

MINUTES FOR THE
BOARD OF COMMISSIONERS
STATE OF OREGON, COUNTY OF JACKSON
STAFF MEETING HELD ON
DECEMBER 9, 2021

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

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

Guests: Jeff Hoxsey, Board of Directors Interviewee; and Donna Fagan, Board of Directors Interviewee, Applegate Valley Fire District No. 9

1. *Interviews to Fill a Vacancy on the Board of Directors of the Applegate Valley Fire District No. 9*
Mr. Benton explained that, based on State Statute as the Board of Directors came to an impasse, this decision is coming to the Board of Commissioners to select a person to fill the current vacancy on the Board of the Applegate Valley Fire District. Mr. Jordan noted that each candidate received the interview questions ahead of time and the Board will decide whether to make a selection today, or discuss again at a future meeting.

Commissioner Dyer welcomed Mr. Hoxsey and Ms. Fagan to the meeting. The Board asked each applicant a series of questions (*Submission No. 1*), which were answered by the applicants in a rotating fashion.

2. *Consideration of an Order Appointing an Applicant to Fill a Current Vacancy on the Board of Directors of the Applegate Valley Fire District No. 9. Order No. 222-21*
Commissioner Dyer read the Order by title. He asked if the Board feels comfortable deliberating toward this decision today or if they would like to take more time. Each Commissioner agreed to deliberate. There was discussion regarding the different perspectives and experiences that each candidate would bring to the Applegate Valley Fire District, and the Board agreed that it was important to note that Mr. Hoxsey put in the effort to run for this position previously and it was very close. They feel that he gained enough votes to show a substantial amount of community support of his appointment. Following additional discussion of the qualities of each candidate, the Board agreed to appoint Mr. Hoxsey to fill the vacancy on the Board of Directors of the Applegate Valley Fire District No 9.

Commissioner Dotterrer made a motion to approve Order No. 222-21 appointing Jeff Hoxsey to the Board of Directors of the Applegate Valley Fire District No. 9. Commissioner Roberts seconded the motion. Those who voted aye: Commissioner Dotterrer, Commissioner Roberts, and Commissioner Dyer. Motion passed.

Following the motion and roll call vote, Commissioner Dotterrer, Commissioner Roberts, and Commissioner Dyer each authorized the use of his/her electronic signature on Order No. 222-21, pursuant to Order No. 1-21.

3. *Input From County Counsel*

Mr. Benton had nothing to report.

4. *Input From County Administrator*

a. *Review Agenda Items for the December 15, 2021, BoC Regular Meeting*

Mr. Jordan reviewed the agenda (*Submission No. 2*) and there were no changes.

b. *Order Authorizing the Filing of a Partition Plat of Property Located in the Southeast 1/4 of Section 17, Township 36 South, Range 3 West of the Willamette Meridian, Jackson County, Oregon. Order No. 223-21*

Commissioner Dyer read the Order by title. Mr. Jordan noted that a map (*Submission No. 3*) was provided to the Board for this item. He explained that Section 213.09(b) of the Codified Ordinances of Jackson County requires that a subdivision plat which dedicates land to the use of the public in an unincorporated area of Jackson County, must be approved by a majority of the Jackson County Board of Commissioners. A partition located in the Southeast 1/4 of Section 17, Township 36 South, Range 3 West of the Willamette Meridian, Jackson County, Oregon is located in the unincorporated area of Jackson County and dedicates land for public use as a public right-of-way for access. This dedication was requested by the Jackson County Roads Department to clear up any issue as to the right-of-way across this tract. Alan R. Mullins is the owner in fee of the lands shown on the partition plat and has agreed to the right-of-way-access across this tract. If approved, the Board of County Commissioners of Jackson County will find that the partition plat of a partition located in the Southeast 1/4 of Section 17, Township 36 South, Range 3 West of the Willamette Meridian, Jackson County, Oregon, has been properly filed and all requirements of law governing the filing of said partition plat for recording have been fulfilled.

Commissioner Roberts made a motion to approve Order No. 223-21 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 No. 223-21, pursuant to Order No. 1-21.

5. *Discussion of Comments to the Oregon Health Authority on Proposed Amendments to Oregon Administrative Rules Nos. 333-019-0010 and 333-019-1005*

Mr. Benton explained that he had received comments from Commissioner Roberts and Commissioner Dyer, but had not yet formatted them into a letter. This item was placed back on

today's agenda to discuss the comments and anything further that should be included. He read the comments that were received and noted that some are not directly related to the Rules. Commissioner Roberts' speaks to not needing a permanent rule at all, and Commissioner Dyer's are related to the negative impacts on children when they are excluded from school. Commissioner Dyer clarified that any exclusion should be very judicious and allow for a quick return to school, regardless of vaccination status. Mr. Benton noted that the comments should be made in the context of the Rules themselves and he provided additional information on the Rules. There was further discussion regarding the focus on susceptibility in the Rules and how, with regard to COVID-19, being vaccinated does not actually mitigate being susceptible to transmission. Mr. Benton provided additional context of the Rules and how they would regulate COVID-19 case management and exclusions, similar to how many other diseases are currently handled. Mr. Jordan also noted that the exclusion policy in these Rules is very similar to policies of the County and businesses across the Country. There was further discussion of what types of comments to include in a letter and how those comments should focus on the Rules. Commissioner Roberts said that it may be better for each Commissioner to send their own comments. Commissioner Dyer expressed that vaccination status should not make the determination on whether children are excluded from school. Commissioner Dotterrer relayed that members of the Medford 549c School District Board believe that there should be local control at the school district level. The Board agreed that they have continued to advocate for local control. There was further discussion on what the Rules would entail and which aspects the Board would like to focus their comments on. Mr. Benton was instructed to draft the comments into a letter to be reviewed at the Board's next Work Session.

6. *Discussion of Comments to the Oregon Department of Agriculture on Proposed Amendments to Oregon Administrative Rules, Chapter 603 – Joel Benton, County Counsel*

Mr. Jordan explained that he had previously asked the Board to allow some time for staff to review these proposed amendments to Oregon Administrative Rules, Chapter 603, and he coordinated with Mr. Benton; Mr. Shavon Haynes, State Watermaster; Mr. Ted Zuk, Director; and Ms. Alicia Brown, Code Enforcement Supervisor, Development Services Department. Mr. Benton created a draft letter (*Submission No. 4*), and Mr. Jordan explained the statements in the letter that were provided by staff. He noted that the Board could add or make changes if need be. The Board agreed that the letter clearly states the Board's position and is well written. Commissioner Roberts asked for clarification on what local laws and regulations the County has with regard to hemp. Mr. Jordan explained that there are numerous ones related to land use, permitted structures, and water use. There was additional discussion regarding the requests made to the State in the letter, and Mr. Jordan and Mr. Benton answered additional questions from the Board.

Commissioner Roberts made a motion to approve the letter 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 letter presented, pursuant to Order No. 1-21.

7. *Discussion Regarding COVID-19*

Mr. Jordan provided an update on new positive COVID-19 case numbers, deaths, and hospitalizations. He spoke about the vaccination and testing site at the Jackson County Expo, and stated that there has been an increase in vaccinations since the Omnicron variant was detected.

Commissioner Roberts was happy to see that the vaccination mandate for Federal contractors has been stayed by the courts. She spoke about having dinner with someone from out of the Country, and how they agreed with the importance of people retaining their freedom of choice. Mr. Jordan provided additional information on the Federal contractor vaccination mandate and how it affects County employees. He notified County staff that vaccinations and/or exception requests are no longer mandatory at this time; however, they are still being accepted on a voluntary basis as the Federal mandate may be enacted with little time to respond.

8. *Discussion Regarding Fires and Fire Recovery*

Mr. Jordan provided an update on many aspects of fire recovery including a request for an extension on the Federal Emergency Management Agency's (FEMA) Direct Housing Mission. He explained that FEMA has established a new rating system for rates on the National Flood Insurance Program, and that any new construction within a floodplain is likely to see significant increases in flood insurance costs. He provided an update on the Direct Housing Mission and those still currently in emergency housing, and spoke about disaster case management and information sharing issues between FEMA and the Long-Term Recovery Group (LTRG). Mr. Jordan continued by speaking about the purchase option for transportable temporary housing units (TTHU), and the costs that would be associated for eligible people who choose to purchase them. He provided additional information on the TTHU purchase option, and noted that people should contact ACCESS, Inc., to help facilitate housing or assist in the TTHU purchase process. Commissioner Dyer noted that the purchase option is still a great resource with regard to affordability. Mr. Jordan explained that it will be a choice for those still living in the TTHUs at the end of the Direct Housing Mission. He provided additional information about the leases between FEMA and the parks where the TTHUs are located. Commissioner Dotterer reported on discussions he has had with the LTRG and noted that many people have issues to overcome beyond just losing their homes, which complicates the issue.

9. *Liaison Committee Reports*

Commissioner Dotterer reported on attending meetings of the A Greater Applegate Board and the Ashland City Council.

Commissioner Roberts reported on attending meetings of the Jacksonville City Council and Gold Hill City Council. She also reported on attending the Rogue Forest Protective Association Fall Board Meeting.

Commissioner Dyer noted that the Senate voted to block the Federal vaccination mandates. He reported on attending an Internal Audit Committee meeting.

Commissioner Dotterer also reported on serving on the Congressional Service Academy Nomination Board.

10. *Review Calendars – Week of December 13, 2021*

The calendars were reviewed and there were no changes. Commissioner Roberts mentioned an email that she received regarding the Oregon Population Forecast Program. Mr. Jordan noted that Mr. Zuk attends these meetings on behalf of the County.

11. *Executive Session*

The Executive Session began at 11:42 a.m. under Oregon Revised Statute 192.660(2)(h), Litigation. The Executive Session ended at 12:00 p.m.

There being no further business, Commissioner Dyer adjourned the Staff Meeting at 12:00 p.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: 12/22/2021

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 9, 2021.