

MINUTES FOR THE
BOARD OF COMMISSIONERS
STATE OF OREGON, COUNTY OF JACKSON
REGULAR MEETING HELD ON
MARCH 31, 2021

The Board of Commissioners' Regular Meeting was opened by Commissioner Dyer on Wednesday, March 31, 2021, at 9:32 a.m. by videoconference. Those participating were:

Rick Dyer, Chair
Dave Dotterer, Commissioner
Colleen Roberts, Commissioner
Danny Jordan, County Administrator
Joel Benton, County Counsel
Shavon Haynes, State Watermaster
Alycia Hartley, Recording Secretary
Members of the Public and Press

Commissioner Dotterer led the Pledge of Allegiance.

Community Service Award: Jim Foucault, ACCESS, Inc.

Commissioner Dyer read about the many different ways Mr. Foucault has been an asset to the community through his work with ACCESS, Inc., specifically in managing multiple food pantries and adapting to change through the COVID-19 pandemic and the recent fires. Commissioner Roberts thanked Mr. Foucault for all that he does and noted that, between the fires and COVID-19, it has put the need for what he does on the fast track. Commissioner Dotterer stated that Mr. Foucault's flexibility is very impressive; it has been a tough time and he has had to change quickly to meet the needs of the community. Mr. Foucault thanked the Board for the recognition and the staff at ACCESS for all that they do for the volunteers. Ms. Marcee Champion, Food Programs Director, ACCESS, Inc., stated that she has not known Mr. Foucault very long, but he always steps in and has a remarkable ability to manage systems, while having such a heart for the community. She is so thankful that he is a volunteer for ACCESS. Commissioner Dyer concluded by stating that he is thankful to have Mr. Foucault in Jackson County and that people will never fully appreciate or understand all of the work that is done.

10.00 Request for and Discussion of Non-Agenda Items (5-Minute Limit)

Brad Bennington, Medford, asked the Board to take note of concerns in the building industry for affordable housing and explained that, if certain legislative bills are signed, they would potentially add \$120,000 to \$180,000 to the cost of a new home. He said that COVID-19 compliance protocols have affected all industries, construction included, and spoke about the upcoming Southern Oregon Home Show.

Rich Cardwell, Medford, said that there is a lot of evidence that the COVID-19 virus started in a laboratory in Wuhan, China, where communists are in charge. He voiced his suspicions of where it originated, and said that communist China is 100 percent opposed to the American ideology.

Joanna Wnorowski, Ashland, said that her husband works in the construction industry and, due to the COVID-19 restrictions, they are thinking about moving to Florida. She spoke about people committing suicide and seeing businesses boarded up. She wants to know how people can support the Board in opening back up.

Elena Cardwell, Medford, spoke about suspicions she has regarding the emergency of COVID-19 and the lock downs occurring. She spoke about the red flags raised regarding why there is a declared emergency and feels it is a fraud.

Jeff McGregor, Prospect, spoke about potential economic issues for the County related to COVID-19. He asked the Commissioners to do a study detailing what the issues would be if they decided to reopen as he feels the County is beyond any sort of an emergency. He said that it falls to the County to do something on behalf of the people. Mr. Benton stated that this request for a study is not feasible, from the County's perspective, but is something that the Board could decide to look at further.

Gregg Marchese, Phoenix, said that Antifa is operating in Jackson County and disrupted a freedom rally in Ashland. He said that Antifa is communism and rose as a strong national defense of communist takeover.

Megan Terk, Central Point, said that she is homeschooling her kids due to the mandates being enforced. She urged the Board to be bold and stand for the County, and fight back against tyrannical mandates. She spoke about people she knows moving out of the State due to the mandates.

Daniel Gregg, Talent, said that there are many doctors and professionals who are sounding the alarm of the false pretenses of the, so-called, emergency. He feels there is enough contradictory evidence and testimony to show that the mandates are more of a threat than COVID-19, and the Board took an oath to uphold the Constitution.

Amy Rose, Eagle Point, said that there is an urgent call to action opposing permanent mask mandates. She appreciates Commissioner Roberts' willingness to meet and help her feel heard. She thought that the leadership was going to act but the people are now creating their own groups against the restrictions.

Ananda Coniff, Ashland, said that the Board is working for a corporation who does not have the people's best interest at heart. She feels they are choosing to align with the State of Oregon as a corporation, not the living, breathing, people.

Marybeth Thompson, Grants Pass, said that her husband is a first responder, there are children committing suicide, and elderly people are dying alone. She feels that it should come down to freedom and personal choice as people have lost the ability to be kind to one another due to wearing masks.

Andre Nogue, Ashland, feels that the Board does not get what is being said. He feels that the people are doing the real work in declaring that the pandemic is non-existent, and that the Board is cowardly in not making a declaration stating the truth of the facts.

20.00 Consent Calendar

20.01 Minutes of Meetings

BoC Staff Meeting, March 11, 2021

BoC Work Session, March 16, 2021

BoC Regular Meeting, March 17, 2021

BoC Staff Meeting, March 18, 2021

20.02 *Order Accepting Cayden Street, Cole Drive, Connor Drive, and Lisk Drive as County Roads. Order No. 44-21*

Commissioner Roberts made a motion to approve the Consent Calendar as presented. Commissioner Dotterrer seconded the motion. Those who voted aye: Commissioner Roberts, Commissioner Dotterrer, and Commissioner Dyer. Motion passed.

Following the motion and roll call vote, Commissioner Roberts, Commissioner Dotterrer, and Commissioner Dyer each authorized the use of his/her electronic signature on the minutes presented and on Order No. 44-21, pursuant to Order No. 1-21.

30.00 Public Hearings

No public hearings were scheduled.

40.00 Discussion/Deliberation

40.01 *Order Proclaiming That a Local Disaster is Declared and Request the Governor to Declare a State Drought Emergency for Jackson County, Oregon. Order No. 45-21*

Commissioner Dyer read the Order by title. Mr. Jordan stated that the Board reviewed the issue of water in the County during a previous Work Session. He explained that Jackson County's agricultural and livestock industries, and related economy, are anticipated to suffer widespread and severe economic damage, potential injuries, and loss of property resulting from extreme weather conditions within the County. Annual water supplies available for irrigators and ranchers within Jackson County are a function of both available water storage in the Rogue and Applegate Rivers, in various reservoirs (Willow, Howard Prairie, Hyatt, Emigrant, Agate, Fish, and Four Mile Lakes), and the estimated seasonal inflow from winter snowpack.

The United States Department of Agriculture (USDA) has estimated that in this water year, October 1, 2020, through March 1, 2021, the Rogue Basin is at 87 percent median snowpack and 8 percent of total average precipitation. As of March 1, 2021, storage for the reservoirs was below average with ranges of 14 to 85 percent of average, and the 14 percent is specifically what affects agriculture. The long-term snowpack monitoring sites in the Rogue Basin have recorded below-average levels for snow water equivalent, including four snow courses on Mt. Ashland that have been measured continuously for over 40 years. As of March 1, 2021, the USDA reports that streamflow forecasts increased slightly from the month prior, however water managers in Jackson County should prepare for normal to below normal water supplies if conditions remain similar.

Jackson County has approximately 40,000 acres of irrigation district lands which are irrigated, in part, from stored water. Many of the irrigation districts may choose to delay opening day, and may be forced to curtail water sources later this summer. As of February 2021, irrigation storage, as part of the United States Bureau of Reclamation Rogue Basin Project, is at 16 percent of average.

In addition to irrigation district lands, there are approximately 170,000 acres of irrigated lands that have individual water rights that will be affected by low reservoir and streamflow levels. Many farmers, ranchers, and vineyards rely solely upon natural water sources, which are not augmented by local reservoirs, and these natural tributaries to the Rogue and Applegate Rivers are in extreme jeopardy of drying as they rely upon annual snowpack to run.

The extended weather forecast for Jackson County projects higher than normal temperatures, and below average precipitation. All of these conditions will result in the loss of economic stability, pasture shortages, decreases in feed production, a shortened growing season, and decreased water supplies for Jackson County's agricultural, vineyard, and livestock producers. In addition, this multi-year cumulative drought has resulted in decreased fuel moisture and early onset fire danger.

It has been determined that extraordinary measures must be taken to alleviate the suffering of people and livestock, to protect or mitigate economic loss, and to be responsive to the threat of wildfires. In addition to proclaiming that a local disaster exists in Jackson County, the Board of Commissioners should make a request of the Governor to declare a Drought Emergency for all of Jackson County under the provisions of Oregon Revised Statutes (ORS) 401.165 and 536.740 due to the severe and continuing drought conditions.

If the State makes a declaration, the Oregon Water Resources Department may exercise emergency water rights authority following a Governor's drought declaration by issuing temporary emergency permits, transfers, instream leases, approve special option agreements, authorize temporary substitution of a supplemental ground water right for a primary surface water right, temporary exchange of the source of water allowed under a water right, and grant preference of use to water rights for human consumption or livestock. These emergency actions are noted in ORS 536.750 and Oregon Administrative Rules 690-019-0040, 0055, 0058, 0059, 0070, 0080, and 010.

He stated that, in addition to this, the Federal Emergency Management Agency region for Northern California, which includes Jackson County, has made a drought declaration as well. Mr. Shavon Haynes, State Watermaster, added that, according to the United States Army Corp of Engineers, overall storage capacities for two projects in the Rogue Basin are now four feet further behind schedule.

Commissioner Roberts made a motion to approve Order No. 45-21 as read. Commissioner Dotterrer seconded the motion.

Commissioner Dyer noted that it is apparent that the Board needs to be as proactive and responsive as possible for what appears to be a severe water shortage.

Those who voted aye: Commissioner Roberts, Commissioner Dotterrer, and Commissioner Dyer. Motion passed.

40.02 Order Authorizing a Jackson County Contract for Services With Universal Protection Service, LP, dba Allied Universal Security Services. Order No. 46-21

Commissioner Dyer read the Order by title. Mr. Jordan explained that the Jackson County Health and Human Services (HHS) Department identified a need for non-armed security officer services at the HHS building and parking garage that is located at 140 South Holly

Street in Medford. A Request for Proposals was published in the January 22, 2021, edition of the *Mail Tribune* and posted to the Jackson County website. A committee reviewed and evaluated the four proposals that were received, and determined that the proposal submitted by Universal Protection Service, LP, dba Allied Universal Security Services is in the best interest of the County.

Commissioner Dotterrer asked about the types of security issues taking place. Mr. Jordan provided several examples of the different circumstances faced around this building, which creates the need for security.

Commissioner Dotterrer made a motion to approve Order No. 46-21 as read. Commissioner Roberts seconded the motion. Those who voted aye: Commissioner Dotterrer, Commissioner Roberts, and Commissioner Dyer. Motion passed.

40.03 Order Authorizing Multiple Temporary Lease Agreements for the Storage and/or Stockpiling of Aggregate Construction Materials. Order No. 47-21

Commissioner Dyer read the Order by title. Mr. Jordan explained that, in the process of completing road improvement projects, it is frequently necessary for the Jackson County Roads and Parks Department to temporarily store aggregate construction materials on multiple privately, or publicly, owned properties while road work is completed in the area. The Roads and Parks Director is requesting pre-authorization for these lease agreements with the following characteristics: the lease agreements will be in an amount not-to-exceed \$30,000, or less, for the term of the lease; the lease agreements may be terminated by the County for convenience 60 or fewer days following delivery of written notice to the tenant; the lease agreements may be required for more than one year to accommodate the length of time necessary to complete the road improvement project associated with the temporary site; and the lease agreements do not obligate the County to make any payment under the agreements in any fiscal year subsequent to the fiscal year in which the lease agreements are approved. In the event that the Board of Commissioners determines that entering into such lease agreements, on the terms provided, is necessary to complete road improvement projects conducted by Jackson County, approval of the Board Order will authorize the County Administrator to execute these lease agreements.

Commissioner Roberts made a motion to approve Order No. 47-21 as read. Commissioner Dotterrer seconded the motion. Those who voted aye: Commissioner Roberts, Commissioner Dotterrer, and Commissioner Dyer. Motion passed.

Following the motion and roll call vote, Commissioner Roberts, Commissioner Dotterrer, and Commissioner Dyer each authorized the use of his/her electronic signature on Order Nos. 45-21, 46-21, and 47-21, pursuant to Order No. 1-21.

There being no further business, Commissioner Dyer adjourned the Regular Meeting at 10:58 a.m.

JACKSON COUNTY BOARD OF COMMISSIONERS

/s/ Rick Dyer
Rick Dyer, Chair

/s/ Dave Dotterer
Dave Dotterer, Commissioner

/s/ Colleen Roberts
Colleen Roberts, Commissioner

Due to the existing novel coronavirus (COVID-19) pandemic and the need to promote physical distancing, the Jackson County Board of Commissioners is conducting meetings through electronic and telephonic means. On January 5, 2021, the Board of Commissioners approved Order No. 1-21 authorizing the use of their electronic signatures on Ordinances, Orders, and other documents. Following the motion and roll call vote, Commissioners Dyer, Dotterer and Roberts authorized the use of his/her electronic signature on these minutes of March 31, 2021.

/s/ Alycia Hartley
Alycia Hartley, Recorder
Approved on: 04/14/2021