

MINUTES FOR THE  
BOARD OF COMMISSIONERS  
STATE OF OREGON, COUNTY OF JACKSON  
WORK SESSION HELD ON  
NOVEMBER 9, 2021

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

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

1. *Discussion of Association of Oregon Counties (AOC) Annual Business Meeting Voting*  
Commissioner Dyer referenced an email that was provided to the Board with details of how voting will occur at the AOC Annual Business Meeting (*Submission No. 1*). Commissioner Dotterrer asked for clarification on how the voting is differentiated between counties. Commissioner Dyer explained that, in the Legislative Committee, certain votes are distributed to individual counties based on a number of criteria, one being that a Commissioner is a Chair or Co-Chair of a Steering Committee. Mr. Jordan explained that Commissioner Dyer currently has a voting position as a county not otherwise represented; if Commissioner Dotterrer accepts the Co-Chair position on the Veterans' Steering Committee, he would then have the voting position. Commissioner Dyer noted that he will be voting virtually during the AOC Annual Business Meeting. Commissioner Roberts explained that all Commissioners can vote at the upcoming Annual Business Meeting, which is different from the general Legislative Committee and Board of Directors' meetings. There was additional discussion on the types of issues that are voted on at both the Legislative Committee and Board of Directors' meetings, as well as at the Annual Business Meeting. Mr. Benton clarified that if Commissioner Dotterrer accepts the Co-Chair position, his votes during any AOC meeting are his individually. It has been the process of Jackson County for the individual vote to represent the Board's position. There was continued discussion on the voting process and the County's involvement with issues at AOC.
2. *Discussion of 2022 AOC Steering Committee Leadership – Dave Dotterrer, Commissioner*  
Commissioner Dotterrer explained that before he accepts this position as Co-Chair of the AOC Veterans' Steering Committee, he wanted to discuss it with the Board and get their input. He received the invitation via email with a job description of chairing an AOC Steering Committee (*Submission No. 2*). Commissioner Roberts stated that, while it is Commissioner Dotterrer's decision on whether to accept, she feels it is very important for the County to have a voting and leadership position as a Co-Chair. She said that this position is particular to Commissioner Dotterrer's area of expertise and will give the County more of a voice, as well as the important vote on the Legislative Committee. Commissioner Dyer agreed that it is

Commissioner Dotterrer's decision and the County only has so much influence with the workings at AOC. Commissioner Dotterrer noted that any amount of additional influence is beneficial and he will accept the position. There was a brief discussion regarding the procedures for voting, and Commissioner Roberts noted that anyone is able to provide input during the Legislative Committee or Board of Directors' meetings.

3. *Discussion of Attendance and Proxy Voting for the Association of Oregon & California Counties (AOCC) Annual Membership Meeting*

Commissioner Dyer explained that Commissioner Roberts is on the AOCC Board of Directors and, in the past, proxy votes have been delegated to her as she attends the Annual Membership Meeting. Commissioner Dotterrer and Commissioner Dyer each stated that they would provide their proxy vote. Commissioner Roberts noted that they are each welcome to attend and make their own vote, or provide their proxy. Staff will prepare the letters authorizing each Commissioners' proxy vote and provide the letters to Mr. Rocky McVay, Executive Director, AOCC.

4. *Discussion of Marijuana Emergency Declaration Requests*

Mr. Jordan reported on a meeting he attended with Commissioner Dyer; Sheriff Nathan Sickler; Shavon Haynes, State Watermaster; and Senator Jeff Golden. Senator Golden will be producing legislation for additional key resources that are needed to respond to illegal marijuana activities with regard to law enforcement, code enforcement, and water. Mr. Jordan explained the different options for funding these resources at both the local and State level. Additionally, there were substantial changes discussed in many categories, such as criminal law for enhanced penalties, solid waste and disposal, licensing and renewal license processes, as well as different requirements for water use and water rights. Mr. Jordan spoke about a cost estimate he prepared of all the resources that are needed locally. Each of the State agencies that attended the meeting were asked to review it and provide input for a recommendation to the Governor's Office. He explained questions that were asked of him from the multiple different agencies and emphasized that each one did not dispute the clear need for these resources and funding. He explained the various topics that came up from each agency and provided his response with regard to the County's position on each issue. Additionally, he provided detailed information on the funding package request, and how the request needs to be sent to the Oregon Emergency Board (E-Board) as the need for resources cannot wait for a special legislative session. Mr. Jordan noted that Mr. Steve Marks, Executive Director of the Oregon Liquor and Cannabis Commission (OLCC), would take the lead role in drafting a letter of support from all of the agencies supporting this request. He provided additional information on this process and the types of information that each State agency or department will need to provide.

Commissioner Dyer noted that he was more satisfied with the tone of this meeting than the previous one with Senator Golden and Sheriff Sickler. At that time, the focus was on an upcoming special session, and now the focus is to get funding and resources in place much sooner through the E-Board. He also noted that there was no minimizing of the issues that the County is facing from any of the State agencies and departments that attended. Commissioner Dotterrer spoke about the vast amount of money budgeted by the E-Board for this biennium and this request should be feasible. Mr. Jordan spoke about the amount of time it would take to implement the staffing requests for the Sheriff's Office and the Development Services Department, and how the plan will not be completely effective by the next growing season. He also spoke about additional requests he would have liked to include in a fully comprehensive request, such as abatement for environmental effects, road damage, and survey markers. Mr. Jordan expressed his appreciation for Senator Golden facilitating this meeting and hopes that it produces results.

Commissioner Roberts mentioned an ongoing concern of the Marijuana Advisory Committee that legitimate cannabis businesses should not be harmed when they comply with regulations. Mr. Jordan explained that about 75 percent of "legal" hemp businesses operate suspiciously, in that they are growing cannabis in excess limits allowed for Tetrahydrocannabinol (THC) or are refusing entry for OLCC inspection. Mr. Jordan spoke about an additional funding option through Ballot Measure 110, and explained issues that have occurred in the State pre-empting cannabis tax for the County and not allowing the County to impose its own cannabis tax. He added that there is a perception from the Governor's Office that, as the growing season is over, there is no longer a problem. This is not true as the County is still investigating crimes and processing cases through Code Enforcement. Commissioner Roberts asked if the County receives any taxes from growers. Mr. Jordan answered that it is only a retail tax; however, even that has drastically decreased since the passing of Ballot Measure 110, and the State has pre-empted the County's ability to handle it locally. Mr. Benton noted that the original ballot measure for cannabis had taxes on production and processing; however, it was moved to only retail tax after the passing of House Bill 3400.

5. *Discussion Regarding COVID-19*

Commissioner Roberts said that she watched some congressional hearings where she heard heartbreaking stories of children being injured from the COVID-19 vaccine. She stated that she has brought up the Vaccine Adverse Event Reporting System (VAERS), and the over 800,000 reports and 18,000 deaths do not get discussed as they should. She said that discussing those does not diminish the fact that vaccination should be a personal decision and not one of the governments. Commissioner Dyer said that he does believe that known, potential side-effects should be disclosed in any advertisement. He asked if there was an exception as to why that is not required of public health agencies as it is with other drugs. Mr. Benton provided additional information and noted that it is not a Federal requirement for public health agencies to make statements as it is required for selling and marketing a drug. He provided additional information as to how public health agencies operate under State Statute.

6. *Executive Session*

There was nothing for Executive Session.

There being no further business, Commissioner Dyer adjourned the Work Session at 10:12 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

/s/ Alycia Hartley

Alycia Hartley, Recorder

Approved on: 11/24/2021

*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, Dotterer and Roberts authorized the use of his/her electronic signature on these minutes of November 9, 2021.*