

MINUTES FOR THE
BOARD OF COMMISSIONERS
STATE OF OREGON, COUNTY OF JACKSON
STAFF MEETING HELD ON
DECEMBER 2, 2021

The Board of Commissioners' Staff Meeting was opened by Commissioner Rick Dyer on Thursday, December 2, 2021, at 9:01 a.m. by videoconference. Those participating were:

Rick Dyer, Chair
Colleen Roberts, Commissioner
Danny Jordan, County Administrator
Joel Benton, County Counsel
J Domis, Interim Director, Roads and Parks Department
Steve Lambert, Parks Program Manager, Roads and Parks Department
Kacie Kinney, Recording Secretary
Members of the Public and Press

Absent: Dave Dotterer, Commissioner

1. *Input From County Counsel*
Mr. Benton had nothing to report.

2. *Input From County Administrator*
 - a. *Review Agenda Items for the December 8, 2021, BoC Regular Meeting*
Mr. Jordan reviewed the agenda (*Submission No. 1*) and there were no changes.

 - b. *Order Authorizing a Property Transfer Agreement With the City of Central Point. Order No. 216-21*
Commissioner Dyer read the Order by title. Mr. Lambert provided a brief presentation (*Submission No. 2*) explaining the property, and the history of the property, that is included in the Property Transfer Agreement. He also spoke about how the property transfer would benefit Jackson County and the City of Central Point (City). Mr. Jordan asked if there is a reversionary clause if the City violates the Land and Water Conservation Fund (LWCF) rules and regulations. Mr. Benton said that, in this Agreement, the County is transferring the grant obligations to the City. Mr. Lambert continued by reviewing conceptual drawings of proposed plans that the City is considering for possible parks. Mr. Jordan said that the City does have the resources for completing this type of project and he is impressed that the City has the foresight to plan such a productive project. There was a brief discussion about the Urban Growth Boundary (UGB) and where the UGB would be located. Commissioner Roberts added that a park would provide much-improved fire resistance along the Bear Creek Greenway (Greenway).

Mr. Jordan continued by explaining that Jackson County presently owns certain tracts of land (Tracts) which are located along the Greenway. Jackson County and the City believe it is in the public's best interest to transfer ownership of the Tracts to the City. The City intends to develop a large portion of the Tracts into a City park, enhancing the level of service to users of the Greenway. The Tracts are encumbered by the LWCF rules and regulations, protecting the use of the Tracts for public park and recreational purposes. The City and Jackson County intend to work cooperatively with the Oregon Parks and Recreation Department to transfer LWCF encumbrances to the City. Authorization for the Chair of the Jackson County Board of Commissioners to sign a quitclaim deed for transfer of these properties will be considered under a separate Board Order.

Commissioner Roberts made a motion to approve Order No. 216-21 as read. Commissioner Dyer seconded the motion. Those who voted aye: Commissioner Roberts and Commissioner Dyer. Motion passed.

Following the motion and roll call vote, Commissioner Roberts and Commissioner Dyer each authorized the use of his/her electronic signature on Order No. 216-21, pursuant to Order No. 1-21.

3. *Discussion of the Oregon Department of Agriculture's Proposed Amendments to Oregon Administrative Rules, Chapter 603 - Colleen Roberts, Commissioner*

Commissioner Roberts stated that the Oregon Department of Agriculture (ODA) has proposed amendments to Oregon Administrative Rules (OAR), Chapter 603. She also explained that the Jackson County Marijuana Advisory Committee (MAC) discussed the Rules and proposed recommendations that pertain to water rights and sampling of hemp (*Submission No. 3*). Commissioner Roberts said that, currently, sampling must be conducted by the Oregon Liquor and Cannabis Commission (OLCC), ODA, or an approved government agency. She said that when she spoke to Mr. Obie Strickler, Chair, MAC, he expressed his concern with hemp sample collection, and said that samples should only be collected by the licensed entities. Commissioner Dyer asked if Mr. Strickler was concerned with the chain of custody, and if something might happen between the time when the sample is taken and when it is delivered to the testing facility. Commissioner Roberts confirmed that this is indeed the suspicion of MAC. Mr. Jordan explained that he has been working with many groups, including working with Mr. Rob Bovett, Legal Counsel, Association of Oregon Counties (AOC), who has said that there will be a significant marijuana-related legislative proposal in the near future.

Mr. Benton explained the current rules of hemp product sampling and how the proposed amendments would impact growers. The amendments would allow third-party contractors to conduct on site product sampling. Mr. Jordan asked if MAC was primarily concerned with the third-party contractors being responsible for acquiring the samples. Commissioner Roberts confirmed Mr. Jordan's statement and said that MAC is recommending that only the ODA and OLCC be allowed to collect hemp samples. Mr. Jordan said that the issue with restricting testing and sampling to only being conducted by the ODA or OLCC is that they do not have enough resources to do ample testing. He suggested an audit system for the third-party contracted product samplers to ensure standards are being followed. Commissioner Dyer asked if the recommendations brought forward by MAC were prompted by a specific incident or if something had happened to confirm suspicions. Commissioner Roberts explained that Mr. Strickler has stated that there are plenty of rumors of foul play regarding the sampling and testing of hemp. There was further discussion about enhanced penalties for tampering with product samples. Mr. Jordan requested to

have this item placed back on a future agenda after he, Mr. Benton, and Mr. Ted Zuk, Director, Development Services Department, have additional time to review the proposed amendments.

4. *Discussion Regarding COVID-19*

Mr. Jordan reported on new positive COVID-19 case numbers, deaths, and hospitalizations. Commissioners Roberts and Dyer both reported that they had not received any responses from the local school district superintendents in regards to the proposed OAR amendments that the Board had previously discussed at the Board's Work Session on November 30, 2021.

5. *Liaison Committee Reports*

Commissioner Roberts reported on attending a Marijuana Advisory Committee meeting. She also reported on a recent Oregon and California Railroad Revested lands ruling.

Commissioner Dyer reported on attending the AOC Virtual Annual Business Meeting. He also reported on attending meetings of the Rogue Valley Council of Governments and the Mental Health and Developmental Disabilities Advisory Committee.

Mr. Jordan provided an update on the County's reimbursement requests that were submitted to the Federal Emergency Management Agency.

6. *Citizen Committee Nominations – Recording Secretary*

Commissioner Dyer referenced information provided to the Board regarding citizen committee nominations (*Submission No. 4*). The County Roads Advisory Committee recommends the appointments of Ms. Janelle Olsen and Mr. Richard Thomas, and the Local Alcohol and Drug Planning Committee recommends the appointment of Mr. Brandon Orr. The Board agreed to the appointments as recommended. The Recording Secretary will prepare the Orders for approval at a future meeting.

7. *Review Calendars – Week of December 6, 2021*

The calendars were reviewed. Commissioner Roberts and Commissioner Dyer both stated that they would be attending the Builders' Association of Southern Oregon Annual Christmas Dinner and wanted to be certain that this event was properly noticed.

8. *Executive Session*

There was nothing for Executive Session.

There being no further business, Commissioner Dyer adjourned the Staff Meeting at 10:45 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/ Kacie Kinney
Kacie Kinney, Recorder
Approved on: 12/15/2021

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 December 2, 2021.