them about it. Sparks recommended Robb meet with Delvin and Beaver one on one and escorted her to Comm. Office to make appointments.

**March 26, 2015** Small 9:17 a.m. email to Flores (BC BOCC staff) – Small reports that he received a call from Robb who heard that BC was looking at dissolving CRU. Small told Robb that BOCC was going to have executive session on Tuesday to discuss dissolving crisis response unit. Small email to Flores at 1:01 p.m. – 'hold off until full Board on 4/7'.

**March 27, 2015** Robb met with Beaver about CRU privatization and not being informed. Beaver discussed finances and liabilities and asked Robb to gather information. Beaver informed Robb that he believed she should have been informed from the start and did not know why Small had excluded her.

**March 30, 2015** Robb met with Cable. Cable reported Small spoke with him about CRU privatization about 6 weeks earlier and directed him not to tell Robb. Cable reportedly

struggled with this for a long time not knowing what to do because he did not want to lose his job because he had disobeyed Small.

**March 30, 2015** Based on remarks made by Sparks about Ivey, Robb confronted Ivey about whether Small had called or talked to her regarding CRU issue. Ivey admitted that Small had called Ivey for financial information about CRU and had directed Ivey to not tell Robb.

**March 30, 2015** - Flores forwards to Small's March 26, 2015 emails regarding executive session being moved to April 7, 2015 to discuss "dissolving CRU" to Robb for Robb's information.

**March 31, 2015** - Robb completes Miranda's 6 month performance evaluation. Miranda scored 3-4 throughout. (2 = fully meets requirements, 3 = Frequently exceeds requirements, 4 = consistently exceeds requirements).

**April 1, 2015** – Montgomery (Ref. to as "WB I" in BC's "Administrative Leave Outline") complaint to BC Personnel Dept. re: HS client WH.

**April 7, 2015** – Robb presentation to BC Board meeting on CRU privatization proposal. *Robb notes*

**April 7, 2015** – Small press conference with KNDU news advocating for privatization of crisis response services and closure of CRU.

**April 8, 2015** – Robb presentation to FC Board meeting on CRU privatization proposal. *Robb notes*

April? Lisa Coburn-Taylor (Housing Case Manager?) gave 1 day notice and resigned, she stated she was tired of the politics. She had previously complained about Tracy Diaz leaving but no other concerns stated.

**April, 2015** Robb requests access to Ivey emails on reports from Sparks and Ian Vasquez (IT employee assigned to Human Services) that Ivey was being disloyal and that Robb should watch herself. Requested access was provided by IT. Robb had been previously provided with access to other employee's and former employee's emails.

**April 14, 2015** – Wingfield email to Montgomery re: HS client WH: "Those involved in the process addressing your concerns have concluded no laws, policies or procedures were violated. The questioned emergency housing stipend was properly issued." (Montgomery is referred to as "WB I" in BC's 7/28/2015 justifications for termination recommendation).

**April 14, 2015** – Robb attended Regional Clinical Directors meeting. At direction of Delvin, Robb requested a discussion of CRU issues be added to the agenda. Robb asked providers about their feelings surrounding the privatization issue. Robb's observation was that the majority of the providers were against this happening.

**April 27, 2015** – Wingfield email to Beaver, Delvin, Small, Loretta SmithKelty (Benton County Deputy Administrator), Sparks (forwarded to Peck, Koch and Miller by Robb) reporting outcome of investigation into Montgomery ("WB I") allegations – no wrongdoing by Robb.

Hallstrom, Wingfield and Chilton investigated allegations of misuse of funds, and process for admitting HS client WH. "All facts and documents pertaining to the misuse of funds claim were shared with Ms. Chilton. It was concluded that the documents, provided by Ms. Robb, showed proper procedure was followed."

**April 28, 2015** - Delvin email to Montgomery re: WB I complaint – "Benton County administration, Benton County personnel along the Benton County Auditor's office examined your concerns and found no violation of policy with regards who is eligible for the benefit."

**April 28, 2015** – Peck email to Montgomery re: WB I complaint – "Nevertheless, I too reviewed the available information and found no evidence of wrongdoing. If you have additional information or evidence of improper actions that we have not yet seen, please don't hesitate to let me know."

**April 28, 2015** – 8:15 a.m. Robb email to Small, Delvin, Beaver, Peck, Koch, Miller, Sparks, Smith-Kelty reporting on Clinical Director's meeting from April 14, 2015 discussing CRU. Robb attached minutes and reported some members of public present.

**April 28, 2015** – BC Exec Session – Discuss Performance of a Public Employee. Robb attended. Robb reports that during the executive session: *Robb Notes*

1. Small was angry with Robb because she disagreed with his view on privatizing the CRU. Small reported that someone from GCBH reported that Robb had talked negatively about Small, that Robb had "called him out" at least 5-6 times. Small reported that it was Robb's responsibility to put forth the views of Benton County to the community, not contradictory views. Small said that as Chair of the Regional Clinical Directors Committee, Robb should not have said her own views on anything, especially CRU. Robb reported that Delvin had directed her to the providers and public and find out what they thought and Robb believed that the GCBH regional Clinical Director's meeting was the place to do that.
2. Small criticized Robb for an email related to cut in funding for CRU, saying Robb sent it to "God and everyone else". Actual recipients were BC BOCC, FC BOCC, Sparks & Bowen. (See emails dated 8/12/2014 from Robb and 8/14/2014 from Small).
3. Sparks said he wanted to make sure it was known that an earlier issue centering around a rumor Smith-Kelty had reported to Robb was nothing Smith-Kelty should be blamed for. Sparks was referring to a rumor that Robb and Janet Taylor, FC Deputy Prosecuting Attorney, had a secret meeting with union rep. Kevin Dougherty (CRU union representative). Robb again reiterated that the rumor was false. Robb reported she wasn't upset, but had shared the rumor with Taylor. Smith-Kelty had reported to Robb earlier that Small was angry with Smith-Kelty on this matter as Peck had called Small about the issue.

**May 4, 2015** - NAMI TRI CITIES COMMUNITY FORUM ON BENTON FRANKLIN CRISIS RESPONSE UNIT. 7.00P-8.30P WHERE: KENNEWICK PUBLIC LIBRARY 1620 S UNION ST. Commissioner Shon Small will discuss possible changes to the crisis response unit that were announced in ... Continue reading → (link disabled). *Robb's notes*

Robb was invited but did not attend as she thought her attendance would anger Small. Several CRU staff and consumers attended and reportedly expressed a lot of concern over privatization.

**May 7, 2015** – RSN meeting. Small accused Robb of coaching and sending CRU staff to speak against CRU privatization. Robb denied accusation. Small produced 4 documents – one was a fax related to Detox that had been sent on May 3. Small was unhappy with fax. Robb explained circumstances and corrective action taken (see Robb email to CRU mgmt Cable and Sullivan, and copied to Small at 9:25 a.m. on 5/7/2015). Small asked who prepared the document. Robb explained it was unknown. Small asked if there was a way to tell electronically if a person was actually there or not. Robb asked IT about Small’s request and was told there was not. Robb sent Small an email relaying this information on 5/7/2015 at 4:56 p.m.

**May 15, 2015** Bi-County meeting re: privatization of CRU –

1. “Small led the discussion to privatize mental health services in Benton County. The County would no longer provide crisis response and other mental health services. Instead, a private agency would create a “one-stop shop.” He added that it would also put Benton County in line with the State’s intent to combine its chemical dependency, mental health and health care systems by 2020.”
2. Executive session on BC Agenda but no FC Agenda so not held as not properly noticed.

**May 16, 2015** – Tri-City Herald article “Benton, Franklin Counties To Study Mental Health Privatization” “Privatizing mental health services would lead to the elimination of the Crisis Response Unit, a bicounty agency that’s part of Benton and Franklin Counties Human Services. “One client, William Hanning, said at a recent community meeting...”

**May 19, 2015** –

1. 9:00 a.m. BC Board meeting. Robb did presentation on Detox. Robb reports Small was hostile and confrontive. At end of presentation, Small asked Robb questions about she had not acted on detox issue earlier. Small then asked about fax sent on May 3 (same fax Small discussed with Robb on May 7, 2015). Small indicated that Robb hadn’t told him about those issues earlier, although he had admitted there had been multiple emails regarding this issue.
2. 1:26 p.m. GCBH Fiscal Committee Meeting. Robb approached Small while he was getting water in the Board room at GCBH to ask about earlier comments at Board meeting. When Robb approached Small, he turned around and said, “You don’t need to explain anything to me Mrs. Robb. As far as I am concerned you are a pathetic liar and human being and I will never trust anything you say. You are a miserable liar and person, is that perfectly clear? I do not want to ever see or listen to you again!”. Robb replied that it was in fact crystal clear. Robb returned to the table for the meeting. Robb was visibly upset. Penny Bell, from ideal balance,

asked Robb what was wrong as Robb was on the verge of tears and quite shaken up. There was a quorum so Robb left the meeting to collect herself.

3. Robb called Wingfield and requested meeting to discuss a hostile work environment but did not give Wingfield the details as Robb became concerned about reporting to Wingfield. Robb reports that she was concerned that Wingfield was not independent – Wingfield reports to Smith-Kelty who works directly for Sparks and under control of Board. Robb felt terribly fearful during the call with Wingfield that she would suffer greater retaliation if she reported details to Wingfield at that time. Robb then called and reported the event to FC PA Taylor. Robb reported the event to Cable, Kyle Sullivan (title?) and Gloria Caldwell at CRU. They recommended meeting with Wingfield at BC Personnel to report a hostile work environment. Robb then attended a meeting at the Herald and reported events to Ti Nelson, a personal friend and ombudsmen. Robb spoke with BC PA Miller and reported events. Miller had been at Board meeting that morning and Robb reports Miller characterized Small's behavior towards Robb as "out of line". Robb reports that Miller reported to her that there was a rumor going around that Robb was putting all of her eggs in the "Brad Peck" basket. Robb contacted Delvin at 5:24 p.m. and reported the day's situation to him and asked him to help get Small to stop. Robb felt comfortable with Delvin as she had a previous relationship with Delvin (donor with CFS, knew Robb's prior boss, had been supportive since her hire and Miller told her to call Delvin). Delvin encouraged Robb to keep doing her job and being up front. Delvin apologized to Robb for not saying anything to Small as Small was being unreasonably mean to Robb in the Board meeting that morning.

**May 22, 2015** Robb - Hostile Work complaint against Small interview with FC PA Taylor. Taylor reported to FC BOCC on May 27, 2015 in executive session.

**May 30, 2015** – Montgomery's last day of work. Reason for leaving per Robb: Montgomery kept saying she was too stressed out and that she just wanted to be a housewife. Previously Montgomery had expressed concerns regarding HS client WH. Montgomery had a lot of other complaints: angry that Robb had made the decision to contract out portions of the HEN and TANF programs; mad because Robb was going to have Lisa take over the jail and CD program management b/c she didn't want to go to the jail. Robb discussed this with Lexi and per Robb Lexi told her, you are changing her job duties, that's your job, your call, she needs to get onboard or get out the door. (But see 4/27/2015 email from Montgomery stating she resigned after receiving Wingfield 4/14/2015 response to her grievance.)

**May/June 2015** – Kathy Mills George (DMHP with CRU, member of Union negotiation team) –she took job at Kadlec in Human Services – Per Robb, George reported that reason for leaving included uncertainty with future; frustrated with COLA business – we aren't going to win against Shon Small.

### **Contract split communications with State**

**Late May/early June 2015** – Robb met with Sparks and reported May 19, 2015 events with Small.

**June 5, 2015** On or about. Robb met with Beaver in Beaver's office. It was a scheduled meeting at Robb's request to discuss Small's behavior at GCBH on May 19, 2015 and request assistance. Robb reported Small's statements to Beaver. Robb reports that Beaver seemed very supportive. Beaver noticed that Small has a problem with Robb. It needs to stop. No more executive sessions. Small needs to be reassigned to another department and perhaps Delvin could be assigned to Human Services. Beaver said he would get with Ryan (BC Civil DPA) and see what could be done. Beaver took Robb's number down and said he would get back with her.

**June 5, 2015** – Robb met with Smith-Kelty and reported the May 19, 2015 GCBH Small event. Robb also reported what Beaver had said. Robb reports that Smith-Kelty agreed with Beaver's proposed course of action in reassigning Small and no more executive sessions and Smith-Kelty stated that the constant harassment needs to stop.

**June 9, 2015** – Email exchange between Robb and Beaver regarding Human Services Commissioner reassignment.

1. Robb at 1:59 p.m. – “I am hoping to get an update about the conversation you and I had last week about the Human Services Commissioner possible reassignment. Were you able to talk to Ryan?”
2. Beaver at 2:10 p.m. – “Linda, our board continues to look at all the programs we are involved in. I am not leading any charge to re-assign a member of the BOCC. Nor am I going to put myself between you and one of my board members. Respectfully Commissioner Jim Beaver”
3. Robb at 2:28 p.m. – “I apologize for my misunderstanding. Take care and thank you for your time.”

**June, 2015** – Kathy Laws (DMHP) – took a job at Kadlec. Reason for leaving – stressed out because of CRU privatization discussions.

**June 25, 2015** – Ivey gives 2 week notice – obtained position in Sheriff's department. (Was this newly created by Benton County?) Yes, see attached.

**Week of June 29, 2015** – SmithKelty told Robb that she didn't believe Robb would be allowed to replace Financial Manager (Ivey). Robb shared that financial manager was a critical position for Human Services. SmithKelty reported she would go to Sparks. SmithKelty eventually came back reported to Robb that she would be allowed to hire a new Financial Manager.

**June 30, 2015** – Joel Chaves (CD Program Specialist) – was planning on leaving before Robb joined the organization – his position was going to be eliminated in the pending 2020 State merger of HS functions. He had been promised a like position at GCBH and he took that position as part of the transition.

**July 2, 2015** – Financial Manager job posted on NeoGov.

**July ?, 2015** – WB II – reports that Robb directed the WB II teach Miranda her duties and responsibilities as the HS financial employee, prior to her departure. WB II refused because Miranda is convicted felon. *Note: Only information provided by BC is this summary of the allegation - no related documentation provided.*

**July? 2015** – Rosie Sparks in Auditor’s office asked Robb to submit a new Signature Authorization form as Ivey was leaving. Robb asked if she should redo all of them as Cable was leaving as well and Rosie said yes. Robb submits requested document to Auditor to update authorization (Robb reports there should be email(s) between Rosie Sparks – in Auditor’s office and Robb). This includes authorizations for Miranda. See Miranda job description – are authorizations consistent with job description? – we need document to evaluate. Per Robb's report. We have not been provided with copy of document .

**July 7, 2015** – BC HR prints internet research on Joel Miranda.

**July 8, 2015** – BC (Wingfield and SmithKelty) direct Robb to terminate Miranda immediately. Robb asks what if I refuse. Per Robb and BC information – Robb is told fire Miranda or be terminated for insubordination. Robb acquiesces and fires Miranda. *See Term letter*

**July 10, 2015** – Linda Ivey, Finance Manager – left to take new position at BC Sheriff’s department. Per Robb, Ivey reported reason for leaving – 3 grades higher in pay.

**July 16, 2015** – Benton County unilaterally places Robb on paid administrative leave.

**July 30, 2015** (was supposed to be last date, but may have extended a week) – Gordon Cable – CRU manager – left to take a management position (Outpatient Services) at Lourdes Counseling Center. Per Robb – Cable reported reason for leaving – felt that future of CRU was unstable and seeking stability in employment.

RECOMMENDATION: **Based on information to date, there is insufficient information to support any action against Robb, let alone termination.**

Information we have to date appears to be incomplete. FC requested additional information from BC. Recommend not taking action until additional information can be obtained from Benton County.

## ROBB ADMINISTRATIVE LEAVE OUTLINE

### Pre-Robb Hire

- Robb accepts bi-county Human Services (HS) position.
- Robb tells small gathering after meeting, she intended to bring J. Miranda along as her #2, aka Chief Deputy (06/14 ish). Current HS #2 present moved to tears.
  - Who was present?
  - Where did this take place?
  - When did BC find out about this?
  - What is the concern with the HS Admin. wanting to staff her department with people she believes she can count on?
  - Did BC address this concern with Ms. Robb?
  - Documentation?

LR – Linda asked during the interview with Fred and David if she would be able to bring Joel Miranda to work as her administrative assistant because he has a passion for housing and I've worked with him for 8 years and it seems like it would be a good fit – what do you think about that? Fred or David responded – yeah, you know, it's not an uncommon practice to want to bring along someone that you trust or are comfortable working with.

Linda is not aware of meeting alleged above – her plan was to bring JM regardless of Diaz.

Linda – See September 22, 2014 letter from Steve Hallstrom to Brian G. Davis, Esq

### Robb Hire

- Before advertising created position, reveals to HS staff she intends to bring J. Miranda from Catholic Family on staff. Some staff members are upset.
  - What staff?
  - What created positions?
  - Why are staff members upset?
  - When did BC find out?
  - What if anything, did BC do at that point?
  - Who discussed this with Linda?
  - What did Linda say?

Linda – Linda did share that she intended to bring Miranda as an employee as had been shared and approved during the hiring process. Some staff members were upset and that was handled in 2014.

See September 22, 2014 letter from Steve Hallstrom to Brian G. Davis, Esq

- Creates position for Miranda approximately at the same time CRU takes debilitating \$90,000 monthly funding hit. *Created position incorporates request from Andy Miller's Office regarding Human Services*  
*Position was created with cooperation of BC Administration and approved by the BC Board*

- What position title?
- Was this approved by BC Personnel?
- Was this approved by BC Board?
- Did the CRU funding change impact ability to fund position?
- Did BC have a concern at the time it was done?
- Did BC share that concern with Ms. Robb?
- What was her reply?

Linda – See September 22, 2014 letter from Steve Hallstrom to Brian G. Davis, Esq

The funding for the AA position came from an unfilled position, pre-dating the appointment of LR

The unfilled position was approved by Commissioners and budgeted.

No one shared any concern at the time the position was created using budgeted funds from an unfilled position. In fact Linda followed Sparks advice and provided rationale to Board so that they understood fully what had transpired so that they could respond to employees who were unhappy and voicing their concerns. Linda did not receive any communication or indication from Benton County until seeing it in this document that Benton County had any concern. In fact this is an opposite position taken by Benton County in their 9/22/2014 letter addressing this exact situation.

- Debates with BC HR to hire Miranda as Chief Deputy; advised cannot happen - Miranda does not meet the qualifications, only has GED (per Robb), etc. Robb – “I need to get this gentleman hired!”
  - Who in HR?
  - Communications?
  - Job description for Chief Deputy?
- Retreats from lobbying for Miranda as her Chief Deputy, to classifying Miranda as “glorified” secretary, for designation as FLSA non-exempt, comp/OT eligible. BC HR acquiesces due to newly created position and uncertainty as to exact job duties and responsibilities for Miranda.
  - Administrative Assistant job description provided by Benton County is dated 11/90 and provides 3 pages of job duties and responsibilities.

Linda – See September 22, 2014 letter from Steve Hallstrom to Brian G. Davis, Esq

- Terminated Chief Deputy based on “issues” before hired as HS Administrator.
  - Documents?
  - Process?
  - We need this person’s personnel file.

Linda Robb – On the date that the Boards announced that Linda was the successful candidate for HS Admin., David Sparks took Linda Robb and Joel Miranda into the Cougar room and handed Linda Robb an envelope that had a manila envelope that had a complaint in it about Tracy Diaz and he told Linda, you are going to need to get rid of this employee. This was in about May, 2014 (last bi-county meeting). Linda took this as strongly suggested and would be in my best interest.

There is a file on this termination in Linda’s filing cabinet in her office –

Steve Hallstrom, Lexi Wingfield and David Sparks all participated in the decision to terminate Ms. Diaz. See documentation.

Linda actually made the decision to see how Diaz did before making an employment decision. Linda worked with Steve Hallstrom, Lexi Wingfield and David Sparks on her concerns related to Diaz. Diaz had already applied for another position before being terminated according to Hallstrom's letter.

See September 22, 2014 letter from Steve Hallstrom to Brian G. Davis, Esq

- Frequently took time off in 2014 contrary to BC non-barg personnel policies.
  - When?
  - Documentation?
  - Was this ever discussed with Linda?
  - What was her response?

Linda has no idea what this is referring to. No one ever approached her and told her that she wasn't following BC policies regarding taking time off.

- Did not always turn in leave slips, *e.g.*, days before and after Thanksgiving vacation and the week of Christmas.
  - Documentation?
  - Was this ever discussed with Linda?
  - What was her response?
  - Any other times since Christmas?
  - Did problem get fixed – is leave bank accurate?

Linda has no idea what this is referring to. No one ever approached her and told her that she wasn't turning in leave slips as required. Linda reports that she did complete leave slips for Thanksgiving and Christmas consistent with her understanding of how they were to be completed. This is the first time Linda has heard this is a concern.

- Frequently "AWOL", as staff did not know her whereabouts.

Linda denies this and indicates that she kept an outlook calendar which had her schedule on it. Further, Linda carried a Benton County issued cell phone and tablet and even if she were conducting business offsite that did not appear on her calendar, staff could reach her by phone or email anytime. Linda indicates that this is the first time she has ever heard this was a concern.

- Robb rarely documented her vacation or sick time -- she would just be gone and not document it on her timesheets.

Linda disagrees with this allegation and states that she did document her vacation and sick time. This is the first time Linda has heard of this allegation. Linda asked for specific dates she is alleged to have been out sick or on vacation that wasn't reported. Linda asked for a copy of her calendar so she could respond to specific allegations.

- Robb and Miranda would both submit mileage reimbursements and etc., for travel including between offices.

Linda doesn't know of any reimbursement requests which weren't consistent with applicable policies for herself or Miranda. She indicates that this issue was never raised

to her. Linda asked if there were specific reimbursement requests that were somehow improper.

- Went to a lot of meetings that may or may not have had anything to do with agency business.

Linda did not attend any meetings that did not have anything to do with agency business. Linda agrees that she did attend a lot of meetings that had to do with agency business and that was a substantial part of her job. Linda asked if there are any specific examples of meetings she attended which were not proper. Linda reports that no one ever approached her with this concern and that seeing it in this document is the first time she has heard of it.

### Miranda Background Check

- BC HR conducts routine background check on Miranda – nothing remarkable in standard seven year view by third party vendor.

Linda did not handle the background check so cannot speak to it.

- BC HR intakes Whistleblower complaint Miranda is a “criminal” . . . a “convict”.

Linda wonders if this is referring to the Diaz complaint about her termination – in about August 2014, Diaz did report that Miranda had a criminal conviction or words to that effect. Linda believes that BC had determined that Diaz did not have Whistleblower status...according to Hallstrom’s 9/22/2014 letter. Otherwise, Linda is not aware of a “whistleblower” complaint or anyone complaining about Miranda’s criminal history after that.

- BC HR has “face to face” meeting with Robb and directly inquires as to Miranda’s criminal history, relating the seven year check did not reveal conviction data.
- Robb categorically and unequivocally denies Miranda has criminal record. Robb further states Miranda was merely “in the wrong place at the wrong time”. The business where Miranda worked was investigated, but Miranda was not incriminated, per Robb.

Linda – Reports she had been open about her understanding of Miranda’s criminal background. Her understanding was that he had been found guilty because the company was stealing from clients and he knew but didn’t whistleblow. The first time Linda knew of details of Miranda writing checks and stealing the money was in seeing documentation I showed her from Benton County during this interview process.

- BC HR relied to its detriment on the strong disavowal of Miranda having a criminal record by Robb, deferring to a department manager.
  - **But see Miranda Background Check Authorization signed 9/1/2014 disclosing 94 counts of grand theft and providing State and cause number.**

### Miranda

- Hired as Administrative Assistant (100114). *Hire processed through BC Personnel Dept.*
- Educational level – GED.
  - **But see Miranda application lists high school diploma and some college.**
- Job duties were essentially defined by Robb as “assigned as needed”.
  - **But see job description provided by Benton County which identifies job duties**
- Frequently AWOL; staff did not know whereabouts.

- Miranda denies that he was ever AWOL – Miranda states that he kept a comprehensive calendar in outlook which would have captured most if not all of his meetings. Miranda was working out of 2 physical locations and attended meetings at other physical locations as well.

- Claimed OT despite not present forty hours weekly.

Linda – First weeks after hire in October, 2014 – writing policies – Loretta called Linda in asked about reason for overtime...Linda explained and Loretta said it was okay... Linda never heard anything more about it. Linda reports that Miranda had worked 40 hours plus overtime hours reported. Linda never received other notice of any other concerns with Miranda's time.

Miranda denies claiming OT for hours not worked.

- During audit of BC positions in Spring of 2015, BC HR reclassified Miranda's Administrative Assistant position from FLSA non-exempt to exempt, along with a number of other BC positions, ending comp/OT.

Linda – emails regarding initial evaluation when position was getting ready to be staffed – Linda doesn't recall taking a position one way or the other. Thinks it was prior to Neogov announcement...

Linda had no objection to change in classification – this is an HR function. Verbally told by Lexi – Linda sent email to Lexi confirming – Linda asked about accrued comp time and email response back.

### Whistleblower I

- Whistle Blower (WB), a HS employee, emails HR in April – 2015, advising William Hanning, wanted to get into the chemical dependency program, but the WB never let him into the program because he does not qualify.
  - See Montgomery "grievance" and Wingfield's denial of the grievance in timeline...
- WB went on vacation for a few weeks and Miranda let Hanning into the program.
- BC HR and PAO reviewed Housing records in Human Services and interviewed Robb, discussing process and results with BC Auditor's Office, on two occasions.
- Robb claimed she was giving Hanning the exception and can circumvent the established process for intake as she deems appropriate, as the Administrator. Claimed Miranda took care of situation because staff were afraid of Hanning.
  - How is this a concern as the processes allowed Robb to place Hanning in the program per Wingfield, Hallstrom and Auditor's investigation conclusions...

Linda – she didn't circumvent – she acted within established policies which allows the HS Administrator to exercise discretion.

- Hanning recently testified on behalf of Crisis Response Unit.
  - How is this a concern? Many people have spoken on the CRU matter. There was an audit and Hanning was determined to meet eligibility requirements for program he was placed into...See timeline for documentation...
- Hanning, Miranda, and Robb all knew each other from Catholic Family
  - See timeline regarding Robb's request and discussions about bringing Miranda on. How is this now a concern?
- People in the substance abuse program typically live in Oxford Houses and the rent is a standard approx. \$325 per month. Hanning's check processed by Miranda was \$900.

- How is this relevant as it has been cleared by investigation by Wingfield, Hallstrom and BC Auditor?
- Multiple months can end up on the same check.
  - How is this relevant as it has been cleared by investigation by Wingfield, Hallstrom and BC Auditor?
- Jason Bliss is the man who oversees the Oxford Houses. Miranda and Bliss went to lunch once a week.
  - How is this at all relevant to Robb's performance?

Linda hadn't heard this was a concern before today and has no idea why this would be of issue.

- Auditor agreed no evidence amounting to misconducts or criminal behavior warranting further action.
  - See timeline – Auditor, S Hallstrom and Wingfield all participated in investigation and found no problem. See also Commissioner Delvin and Commissioner Peck's emails to Montgomery reporting they reviewed and no problems.

### Whistleblower II

- WB II, a HS employee advises Admin that in July, 2015, Robb directed the WB teach Miranda her duties and responsibilities as the HS financial employee, prior to her departure.

Linda – Linda was asking Ivey to teach a number of employees various aspects of financial duties as Ivey was leaving and Linda did not have a replacement identified. Linda had asked Smith-Kelty about this strategy and was told it was appropriate. No one approached Linda and asked questions about scope of Miranda's involvement or voiced concerns about Miranda's participation in the office. Linda was just ordered to fire Miranda on 7/8/2015.

- WB stated she refused to instruct Miranda, relating he was a convicted felon. WB stated the books are in good order and she wanted to leave HS that way.
  - But see 2014 report from Diaz where Ivey is reputed to say she wouldn't sign things Miranda was involved in because of his criminal history (this came to Hallstrom, Wingfield, Benton County Commissioners)...this was all before Miranda was even hired. If this was a real concern for BC, why did they allow the hire in October, 2014? Why didn't they act when they first received the information in August and September, 2014? Why didn't they act when Miranda reported 94 convictions on his Background Check Authorization in September 2014?
- BC HR and PAO interview WB. WB states Robb did not keep it a secret Miranda was a convict and had been to prison.
  - But see BC's allegation above that "Robb categorically and unequivocally denies Miranda has criminal record"...see also timeline – several notices to BC about Miranda's criminal history.
- WB related Robb stated Miranda's mother visited him in prison.

Linda agrees she made a statement to this effect back in 2014 – has no idea why it is relevant or what the problem is with making the statement. Had not been approached before – no idea anyone had a problem before seeing it in our interview.

- WB related Robb stated Miranda liked to work with Jail Release Housing for those reentering society from jail/prison because he could relate to their situation.

Linda agreed that she made the statement a number of times in 2014 that Joel had a real passion for housing. Has no idea why this is relevant. Had not been approached with any concerns about this statement before me showing this to her.

- Internet search produced documents establishing Miranda was convicted of 98 counts of embezzlement from his employer over a ten year period, and sent to prison.

Linda – the details identified below are news to Linda. Linda was not aware of the details of the crime until shown this information in July 2015.

- Miranda copied his employer’s checks and made them out to a phony partnership, of which Miranda was the only member.
- Miranda embezzled over \$761,000.
- Police recovered only \$70,000 from Miranda.
- Per newspaper article, the CEO of Miranda’s former employer, the victim, stated he could not believe Miranda committed the deed; he was quiet, did his job; everyone liked him, he was like family.
- Police reported Miranda could not provide a reason for his criminal enterprise over a ten year period.
- Miranda apparently was released from custody in January 2007
- Miranda began working at a halfway house in Florida in June 2007
- Miranda moved to Washington in September 2007 purportedly to take care of his elderly father and began at Catholic Family at the same time

#### Robb – Miranda Professional Relationship

- Robb refers to Miranda as “my Joel”, like “family”, a “good guy”, etc.

Linda – there were 2 Joels, so Linda would occasionally refer to Miranda as “my Joel”. Linda does agree that she believes Joel is a good guy – not a perfect guy, but a good guy. Linda hasn’t ever been approached before with any concerns about she and Miranda’s professional relationship.

- Miranda quickly gained Robb’s confidence and trust, and was rewarded with increasing responsibilities and access to financial systems.

Linda – Joel was not granted access to BC financial systems – she requested access to Eden from the Auditor’s office – see discussion below for more details.

- Robb claimed Miranda would attend meetings with her to take notes; Miranda observed at BC BOCC meetings with Robb, without pen or pad – no note taking observed.

Linda – Joel did go to many meetings and take notes, some were even mailed out to providers...whether he took notes at each and every meeting or not, he was there to assist me in the fulfillment of my duties. At one point Joel wasn’t available, so I sent Maria. On another occasion, I had to leave so Maria stepped in and took notes for me on the rest of it. No prior notice that there was a concern about this from anyone in BC or FC.

#### Miranda – Human Services

- Miranda not liked in HS, especially Housing, because Robb fired the previous deputy to hire him.

Linda – it is true that Miranda wasn't like in Housing by some employees, but that isn't the criteria Linda used to hire or fire employees. Linda did not fire Diaz to hire Miranda. See timeline for details.

- Robb continued to give Miranda increasing responsibility. **See notes below re: housing manager allegation...**
- Robb put Miranda in charge of some of the Housing staff.
- Other staff began to leave.

Linda – other than Jim Laws retirement (which had been coming for quite some time), no one quit in 2014 – majority if not all of staff leaving was after S Small started talking about privatizing CRU and eliminating bi-county HS organization.

**See timeline for staff departures...**

- Miranda became Housing manager, providing him the authority to approve money to go out.

Linda – did not give Miranda that title. Coordinated entry systems, Jail and CD – this was in November or December, 2014. No one from BC or FC ever voiced any concerns. No financial responsibilities associated with these functions. 2 employees screened (screeners) – they would do person verification (picture id, birth certificate, ss card, on each member of family, income verification (i.e. welfare)) and then place into a housing program if qualified – they would create a document called a program voucher (but this is different than a financial voucher in the BC EDEN system) if Jail or CD, Joel would review and sign off regarding person's eligibility for program (so an eligibility review, not a financial approval) if grant, then Tammy Smith would review and sign off regarding person's eligibility for grant program (so an eligibility review, not a financial approval); then this program voucher to Sheila Berry (Finance Admin. Assistant) for verification of: Landlord compliance, right program number, person was actually admitted into program, vendor verification, confirm available funds in program, she would put all into financial voucher form (for EDEN) then submit to Linda Robb for signature. This was not a delegated function. LR had an administrative override she could perform on the program voucher and did a few times. Then EDEN voucher was submitted to Auditor's office for review and processing. Linda Ivey processed 3<sup>rd</sup> party invoices. There was a HMIS was a record keeping program for the State – Joel had access to this program since practically day one.

State did many audits – one finding once where some federal language hadn't been passed on to providers (with CAC). Got it taken care of with the State and resolved the finding. Joel participated in one audit and received praise from State employee Emily at Commerce – in charge of CHG grant for his good work – sent an email to Linda and Joel. There is more than once.

Joel did year-end report which is pages and pages and pages of excel spreadsheets. Huge undertaking – high praise from Nick (or Nate?) in Commerce.

- Miranda was engaging in “one on one” meetings with clients.

Linda – yes, at times Miranda, just like other employees who were working with clients and the programs HS administers, met with clients one on one. No idea why this is a concern...never raised before.

- Robb requested Miranda have access to EDEN (BC financial program), pick-up checks, etc.

Linda – did request that Miranda and others in office be able to pick up various duties in light of Ivey’s departure. Linda asked Smith-Kelty specifically about requesting authority for Miranda and was told it’s appropriate as Miranda is your number 2 assistant. Had not been approached with concern based upon request (see report of process with Rosie in the Auditor’s office).

- HEN and TANF HS programs are not as much of a concern for embezzlement as Substance Abuse/ and Jail Release Housing programs, due to differences in eligibility processes.

Linda – this was never discussed with Linda previously.

#### BC Auditor

- BC Auditor notified pursuant to State statute(s) – BC solely provides auditor function for Human Services.

Linda – not aware of this other than the April 2015 matter with Montgomery...

- BC Auditor notified Fraud Unit of SAO.

Linda – can’t speak to this, doesn’t have knowledge of this before today.

- BC Auditor notified FC Auditor, who related he was not involved inasmuch as BC solely provided auditor function, but supported in any and every way.

Linda – can’t speak to this – no knowledge.

- Conducting audit of HS.

Linda – there have been numerous audits (see discussions above), isn’t familiar with if this is referring to state audits or need for an audit or some BC audit or FC audit?

State Auditor’s Office (SAO) – Linda – no knowledge and can’t speak to these allegations. None of this raised previously – Linda never interviewed by Benton County in association with being placed on paid administrative leave. This is Linda’s first knowledge of these issues.

- Alarmed by information provided and strongly recommended audit. Would not provide as this juncture inasmuch as no strong information establishing current criminal activity. Circumstances clearly warranted in-depth review of Miranda.
- SAO stated statistics show that offenders like Miranda are more likely to reoffend and are good at inserting themselves in roles where they may have the opportunity to steal through subterfuge, gaining increasing responsibility and access to funds. Insert themselves into roles with opportunity and slowly gain more trust and authority.
- SAO related the roles Miranda held in HS and Catholic Family could be potential areas where he could gain the opportunity by gaining trust and moving up.
- SAO indicated Miranda may have been discovered before he could act, given the time frames of beginning employment.

#### Miranda Conviction Revelation To Robb

- When confronted by HR and BC Admin regarding Miranda’s conviction and the nature of his ninety-nine counts, Robb stated “didn’t we already go through this when [he] was hired?”, indicating BC had been apprised of Miranda’s criminal background and the nature of the offenses prior to hire.

Linda – July 8, 2015 – Loretta Smith-Kelty, Lexi Wingfield and Linda met in Lexi’s office about 3 in the afternoon. Had met with David Sparks from 2-3 and had a nice meeting about

an email Linda had written (boy were you right about Linda Ivey, you are a good man) – he had been warning her about Linda Ivey. Linda Robb wanted to meet to discuss how to provide services in light of exodus of employees. Discussed how to present to the Board without angering Shon Small. They had been discussing folks who had problems with commissioners D Sparks told her “Oliver is crazy as hell, but Small is mean.”

Linda met with LSK and LW – Linda asked, which housing person is mad at me now? They said this isn’t about a housing person, LW hemmed and hawed and Lexi finally said we need you to fire Joel Miranda and we need you to do it today – now. LR asked why? LW said because several sources have complained about his criminal history and looking into I have found it’s very extensive and he needs to go. LR – what are you talking about, what sources, we talked at length about this before I ever brought Joel on board. Lexi denied – LR said yes we did. Lexi said I vaguely remember you saying something about it. LR argued with her – LW said we are going to have to agree to disagree. LSK didn’t say much if anything during this meeting. LW told LR she had to fire JM. LR said, I disagree and what happens if I say no. LW said you would be subject to a charge of insubordination and that could possibly turn into a termination. LR -Wait a minute JM is a bi-county employee, I don’t mean to be insubordinate, but I would like to talk to somebody at FC about this. I think LW looked at LSK and LSK said, like who – I guess you could talk to Jerrod MacPherson and LSK went and got his phone number for me. LSK and LW left and LR called JM and he said, I don’t know, I will have to talk to the Board about it – I can’t give you an answer I don’t know. LR called SS too but he didn’t answer his phone. LR got LSK and LW and told them what he said and they said is he going to call back? LR said I hope so. LR was upset and crying.

LSK took LR into the Cougar room – LSK told LR about applying for the job that LI got, and shared her frustrations about not being DS successor, and that they have someone else named Chris – LR thought that LSK was trying to bond with her. During this meeting SS and TD called LR back. LSK excused herself, LR brought SS and TD up to speed. SS said they would look into it, they would talk to the Board, but to not put myself into risk or job jeopardy – if I was being threatened with insubordination to follow that direction.

At no point was I told I could wait for FC input. I had to fire Joel that day or be at risk of being fired for insubordination.

LR went downstairs at BCJC, called Joel and told him what was going on. LR told him to just take whatever was most important with him and she would arrange to get the rest of his personal effects to him, but that he had to leave immediately.

LR went back upstairs to Lexi’s office and told her that LR had fired Joel and that I would take care of getting his personal items. LR went back downstairs and started walking across the parking lot toward HS and JM came around the corner in his car and stopped. I got in and JM told me Melinda Diaz (Rodriguez) is sitting in her car watching him. They drove up the road a little bit and talked. LR apologized and asked what he took – he showed her a photo, the bible and keyboard. I think that’s all there was. He drove me back and I got out and went up to my office – I used my badge so it was after 5 by this point. Our discussion

lasted about 5 minutes or so. I sat at my desk in disbelief for a few minutes and then left. It was after 5 by that point and everyone else was gone. I don't recall if Melinda Diaz was in the parking lot when we returned.

- When Robb was assured Miranda clearly would not have been hired had the counties known of his criminal background and the nature of his offenses.

BC knew of criminal background and nature of offenses prior to hiring in October, 2014 – see timeline for dates and related documentation.

- Robb shifted gears and questioned whether the documents establishing criminal conduct were regarding the Miranda she hired.

Linda – that was the next day – LR called LW and asked where she got all of the information and Lexi directed LR to a website – LR asked if you got the right JM? Lexi said yes, it has his picture. LR said okay.

What did you know before you hired JM? I believed that he had been working with an insurance company in Florida and that the insurance company had been caught embezzling client funds and that when they got investigated they (being the investigators, the police, the FBI or whatever) that they knew that Joel knew what was going on and didn't go anything to stop it so he was charged with theft. I was actually pretty shocked to read in that document (this July 2015) that he had been writing checks to himself, I didn't have any knowledge about that until I read it recently. I had no knowledge of an order of restitution until July, 2015 when LW mentioned it during our July 8 meeting.

I knew JM had a criminal background because he disclosed it when he applied for work at Catholic Family. At Catholic Family they did a background check and it came back clear. JM started as a receptionist and it rapidly became apparent that his skills far exceeded reception so I proposed to make him admin asst., which was approved by Agency Director and Human Resources. We worked together for 7 years there and everything was fine. He had the program credit card in his name and never had any problems with that. Did voucher submittal to County for program and never any problems there that I am aware of.

I discussed JM's criminal history at length with LW before bringing JM onboard. Before he was hired, staff learned of his criminal conviction, so I discussed it with Tracy Diaz, the Chief Deputy. Diaz asked me if it was a secret, I said no. We had a planned staff meeting and the staff brought it up and the housing staff was angry that I wanted to hire someone new. We had a very terse and angry meeting and it went along for a long time until I felt everyone had a chance to have their say and say their piece. That day or shortly after that I met with Linda Ivey and Tracy Diaz and we had a come to Jesus meeting about my expectations with them supporting me and my decisions. LI was crying – it was a rough meeting.

After Tracy Diaz was terminated I believe she called all 6 commissioners discouraging them from allowing me to hire JM. BP played the message for me and he stated that he didn't believe it was appropriate for the BOCC to be involved in my hiring decisions.

### Miranda Termination

- Robb refused to terminate at-will employee Miranda without FC approval.

Linda – see above – Linda didn't refuse – she questioned BC's authority to issue such a directive when it's a bi-county agency. Linda complied under threat of her own termination.

- Robb advised she would be insubordinate if she did not terminate Miranda.

Linda agrees she was told by LW and LSK that she would be determined to be insubordinate and subjected to termination if she did not terminate Miranda.

- After much consternation, Robb agreed to terminate, relating she spoke directly with the FC PA, who approved the termination of Miranda and, the Interim FC County Administrator, who related two FC BOCC members approved Miranda's dismissal.

Linda – see above... cannot recall being told that two FC BOCC members approved Miranda's dismissal...

- Robb claimed she could not terminate Miranda face-to-face, and communicated the message over a telephone. Robb failed to escort Miranda out of the workplace and control what items he removed when he left. Linda – see below.
- Robb was observed meeting with Miranda shortly after his termination, in a vehicle outside of the Benton Justice Center. Linda – yes, she met Miranda in the parking lot – see below.
- Miranda left work on July 8<sup>th</sup> with a box of papers after 5 pm, which Robb later identified as his personal papers. Miranda did not take his personal effects.

Linda looked at what Miranda took and it was a bible, photos and a keyboard. She did report to Lexi that he took only a few personal belongings and that she would return the remainder of his personal things to him. She and Maria went through his office for 2 days following and didn't find anything missing. To this date she is not aware of him taking anything improper.

### Robb Post-Miranda Termination Conduct

- Robb contacts BC IT and request emails from WB II and the BC Deputy County Administrator.

Linda – I contacted Ian Vasquez and asked him if it was possible to get access to Linda Ivey's emails and he said yes and provided that access to me. This was a verbal conversation. I did that because it was after it had been suggested to me by a lot of people that Linda wasn't trustworthy and was going to through me under the bus and spreading rumors about me. This happened in about April, 2015. On the email on the left are the boxes and on the right are where you can read your email. There was a little thing that said Linda Ivey and I could go and check it and see her emails incoming and outgoing. I figured if it wasn't alright IT wouldn't have let me do it.

- Robb requests IT make her a "proxy" for all of her employees, enabling her to check all of their emails, and send emails in the name of the employee.

Linda – I don't even know what that means for certain. Tammy Smith (formerly Washburn) went on maternity leave – a vet had been emailing her and calling her and no one know because she was on maternity leave. Maria Lorea asked if I could get access to her email and

voicemail while she was gone so we could monitor and make sure no one else was getting missed. I did that while she was on maternity leave – I requested this access the same way. I believe this was over March, April, May. When Tammy returned I forgot about it for a while and then I got an email from Melinda Diaz and didn't recognize a name and she told me that she sent that to Tammy, which triggered Linda that she needed to turn that off. Called Robert Heard as Ian wasn't there and asked him if he could turn it off. He just indicated he would take care of it – any indication ever that that was somehow inappropriate? No.

Linda had access to Ed Thornbrough's email after he left, Tracy Diaz after she left, and then Joel Chavez after he left in order to monitor for important communications. That was at a lot of prompting from the secretaries – Maria and Sheila checked the phone messages on those folks.

Have you ever sent an email that was not from your email address at work? No.

Linda doesn't have access to the financial software at all. Access is granted by the Benton County Auditor.

Request for financial access: why? Linda Ivey announced that she was leaving and that she would provide me with 2 week notice. Linda Ivey's last day was about July 10, 2015. Linda's financial admin assistant Sheila Berry was at least 8 months pregnant and was having Braxton hicks contractions and was incredibly stressed beyond belief – she was very worried about whether she would get the job...faced with both of my fiscal people were going to be gone – there was a discussion about who could do what between Linda Ivey and I. Linda Ivey had some reservations about whether Sheila could do that job, I made a decision that more than one person should be trained on everything – cross training to avoid loss of people impeding work flow. Linda Ivey shared that Joel was most skilled at excel spreadsheets. I knew he had financial background at Catholic Family Services and that he would be a choice to train on the fiscal stuff. It was never my intention that he would take that position. In particular that was directed towards the Housing billing – the July 9 2015 2:00 meeting was to train on how to do billing for their own programs. My DD program specialist Mari Clark said that is how it is done in most counties.

Linda was asking that Maria would be taking over for Sheila while Sheila was on maternity leave. I was asked by the auditor's office to redo the signatory form so that is what this was. Previously Linda Ivey had been the one who could sign things in my absence and I asked for that to be Joel.

Did anyone ever come to you and say we aren't comfortable with his background – can you please pick someone else? No. I asked Loretta if it was okay – it may be an email or it may have been verbal and she said yes, he is your number two.

Why didn't you replace your deputy earlier? I didn't see the need for it. I thought we could fulfill the service that Tracy was doing for much less money. I wanted to learn the job, I wanted to get involved and know the staff and know the programs. I felt that I could better

accomplish that without a deputy and it saved the organization a lot of money. I had taken so much grief from staff and Shon Small that I didn't want someone who I couldn't trust. There is an email between Loretta and I to this effect and Loretta told me to make sure that I made it a permanent position.

Robb Administrative Leave - Linda not interviewed about this section as not related to her performance...

- BC had immediate concerns regarding the ability of Robb to lead HS.
- On July 9<sup>th</sup>, L. Smith-Kelty had previously emailed J. MacPherson at BC Chair Delvin's request, seeking a bi-county meeting on July 13<sup>th</sup> or 14<sup>th</sup>, to discuss the future of Human Services in light of the resignation of several upper level management members. BC received an email from Ms. Loffler, indicating that she was notifying FC Chair Peck in hopes that he could provide direction in light of the limitations on the availability of FC BOCC members Miller and Koch.
- Before BC received a response from FC, there were very significant developments related to Robb's handling of Miranda's hiring and termination that caused BC concerns. In that July 15<sup>th</sup> email, BC advised it was imperative that the two boards meet ASAP to discuss and possibly make a decision regarding the performance of public employee Robb.
- FC Commissioner Koch contacted D. Sparks, briefly discussed the situation and indicated his availability to meet. D. Sparks was also contacted that day by Ms. Loffler. Ms. Loffler initially indicated to D. Sparks that FC could meet the next day (July 16<sup>th</sup>) or Friday, the 17<sup>th</sup>. M. Flores, BC BOCC staff, then determined that either of those days would work for Benton County, and she so advised Ms. Loffler. Ms. Loffler then contacted Ms. Flores later that day and informed BC that FC could not meet either of those two days or the following week, and that FC Commissioner Koch would not be back until August.
- Under the circumstances, given BC is the administrative agency for Human Services, Miranda's criminal history, the concerns BC had/has regarding Robb's handling of Miranda's employment, a report of a suspicious payout from an agency homeless fund and the inability of FC to meet for an extended period to time given the urgency of the situation, BC believed that putting Robb on paid leave in the interim was appropriate and necessary to preserve the integrity of a financial audit while waiting for FC to advise when its BOCC could meet with the BC BOCC