

MINUTES FOR THE
BOARD OF COMMISSIONERS
STATE OF OREGON, COUNTY OF JACKSON
WORK SESSION HELD ON
OCTOBER 5, 2021

The Board of Commissioners' Work Session was opened by Commissioner Rick Dyer on Tuesday, October 5, 2021, at 9:00 a.m. by videoconference. Those participating were:

Rick Dyer, Chair
Dave Dotterer, Commissioner
Colleen Roberts, Commissioner
Danny Jordan, County Administrator
Shannon Bell, Finance Director
Dave Arrasmith, Assessor
Joel Benton, County Counsel
Jennifer Drake, Recording Secretary
Members of the Public and Press

1. *Discussion of County Options for Adoption of Senate Bill 464 and House Bill 2341 - Shannon Bell, Finance Director; Dave Arrasmith, Assessor; Ruth Staten, Valuation Manager, Assessor's Office; and Brett Baumann, Senior Assistant County Counsel*

Mr. Benton stated that Mr. Baumann would not be in attendance unless needed. Mr. Jordan explained that Ms. Staten was out of the office and would not be in attendance. Mr. Jordan informed the Board that the Assessor had certified the tax rolls on Friday, and that he was not aware of this until Monday. He explained to the Board he was very concerned that both of these Bills reduce taxes to taxing districts and the tax rolls that were certified were significantly lower than what had been reported at the Board's Staff Meeting last week. He explained that the rate reported last week was 3.35 percent and the certified rate was 1.8 percent. Ms. Staten is out of the office but will be looking into the issue upon her return. The Mr. Arrasmith is unsure of why there was a change. Mr. Jordan instructed County Counsel to look into ways for a correction to be made if one is needed. Mr. Benton reported that corrections could be made but, it would be dependent on the type of error that may be found, as to which avenue for correction would be utilized. Mr. Jordan reported that he had asked Mr. Eric Spivak, County Auditor, to confirm that checks and balances were in place so that errors do not occur during the certification process, and Mr. Spivak had told him that there were not proper internal controls to foresee this type of occurrence. Commissioner Dyer asked if there would be implications that would change the analysis of Senate Bill (SB) 464 (*Submission No. 1*) and House Bill (HB) 2341 (*Submission No. 2*), for the purpose of today's discussion. Mr. Jordan explained that the change from the preliminary assessment would not affect this discussion, but that the County could be in a worse position from what was discussed last week, depending on the types of errors and corrections that could be implemented. Mr. Jordan explained that Ms. Staten thought there may have been a software issue and would be contacting Helion for assistance. He stated that this oversight is indicative of the issues that have consistently occurred in the Assessor's Office. Commissioner Dyer asked if tax statements would need to be reprinted and Ms. Bell confirmed they would not. Mr. Arrasmith explained that Ms. Staten had provided the

spreadsheet presented at the last meeting but she is out of the office until Thursday. He then explained the process for formulating the tax rate and explained the report he looks at prior to certifying the tax rolls. Mr. Jordan explained that this information was not pertinent to the conversation, as a drop in the tax rate of nearly 50 percent should have been cause for question. Commissioner Roberts stated her overall disappointment of the processes in the Assessor's Office which lead to continued errors.

Commissioner Dyer began the originally intended discussion about HB 2341 and SB 464. Ms. Bell explained that she compared Geographic Information System data with data within the Helion software and provided a spreadsheet showing the effect of both Bills (*Submission No. 3*). She reviewed the effect each Bill would have on the County and the various ways each would benefit the taxpayers who have been affected by wildfire. Each of the Commissioners asked for clarification on various items of the Bills and there was additional discussion. At the end of the discussion, Mr. Benton clarified for the Board that the decision they were being asked to make is which Bill the County should utilize. Commissioner Dyer indicated that HB 2341 adequately compensates the homeowners that have experienced loss without terribly affecting the local taxing districts. Commissioner Roberts reminded the Board that SB 464 was a truly bipartisan Bill that was prepared with the citizens in mind. Commissioner Dotterer noted that he spoke with a Commissioner of Marion County about SB 464, and explained that the Bill was written with the intent to leave an optional mechanism in place for each local government. Mr. Benton requested the Board individually indicate which Bill they were in support of utilizing in Jackson County, and each responded HB 2341. Mr. Jordan stated that the issue of differences in reports from the Assessor's Office would be discussed further at a future meeting.

2. *Discussion of a Declaration of a Local State of Emergency Due to Illegal Cannabis Production and a Letter of Request Related to the State of Emergency – Joel Benton, County Counsel*

Mr. Jordan began by providing the history on the recommendation of a declaration of a state of emergency due to illegal cannabis production, which is to highlight items that were not covered by the legislature. He informed the Board that this would not be approved today, but he will review the contents of the declaration and subsequent letter (*Submission No. 4*) to be sent to the Governor. Mr. Jordan read through the proposed documents. The documents review, in detail, the many negative aspects of the marijuana and hemp production industry, which have greatly affected Jackson County and have caused this state of emergency. He explained that any negative impacts that were initially estimated have been exceeded in various County departments. The declaration also includes the various ways that the State could assist with this emergency. He provided background on a ballot measure which was passed by the citizens of Jackson County to provide funding for the various enforcement activities surrounding cannabis production, but this ballot measure was superseded by HB 3000, which allowed only the State to collect taxes on the cannabis industry and provide funding to the counties for enforcement. There are unique enforcement challenges in Jackson and Josephine Counties due to the number of production sites in the area. The letter, which will be sent to the Governor, Speaker of the House, and Senate Majority Leader, provides specific details in a more readable format. The letter explains that substantial State assistance is necessary because of the impact of cannabis production in our County and our region. He went on to further explain which impacts Jackson County is dealing with and how they differed from other areas of the State. Mr. Jordan provided information on the Code Enforcement issues, water issues, and criminal issues. He explained that this list does not include all of the negative impacts, as that list would be exhaustive, but includes those with the highest need of assistance from the State. Commissioner Dyer asked if the letter would be sent to every legislator in Salem. Mr. Jordan said that the Governor's Office would be able to provide the assistance needed; additionally, this would be sent through Oregon Emergency Management, and also provided to the

Governor in the same manner in which all emergencies are declared. Mr. Jordan clarified that this is not a political issue, but is about crime, the abuse of people, and the abuse of land. After further discussion and clarification on various statistics within the documents, the Board agreed to declare a state of emergency due to illegal cannabis production. Mr. Benton stated he would finalize the declaration and it would be placed on a future agenda for approval and the letter would be finalized for signature. Mr. Jordan asked that one of the Commissioners be the main point of contact for questions and comments. It was decided that Commissioner Dyer, as the Chair, will be the point of contact for this declaration. Mr. Jordan explained that if the press wishes to have a copy of the draft versions, a public records request would need to be submitted to the Board of Commissioners' Office; once the declaration is approved it will be posted on the Jackson County website. He thanked Mr. Benton for his work on this comprehensive document.

3. *Discussion Regarding COVID-19*

Mr. Jordan explained that he had not received an update today from the Health and Human Services Department regarding COVID-19. Commissioner Dyer reviewed the numbers from the previous day and stated that the outlook remained positive as cases and hospitalizations continue to trend downward. Commissioner Dotterrer provided the number of hospitalizations for Region 5 from an email he had received the previous day. Mr. Jordan shared that he has a future meeting with local hospitals and that he may be able to provide more information at a future meeting.

4. *Executive Session*

There was no Executive Session.

There being no further business, Commissioner Dyer adjourned the Work Session at 11:00 a.m.

JACKSON COUNTY BOARD OF COMMISSIONERS

/s/ Rick Dyer

Rick Dyer, Chair

Dave Dotterrer, Commissioner

/s/ Colleen Roberts

Colleen Roberts, Commissioner

/s/ Jennifer Drake

Jennifer Drake, Recorder

Approved on: 10/20/2021

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 and Roberts authorized the use of his/her electronic signature on these minutes of October 5, 2021.