

MINUTES FOR THE
BOARD OF COMMISSIONERS
STATE OF OREGON, COUNTY OF JACKSON
WORK SESSION HELD ON
DECEMBER 21, 2021

The Board of Commissioners' Work Session was opened by Commissioner Rick Dyer on Tuesday, December 21, 2021, at 9:00 a.m. by videoconference. Those participating were:

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

Guests: Valdez Bravo, Associate Director; Brett Feagan, Compensated Work Therapy Manager; and Amanda Doemland, Homeless Program Manager; United States Department of Veterans Affairs Southern Oregon Rehabilitation Center and Clinics

At 9:01 a.m., the Board agreed to discuss Agenda Item No. 2.

1. *Discussion of the Compensated Work Therapy Veterans Program – David Holt, Director; and Valdez Bravo, Associate Director, Southern Oregon Rehabilitation Center and Clinics*

Mr. Valdez Bravo introduced himself and requested that the Commissioners allow Mr. Brett Feagan to present information at the meeting. Mr. Bravo provided background information about the Veteran's Administration Southern Oregon Rehabilitation Center and Clinics (SORCC) for the public. Mr. Feagan then provided information about the Compensated Work Therapy Program which assists veterans in finding and maintaining employment. He provided information on the various types of assistance that is offered, from on the job training support to being an intermediary for the veteran and the worksite when the veteran is not showing up for work. He explained that the current labor market is allowing for the harder to place veterans to be placed in the Program. Commissioner Dyer asked additional questions about the types of companies participating in the program. Mr. Jordan inquired about previous facility ratings provided by the Federal government and Mr. Bravo explained that system is no longer utilized to rate the facilities but there are new analytics that have shown improvements on employee engagement and veterans perceptions of quality access to SORCC programs. He stated that the housing market versus pay provided to providers and nurses makes it difficult to recruit employees to the clinic. Mr. Jordan asked if there was capacity on the campus to house people. He provided information on the Federal Emergency Management Agency (FEMA) and the Manufactured Housing Unit (MHU) program which utilized MHUs after their use for housing survivors of the September 2020 wildfires. Ms. Amanda Doemland was invited into the meeting to speak about housing for homeless veterans. Mr. Jordan offered to help SORCC staff make connections with those at FEMA who will be overseeing the

MHU program. Mr. Jordan stated that if the SORCC has land available, the MHUs could be available very quickly. Commissioner Dyer thanked everyone for their attendance and stated that utilizing the MHU program locally would be beneficial for all parties. He thanked Mr. Jordan for offering to help facilitate a meeting.

At 10:00 a.m., the Board discussed Agenda Item No. 3.

2. *Discussion of Comments to be Provided for Proposed Permanent Rulemaking for Oregon Administrative Rule No. 333-019-1025, Masking Requirements for Indoor Spaces – Colleen Roberts, Commissioner*

Commissioner Roberts explained that this discussion is a continuation of last week's discussion regarding comments for the proposed permanent rulemaking of mask requirements. She expressed her assessment of why these comments were warranted and necessary. Commissioner Dyer explained that previous comments from the Board could be utilized to prepare a very basic comment stating the Board's position on the issue. Commissioner Dotterer provided his point of view that comments were not necessary, and would not make a difference. There was discussion on the effectiveness and importance of providing public comments to represent the people of Jackson County. Commissioner Dotterer expressed that the Board's position did not necessarily align with the majority of Jackson County citizens, and did not include the recommendations from professional staff members. Commissioner Roberts provided information about a public hearing that was held prior to Commissioner Dotterer's election, and the Board's stance since that time. The Commissioners decided to provide comment based on previous comments of the Board's position and Commissioner Dotterer explained that he would sign on to a letter that represented the position of a majority of the Board. Commissioner Roberts explained that she did not see the need for a penalty to be associated with the Oregon Administrative Rules (OARs). Mr. Jordan provided information about many administrative rules and the penalties associated with each rule. Mr. Benton reviewed Oregon Revised Statute (ORS) 433.990, which contains a list of criminal violations for violating OARs. He also provided information on ORS 433.860 which allows the Oregon Health Authority to seek injunctions when administrative rules are not followed. Commissioner Dyer asked if each Commissioner agreed with preparing a letter of comments; Commissioner Dyer and Commissioner Roberts agreed comments should be prepared by the Board and not as individuals. Commissioner Dotterer agreed to sign the letter as it was agreed upon by a majority of the Board. The Board instructed staff to prepare a letter based on previous comments for review.

At 9:23 a.m., the Board agreed to return to Agenda Item No. 1.

3. *Discussion and Deliberation of State and Local Rules and Regulations Related to Cannabis Production and Processing – Colleen Roberts, Commissioner*

Commissioner Roberts stated that this discussion was to be a continuation of discussion from last week. The Oregon Liquor and Cannabis Commission (OLCC) will be discontinuing the moratorium on cannabis licensing. Commissioner Roberts inquired as to the hauling of water in the permitting process. Commissioner Dyer stated that there is a need to wait on the legislature to see if water rights are addressed in the short legislative session. Mr. Benton explained that it is very difficult to amend the Jackson County Land Development Ordinance (JCLDO), and waiting to see what the legislature enacts will be more effective as the legislature could cause a need for changes to the JCLDO. Mr. Benton and Mr. Jordan explained various avenues and issues pertaining to changing the JCLDO to include water rights. Mr. Jordan explained that there are legal growers that truck water, and they will be negatively impacted by rules requiring water rights to be permitted to grow cannabis. There were various questions from each of the Commissioners on how to better regulate water during the permitting process. There was discussion over who would most benefit

from regulating hauled water and that illegal growers would not follow the laws no matter what laws were put in place. Mr. Jordan explained that State law would preempt the JCLDO if the legislature makes changes, so waiting until legislative changes are known may be beneficial. Mr. Jordan also explained that there is no enforcement mechanism in place to monitor water usage and verify water rights at the water station. Commissioner Dyer stated that the Board has a good knowledge of the impacts on the County and will continue to monitor legislative changes prior to acting on updating the JCLDO.

4. *Discussion Regarding COVID-19*

Mr. Jordan provided an update on the current number of new COVID-19 cases and deaths. He stated that there are no intensive care unit beds available in Jackson County, and only one bed available in the Region. He then provided information about an inaccurate news story reported by KOB News Channel 5 which provided documentation on vaccination mandates being enacted for County employees. He explained the County process, as it stands, and how Federal mandates will be handled as more information becomes available.

5. *Executive Session 10:49 a.m.*

The Executive Session began at 10:49 a.m. under Oregon Revised Statute 192.660(2)(h), Litigation. The Executive Session ended at 11:07 a.m.

There being no further business, Commissioner Dyer adjourned the Work Session at 11:07 a.m.

JACKSON COUNTY BOARD OF COMMISSIONERS

/s/ Rick Dyer

Rick Dyer, Chair

/s/ Dave Dotterrer

Dave Dotterrer, 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, Dotterrer and Roberts authorized the use of his/her electronic signature on these minutes of December 21, 2021.

/s/ Jennifer Drake

Jennifer Drake, Recorder

Approved on: 01/05/2022