



League of Women Voters Rogue Valley
OBSERVER CORPS REPORT AS OF JULY 14, 2016
WEBSITE ONLY EDITION

Dear Observer Corps Report Readers,

We continue to look for volunteer Observers. It would be especially nice if someone would like to observe the Medford City Council meetings. Let me know if you are interested. Here is our latest report on the Jackson County Board of Commissioner meetings.

Table of Contents

6/14/16: Breidenthal Absent. Harvey Bragg sat in for Danny Jordan.[1](#)
 6/28/16: All Present.[1](#)
 7/7/16: Breidenthal absent.[2](#)
 7/12/16: Breidenthal absent.[3](#)
 7/14/16: All Present.[4](#)

6/14/16: Breidenthal Absent. Harvey Bragg sat in for Danny Jordan.

Discussion on State Conflagration and Fire Defense Board Chief Program – Ashland Fire Chief, John Karns. Mr. Karns was joined at the table by Chiefs from Grants Pass and Oregon Department of Forestry (ODF). The presentation to the Commissioners articulated the cooperative effort among Jackson County, Josephine County and ODF. Even though we had more rain, we are back to a normal fire year and the fuels are primed for burning. Jackson and Josephine Counties are usually the recipients of help from the state because of the significant fire danger in Southern Oregon and the State does not charge the counties for help. In summary, there is seamless cooperation among the agencies that has been developed through the Fire Defense Board Chief Program allowing efficient and effective fighting of fires in our area.

6/28/16: All Present.

Discussion of Ashland Ambulance Non-Emergency Inter-facility Transfers – Jackson Baures, Public Health Division Manager, and the Ashland Fire Chief lead the discussion. Ashland wants to subcontract non-emergency transfers to another vendor. He was asked by the Ashland City Council to look into doing so in view of the increase in non-emergency transfers after Asante acquired the local hospital. Under the agreement with Jackson County (JC) they believe they need Board of Commissioner (BOC) approval to pursue a Request for Proposal (RFP). A long discussion ensued. In summary, Danny Jordan expressed concern that care be taken to avoid having ambulance fees raised as a result of subcontracting the non-emergency transfers. The BOC advised that Ashland should proceed with the RFP but should come back to the BOC before awarding it so that concerns over the raising of fees and other issues can be specifically addressed.

Naming the New RV Park Located Near the Expo Grounds – John Vial, Roads and Parks Director and Steve Lambert, Parks Program Manager, lead the discussion and advised the BOC that the recommendation is Southern Oregon RV Park as recommended by 5 O’clock Marketing, the county’s internet marketing firm. They also discussed other names submitted by the Parks Advisory Committee and staff. After discussion, the BOC unanimously approved naming the new RV Park Southern Oregon RV Park.

Citizen Committee Nominations – Wolf Advisory Committee – The Wolf Advisory Committee wants to appoint Randy Wolf as one of the two business community representatives. The Assessor needs to appoint two citizens to the

Farm Board. The BOC needs to appoint two more and Danny Jordan was asked to look at the statute and



League of Women Voters Rogue Valley
OBSERVER CORPS REPORT AS OF JULY 14, 2016
WEBSITE ONLY EDITION

have counsel look at the statute so that they solicit applications from people with the right qualifications. **Law Library Advisory Committee** – Danny Jordan was reviewing the committees and discovered that he, Danny Jordan, was named to lead the committee. He said they need an attorney to do that and does not know how it happened that he was appointed. He advised the BOC that counsel will look into the statutory requirements and report back on how to proceed.

7/7/16: Breidenthal absent.

Fire Plan Presentation – Sara Rubrecht, Emergency Manager and Joel Benton, County Counsel. Staff was ready to make the presentation but apparently Breidenthal asked that this matter be put over until a time when he could be present. Dyer honored his request.

Update on Governor's Executive Order 12-07 – Kelly Madding, Development Services Director. Madding asked whether the report should be held until Breidenthal could be present. Dyer advised that she should proceed, that all important county business could not be held for Breidenthal. Madding began by reminding the BOC that she had given a June 30, 2016 deadline for this project, even though Douglas County was not on board and Josephine County has a new director. Douglas County said they would attend the presentation to the Land Conservation and Development Commission (LCDC) in September. Madding proceeded to present a lengthy discussion, including references to maps presented by overhead projector, advising the BOC how the final results were arrived at. Basically, they took out a list of fifteen different types of land that should be excluded from the final map. (*Note: Listen to the recording on the JC website for complete details.*) She has consulted with LCDC and with 1000 Friends. They had tried to get density lowered from 1 residence per 15 or 20 acres (depending on specific situations) to 1 per 5 acres. In the end the best they could do was 1 per 10 acres. There are 255 tax lots or about 16,000 acres that are known candidates for this sort of development, which is approximately 1% of JC lands. Danny Jordan noted that the project went as far as it could to assist landowners in identifying opportunities to rezone their land. In addition, there may be additional land that could qualify for the new zoning based on soil types and the final map will assist in the effort to identify potential properties. The process of revising the Comprehensive Plan will now proceed which includes public hearings and possible appeals. Development might be able to begin in about three years.

Input from County Administrator – Among the items for the Wednesday agenda is approval of an agreement concerning former Commissioner

Rachor. Several years ago Rachor owned land adjacent to the JC Airport and wanted access to the airport. He made a deal with JC Airport in which he gave the land to the airport in exchange for letting him have a building on the property and access to the airport in the form of a pre-paid lease. Rachor has now sold the building and wants the pre-paid lease assigned to the new owner. At the end of the lease term all of the property reverts to ownership by JC.

Policies concerning Family Medical Leave and Limited English Proficiency are being brought up to date to better comply with federal law. Jordan explained the policies and their effects in detail to the BOC.

Liaison Reports – Dyer didn't have anything. Roberts reported on an O&C Board meeting, Animal Control Advisory Committee, Shady Cove and Talent City Council meetings and the Vector Control Committee.

7/12/16: Breidenthal absent.

Rogue River Annual Watershed Council Presentation – Brian Barr, Executive Director, and Gail Grogan



League of Women Voters Rogue Valley
OBSERVER CORPS REPORT AS OF JULY 14, 2016
WEBSITE ONLY EDITION

Perrotti and Jannelle Dunlevy. The Council has been consolidated from five councils to three to obtain greater efficiencies. It is a nonprofit organization, is non-regulatory and has no authority to sue or compel landowners to work with them. The council works with landowners on a cooperative basis to improve the watersheds. They made a lengthy presentation on their various projects.

Discussion Regarding Senate Bill 1513 – Shannon Bell, Treasurer. This bill allows an exemption of up to \$250,000 in assessed value on property taxes for the surviving spouse (who has not remarried) of fire or police who die in the line of duty. The exemption would save up to approximately \$2500 a year in property taxes in JC. The definitions of fire and police are very broad and the Sheriff, Fire District 3 Chief, and Ashland Police Chief have asked to discuss this with the BOC before a decision is made. There are a variety of ways this could be implemented. JC is not required to implement it at all. The issue will have to come before the voters as required under the JC Charter, per Joel Benton. Philosophically the Dyer and Roberts are in favor of the exemption but asked that counsel and staff come back with recommendations. There is an August 19 deadline to act on this.

Discussion of Board's Travel Policy. Reimbursement of Pre-Paid Board Travel Expenses. The discussion of these two items blended together. Danny Jordan asked Dyer and Roberts if they wanted to wait for Breidenthal's return before proceeding. They said to proceed. Jordan advised the BOC that staff needs direction on the issue of Purchase Cards, aka P Cards, after the June 7, 2016 BOC meeting. Staff was of the understanding that there would be no more prepaid per diem for meals or mileage and that BOC members would use their P Cards for travel. The P Card policy requires receipts and has maximum reimbursement limits for meals. Breidenthal went on a trip and did not give receipts to staff when asked for them. Breidenthal instead of presenting receipts, cited Policy 6-01 of the policy manual for JC employees which states that if the employee has no receipts, they can receive per diem. The issue at hand relates to meals that Breidenthal wants to be reimbursed for via a per diem rather than using his P Card as agreed to by the BOC on June 7. Using the P Card requires receipts. The question was whether the BOC wants to use the per diem. A lengthy discussion ensued which included a discussion of county policy for employees, only a limited number of whom have been issued P Cards. Jordan read into the record a proposed policy that essentially stated that the BOC will use P Cards with receipts and that the BOC members will not get per diem without receipts. The BOC passed approval of that policy. In the same vein, Jordan advised the BOC that Breidenthal has not reimbursed JC for the \$87.23 he was advanced and was instructed to repay by the BOC on June 7, 2016. This matter has been pending since May 12 when staff issued Breidenthal an invoice. On June 28 staff issued a second notice that the amount remained due and issued another invoice. Because year-end for JC is June 30 staff asked Breidenthal whether he would pay it before June 30 so they could avoid burdensome paperwork related to tracking the debt from one fiscal year to the next. Breidenthal said he would. As of July 12 Breidenthal had not repaid the debt to the county and Jordan said staff wants to know a) whether they should begin charging interest according to a schedule (prime +2%/12) or \$8 per billing period, whichever is greater; and b) whether or when should an outstanding debt be turned over for collection. A lengthy discussion ensued. Dyer seemed to favor charging interest but deciding on whether to send a matter to collection on a case by case basis. Roberts indicated that a significant amount of staff time has already been spent on this issue and that if a commissioner does not pay back money to the county that is owed, said commissioner should not be allowed to be reimbursed for travel until such money is repaid. Joel Benton noted that a new policy had not been noticed for this agenda and suggested it be noticed for next Thursday's meeting. The BOC agreed and put these matters over to Thursday when Breidenthal will return. Benton also noted that the BOC as a group has authority to govern the county and set policy but an individual commissioner has no such authority.



League of Women Voters Rogue Valley
OBSERVER CORPS REPORT AS OF JULY 14, 2016
WEBSITE ONLY EDITION

7/14/16: All Present.

Input from County Counsel – Benton advised the BOC that he has a number of matters to bring to them for the November ballot, including the Marijuana tax, the property tax exemption for the surviving spouse (July 12 meeting) of police and fire, the Heritage Special Tax District, and permanent rules related to the Table Rocks, BLM and Nature Conservancy. It was noted that only Shady Cove opted out of the Heritage Special Tax District which will require Scott to do a great deal of work to redefine the geographic area to be covered by the district. If Scott is not able to do the work by the deadline, the district issue will not be able to go on the ballot this November.

Input from County Administrator – On Wednesday the BOC will be asked to approve the cancellation of property taxes deemed uncollectible because of bankruptcies and other legal reasons, and a personal services contract related to mediation services in custody disputes. They will also be asked to approve a license agreement to place the Newell Barber Field Memorial (memorial is donated) on Rogue Credit Union property.

Jackson Room Remodel – Jordan is recommending that they not seek bids on this project until fall when there may be more availability among contractors and prices might come down.

Items 3, 4 and 5, Discussion of Reimbursement of Pre-Paid Board Travel Expense.

Discussion of New Policy to Establish Procedure for Commissioner's Failure to Pay Invoiced Amount.

Discussion of Applying Interest to Delinquent Billings as Authorized Under the County's Fee

Schedule. There was a long discussion. Breidenthal has not paid back the money he owes and agreed to pay on June 28 before June 30 (see meeting notes above). Dyer began by reviewing the facts. In July 2015 the BOC decided that if a family member travels in a vehicle with a commissioner to an event, JC would not reimburse the commissioner for mileage. Dyer and Roberts both recounted times where they had followed the policy. Both believe the policy was very clear and that prepaid mileage given to a commissioner who then brought a family member along would have to be repaid. Breidenthal said he disagreed with the policy. He had child care issues. He felt staff had been abrupt in handing him the invoice and could have been handled better. He wanted to find out if repaying was legal. He has now done so and he agreed to repay. He wrote out a check for \$90 (instead of the correct amount of \$87.23) and staff refused it (because then they would have an overpayment). Breidenthal feels he is being treated in a discriminatory way and that it is punitive. Dyer explained that Breidenthal's actions have caused a great deal of extra work for staff. Dyer and Roberts agree that the commissioners are and should be held to a higher standard. They continued to discuss the reasons for needing the repayment. Breidenthal argued that the policy is discriminatory. County Counsel explained why it is not and the Board's authority under the charter. Dyer and Roberts reiterated their agreement with the policy that the BOC members will use their P Cards and provide receipts. Breidenthal objected to the exclusive use of the P Card instead of getting per diem. They got to the issue of whether to charge interest after 30 days of issuance on an invoice and the BOC decided to charge interest. Dyer said it is a business issue and makes sense to charge interest. Breidenthal objected to interest being charged but, as stated, the BOC agreed to charge interest moving forward. No interest will be charged to Breidenthal at this time for the \$87.23 yet to be paid. The issue of whether to refer a matter to collection should be handled on a case by case basis. County Counsel was asked to do research and come back with information on how long a debt should be delinquent before referring to collection. Dyer and Roberts stated that accountability and transparency are important. They instructed Jordan to bring invoices that are delinquent 30 days to the attention of the BOC so a decision can be made as to whether the commissioner in violation should be allowed to continue to travel at the county's expense. The BOC will continue with the P Card policy for them previously articulated and adopted.



League of Women Voters Rogue Valley
OBSERVER CORPS REPORT AS OF JULY 14, 2016
WEBSITE ONLY EDITION

Liaison Reports – Dyer reported on the HHS meeting and his presentation to the Rotary Club. Roberts reported on the Traffic Safety Advisory Committee and noted that the average speed a person is traveling OVER the speed limit is 24 mph, so at a limit of 65 mph, people are traveling at 89 mph. Breidenthal had no report. Jordan reported on the Fair Board and Fair. The Expo lost all but Helen and one of their staff. Jordan worked with Helen to have the Roads and Parks department staff fill in so that the upcoming Fair and other events could continue without a problem. He outlined all the cooperative efforts between the county and the Fair and it appears that the Fair Board will have a fund balance of \$500,000, \$350,000 more than expected. Good news.

--- Respectfully Submitted, Joyce Chapman
July 14 2016