

A Timeline of Vernonia Events: June 2010-July 2011 *continued from front page*

Jun. 14, 2010--Stoelik/LPGI Report submitted to City.

Jul. 8, 2010—Craig Stoelik sends a follow up letter to Vernonia Police Chief Frank Grace indicating that his first investigation, “revealed a significant concern relating to police conduct.” Stoelik’s letter also reveals that, according to Columbia County Justice Wally Thompson, other Police Officers that work in Columbia County have inferred that Kay “...is not known to be an accurate or truthful person.”

Jul. 21, 2010-- Vernonia Legal Counsel, Jordon & Schrader initiates the second investigation by Dan Kelly to conduct an internal affairs investigation related to misconduct on the part of Kay. Kelly indicates in his report that upon starting his investigation he was provided with an undated memo from Interim City Administrator Haack to Kay, that advises Kay that an allegation has been made that he was untruthful during the Stoelik/LGPI investigation and that the City of Vernonia has authorized an investigation into this allegation.

Aug. 2010-- Jordon & Schrader resigns as Vernonia Legal Counsel. The City of Vernonia is without Legal Counsel until November 15, 2010.

Aug. 26, 2010—Bill Haack sends email to Columbia County Commissioner Tony Hyde asking for assistance with a problem that is sensitive to Vernonia; police officer Mike Kay, a six year veteran of the Vernonia Police force “...is caught in a series of small stupid lies that when connected demonstrate a pattern.” Haack says “The Chief will likely recommend termination next week,” and that the Judge has already sent a letter to DPSST that “...will effect his [Kay’s] certification and end his career when acted on.” Haack goes on to state, “The impact in Vernonia will be dire...the city council will erupt, police association will grieve, community will be torn apart as the officer is highly regarded in many sectors, especially youth, and I am torn on how to act towards people I should trust.” Haack asks if Hyde can intercede on Kay’s behalf “...to allow for an alternative outcome.” Haack states that his desire is “...not that he [Kay] not receive discipline but that he is allowed to re-examine his standing as a police officer and pledge to be given a second chance if he desires this career path. To that end I would like to work with him to assess options short of termination.”

Aug. 31, 2010--Police Chief Frank Grace resigns his position, an action that had been planned for several months.

Sep. 7, 2010-- After an Executive Session and with Council approval by a vote of 3-1, (Councilor Hudson voting against, Councilor Ball, absent) Haack promotes Mike Conner to Interim Police Chief.

Oct. 1, 2010—Haack sends a letter to Kay informing him that it is in the best interests of the City, the Vernonia Police Department (VPD) and Kay to suspend the current Kelly investigation until DPSST responds to a letter forwarded to DPSST’s attention by Columbia County Justice of the Peace Wally Thompson. Haack states in his letter that if DPSST takes no action by December 31, 2010, that he will work with Kay and Chief Conner to close the investigation.

Oct. 29, 2010—Kay is notified in a letter from Interim Chief Conner that the K9 Lease has expired and that the program is being suspended until a new lease/contract can be established. Kay tells City Council on November 1, 2010 that the lease automatically renewed each year, but only for three terms; that it expired on June 30, 2010. According to the terms, the lease had to be renewed in writing each year and therefore expired on June 30, 2008.

Nov 1, 2010—Council selects Alexandra Sosnkowski as new City Legal Counsel. Sosnkowski’s contract is approved on November 15, 2010.

November 4, 2010—Kay sends email to Interim Chief Conner with certifications from ACCJT for K9 Krueger for years 2006-2010. Haack and Conner are

unable over the next month to verify the authenticity of the certifications.

Nov. 5, 2010—Haack sends memo to Interim Chief Conner stating that City Council has directed the City Administrator to fully reinstate the established K9 unit. Haack authorizes Conner to temporarily reinstate the Vernonia K9 unit only until February 4, 2011 through an extension of the original lease dated June 7, 2006. According to the memo, Haack says that for the reinstatement to occur certain conditions must be met, including all required certifications for the canine must be current and approved by Haack. The memo also states that before February 4, 2011 a formal discussion with the city insurance carrier is required to occur to determine what liability issues need to be addressed for the continuation of a K9 program supported by the VPD. The lease extension is signed by Mike Kay and Haack on November 9, 2010. K9 unit remains active until March 21, 2011.

Nov. 15, 2010—Haack sends an email to former Chief Grace concerning the K9 issue in which he states, “DPSST I am told may be inclined to ask to look—I do not know how to encourage the look w/o my fingerprints being attached. My largest problem is I represent a third party contracting with the City for this limited service.” Haack goes on to say, “Off chance that my contract will not be extended in January so I am trying to lever this issue to a closing point.” Grace responds that “DPSST: Requires a phone conversation.”

Dec. 6, 2010—Council chooses not to extend Haack’s contract beyond December 31, 2010. Councilor Parrow makes the motion to extend the contract, Councilors Cindy Ball, Catherine Helmer and Kevin Hudson won’t second it and it dies. Council then approves the extension at December 20, 2010 meeting.

Dec. 9, 2010—DPSST, notifies Haack and the City that, because Mike Kay was the subject of an investigation into misconduct, under ORS 181.675, public safety agencies are required to provide DPSST with any and all records relating to Kay.

Dec. 10, 2010—In an email from DPSST’s Theresa King to Haack, King memorializes her in-person conversation with Haack on December 9, 2010 about concerns about Kay. King states that Haack is asking for assistance in determining the validity of K9 certifications and specifically whether officer Kay meets minimum standards for an Oregon police officer. King notes that Haack has approached DPSST based on the following reasons: That he does not believe there is current knowledge or understanding within City Government of the implications of a possible integrity breach by officer Kay as it relates to his ability to perform his

duties, his ability to testify in court, and potential liabilities the City may be subject to if Kay is retained as a police officer. King also notes Haack’s concerns that because the City has an Interim Chief, the matter has been deferred to him, and that the specifics and uniqueness of police department operation requires external input from an agency that governs certification matters and that based on the tumultuous history between the VPD and the County Court a review of Kay’s certifications is critical. The email from King concludes by stating that only in unique cases would DPSST take a case involving a currently employed public safety officer to the Policy Committee for review, and that would be based on a request from the employing agency. King also states that she understands that Haack believes the Stoelik and Kelly investigations should move forward to the Policy Committee in their entirety; that Haack is requesting DPSST to conduct an investigation into the validity of K9 training asserted by Kay; and that Haack is requesting that all matters cited be forwarded to the Policy Committee for review.

Dec. 16, 2010—Haack, on behalf of the City of Vernonia, makes a formal request for DPSST to follow through on the certification review to establish whether Kay meets the minimum standards for Police Officer certification in Oregon.

Jan. 4, 2011—New Council sworn into office, including new Mayor Josette Michell and Councilors Marilyn Nicks and Willow Burch replacing Ball and Helmer.

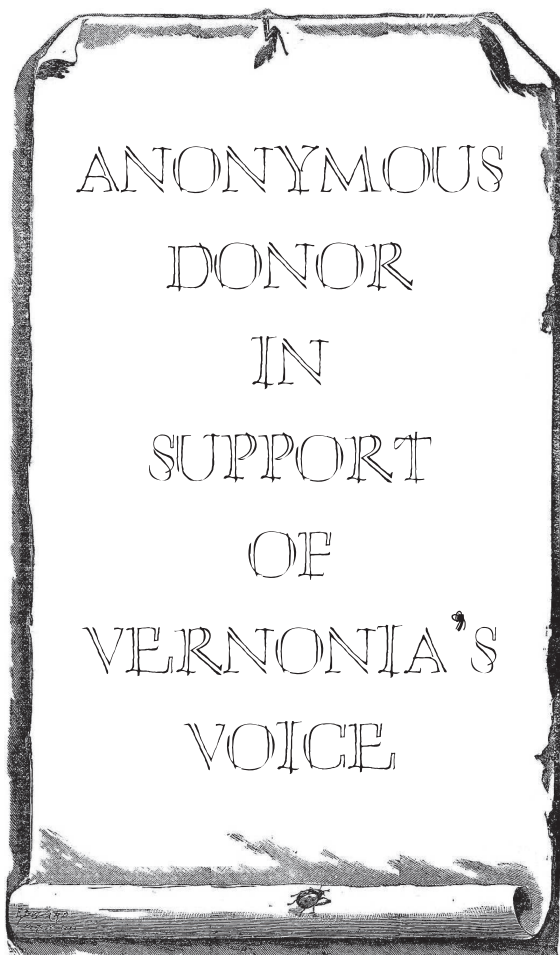
Feb. 7, 2010—City Council holds an Executive Session under ORS 192.660(2)(f)(h), “To consider information and records that are exempt from disclosure by law, including written advice from your attorney,” and “To consult with your attorney regarding your legal rights and duties in regard to current litigation that is more likely than not to be filed.” Upon returning to open session, no mention is made of the Kay investigations.

Feb. 22, 2011—Council votes 3-2 to begin a search process using the League of Oregon Cities (LOC) for new City Administrator, with Councilors Burch, Hudson, and Nicks voting in favor.

Mar. 1, 2011—Haack and Kay sign a new K9 Lease Agreement. Lease states that the canine must be currently certified with standards equivalent to Oregon Police Canine Association (OPCA) standards. The Temporary Lease expired on February 4, 2011.

Mar. 7, 2011—At City Council meeting Council is presented with 180 signatures from citizens asking Council

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