



CURRY COUNTY BOARD OF COMMISSIONERS

Approval Date:
December 2, 2020

Commissioners' Hearing Room, Courthouse Annex
94235 Moore Street, Gold Beach, Oregon

www.co.curry.or.us

BUSINESS MEETING MINUTES **November 18, 2020**

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

The meeting was called to order by Chair Paasch at 9:03 a.m. Present were Chair Christopher Paasch, Vice-Chair Court Boice, Commissioner Sue Gold.

Also present: Legal Counsel John Huttli, Julie Schmelzer and Brad Rueckert Directors of County Operations, and Administrative Assistant John Jezuit.

The Pledge was recited by all.

2. LINE OF DUTY CASUALTY REPORT

Boice gave the report.

3. AMENDMENT/APPROVAL OF THE AGENDA

Boice - Pull 6A, 6B, and 6C

Motion by Gold, seconded by Boice, to approve agenda as amended. Motion carried unanimously.

4. PUBLIC COMMENTS

Connie Hunter noted the success of new programs which resulted in a recent drop in the homeless veteran's population, commented on applying for other funding sources, and presented a personal \$1,000.00 donation to Curry County Veteran Services from her and her spouse. Gordon Clay commented on the Suicide Awareness and Prevention Council vacancies, naming the five (5) vacant positions; stated the COVID-19 pandemic is increasing suicide risk factors; encouraged people to wear masks and look for the RU OK symbol; and expressed concern about political agenda's creeping into the discussion. Jim Kolen, Assessor, criticized Julie Schmelzer, DCO (Director of County Operations) for closing County Offices two (2) days before the November 18, 2020, start of the freeze imposed by Governor Brown's November 13, 2020, Executive Order as (1) the due date for the first installment of county property taxes was November 16, 2020, (2) Governor Brown's November 17, 2020, Executive Order states the freeze does not apply to local governments, and (3) the County is here to serve its citizens, Schmelzer explained the reasons for her decision and asked the Board to clarify the Governor's Executive Orders. Huttli advised the Board can take this up later (see Agenda Item 13).

5. PRESENTATIONS

- A. US Oregon Attorney Billy Williams to Present Sgt. Jason Thien with the Fourth Annual Attorney General Award for Distinguished Service in Policing-Field Operations

For detailed information on any agenda item, refer to Audio/Video.

Curry County Strategic Plan:

1. Financial Stability
2. Economic Development
3. Quality of Life
4. Public Trust
5. Infrastructure

Sheriff Ward explained the award and introduced Sgt Jordan White who had nominated Thien for the award. White read the nomination. Sheriff Ward then introduced Billy Williams, the U.S. Attorney for the District of Oregon, who presented the award – a plaque and a medal – to Thien. Williams noted, if not for the COVID-19 pandemic, the award would be presented in Washington DC by William Barr, the US Attorney General; spoke about the nominating and award selection process; and praised Thien for his actions. After some technical difficulties were resolved, Phil Keith, Director of the U.S. Department of Justice, Office of Community Oriented Policing Services appeared via Zoom and spoke highly of Thien. Thien thanked his family for their support and thanked the other law enforcement personnel who helped in the arrest. OF NOTE -- the audience, comprised of Thien's family members, numerous Sheriff Department deputies, county employees, and some elected officials, gave Thien several standing ovations during the course of the presentation.

B. COVID Update – Sherrié Ward, Public Health Administrator

Ward gave an update on the County's COVID-19 pandemic statistics; commented on the pandemic's 24/7 impact on CCPH (Curry County Public Health) department activities such as workload, a school based health center, WIC (Women Infants and Children), environmental health inspections, and immunizations (note: CCPH does not administer vaccine); spoke about contact tracing, specifically (1) noted contact tracing can only go so far as individuals are willing to share and (2) working with Del Norte County partners; encouraged mask wearing and practicing social distancing; praised the work of school superintendents and CBO's (Community Based Organizations) during the pandemic; and noted CCPH is in process of interviewing for a PHEP (Public Health Emergency Preparedness) Coordinator. Gold noted the County is only testing symptomatic people and praised Ward's work. Paasch also praised Ward's work, suggested using the soon to be installed NeoGov software for recruiting for the PHEP Coordinator position, and commented the County will continue to voice its concerns to the Governor's office. Boice stated he attended the Brookings Harbor School Board District meeting on November 17, 2020 where David Marshall, Superintendent, also praised Ward's work, agreed with Ward on the need to slow the spread, commented the Board is anxious about the State releasing funds to the Counties, and encouraged Ward's continued efforts.

C. My Nutrition Nurse Academy Available To All Curry Employees - Commissioner Boice

Boice introduced the speakers, Misty Young, Plant Based Nutritional Therapist and Nurse Sherry Baum, RN, MSN; gave statistics on health issues in the country; and commented on some characteristics of the Curry County community. Young spoke about why they are here, also provided statistics about health issues in the country, commented on the benefits and advantages of their program, and stated they want to offer their program to a large group employer. Baum spoke about her credentials, noted causes of death such as heart disease, and stated their hope is to improve healthcare in the County. Boice expressed interest in a possible workshop for further discussion.

6. CONSENT AGENDA

- A. ~~Corrected Minutes Business Meeting of October 7, 2020 - PULL~~
- B. ~~Minutes Business Meeting of October 21, 2020 - PULL~~
- C. ~~Minutes Business Meeting of November 4, 2020. - PULL~~
- D. State Homeland Security Program Grant Agreement

Motion by Gold, seconded by Boice, to approve consent agenda as amended. Motion carried unanimously.

For detailed information on any agenda item, refer to Audio/Video.

Curry County Strategic Plan:

1. Financial Stability
2. Economic Development
3. Quality of Life
4. Public Trust
5. Infrastructure

7. DISCUSSION/ACTION ITEMS

A. Excess Sick Time Donation – Julie Swift, Payroll and Personnel Coordinator

Richard Christensen, Roadmaster, spoke about the donation request and reasoning for it. Julie Swift, Payroll and Personnel Coordinator, gave details of the County's current sick time donation policy. A discussion ensued. Paasch stated he is concerned about the possibility of misuse and emphasized any sick time donation have approval of the department head. Gold is open to sick time donation done on an individual basis. The consensus of the Board was to bring back a more detailed proposal for discussion.

B. Discuss Proposed Social Security Bar Campground and Contract with City of Brookings – Anthony DeRock, Parks Coordinator

DeRock briefly explained the history behind the Social Security Bar contract, handed out an informational document, and spoke about staffing the Parks and Recreation Committee so that they may address the matter. Schmelzer summarized DeRock's handout, observed the City of Brookings recently inquired about the status of the contract. Gold stated the property is prone to flooding, noted a campground may cause problems with the neighbors, asked about costs, and feels this topic needs further investigation before the County makes a commitment. Boice agrees with Gold, suggested, as our State is in upheaval now, the County wait 90 days before considering any kind of expansion, spoke about costs of RV spots, and feels it is premature to look at expansion right now.

C. COVID-19 Updated Personnel Rules – Proof Of Medical Disability – COVID-19 Emergency Measure - Commissioner Boice

Boice provided a brief background on the agenda item, noted the County does not have a policy on requiring written notification, and stated he wants an uniform policy. A discussion ensued about the need for a policy to cover all employees. Paasch asked about clarification of the HIPPA (Health Insurance Portability and Accountability Act) law regarding response to not wearing a mask and feels the Board should direct Huttel to look into this issue. Huttel stated he is waiting for Board direction on this policy, observed the Board makes the policy, but does not enforce the policy, and noted he has seen employees, on occasion, not wearing masks nor observing social distancing protocols. Rueckert stated the direction he has received restricts inquiries about the nature of the disability to the manager and Human Resources only, noted the ADA (American with Disabilities Act) allows employers to ask for purposes of making accommodations, and stated the County does not have a definite policy on this topic. Gold commented since the County does not have a policy and if one is developed, will the current employees who already have accommodations be grandfathered in. Schmelzer stated when an employee notifies the County about a disability, the County needs to make an accommodation for the disability; however, the ADA and BOLI (Bureau of Labor and Industries) do not say the notice must be in writing. Schmelzer also commented she is concerned a complaint may be made and in regards to COVID-19, the County does need a specific policy so that this is not about one (1) employee. The Board consensus was to direct Huttel to bring back a policy.

D. Approve Agreement - Order Authorizing MOUs (Memo of Understanding) with CBOs (Community Based Organizations) for COVID Related Support Services Funded by CARES (Coronavirus Aid, Relief, and Economic Security) Act – Clarification - Commissioner Boice

Boice stated he is glad Ward clarified some things, feels this is ready for Board approval, and noted the name change of Brookings Harbor Food center to Brookings Community Helpers. Gold stated she wants to make sure Ward and Huttel approve. Huttel stated he has reviewed the MOU agreements

For detailed information on any agenda item, refer to Audio/Video.

Curry County Strategic Plan:

1. Financial Stability 2. Economic Development 3. Quality of Life 4. Public Trust 5. Infrastructure

he and Ward had approved, and he has no concerns. Paasch asked if Ward is comfortable with the MOU's. Ward stated she is.

Motion by Boice, seconded by Gold, to authorize the MOU's. Motion carried unanimously.

E. ORLA (Oregon Restaurant And Lodging Association) - Pushes Other Solutions – Curry Board of Commissioner Support – Commissioner Boice

Boice showed and summarized the ORLA press release; read one (1) paragraph; expressed concern about the Governor's statement on national news asking the state police superintendent to connect with other law enforcement agencies and be prepared to go into someone's home; stated he has supported Governor Brown from the very beginning on what she's dealing with, has tremendous appreciation for her staff and what they are trying to communicate; feels, while the letter is not strong enough, it's a start; and asked for the Board's support of the letter. Gold asked if the cities have been contacted. Paasch urged all county commissioners in Southwest Oregon to speak to the Governor tonight and encourage her to release the monies owed to the counties.

Motion by Boice, seconded by Gold, to approve letter of support. Motion carried unanimously.

F. Discuss Camp Host Roles and Responsibilities in County Parks – Commissioner Paasch

Paasch stated it is time we discuss the duties of the (1) camp hosts (2) liaisons, and (3) Parks Coordinator. Paasch also stated there was an issue with water at Boice Cope Park this past weekend. DeRock stated the water issue was brought to his attention late Monday, November 16, 2020, morning when he learned Boice had initiated work and repairs at the park prior to DeRock being informed; stated he visited the park on Tuesday, November 17, 2020, and did not know what the status of the repair was; commented had he known of the incident on Sunday, November 15, 2020, he would have begun to resolve immediately. Boice stated everything DeRock communicated was sent precisely to Rueckert in E-Mails (which detailed Boice's actions); noted we are here to discuss camp hosts; and extended tremendous gratitude to the camp hosts, Walt and Sheila Meakins for their quick reaction. Paasch observed there is a rub between the camp hosts, Boice and DeRock; noted during his time on the Board, he has become aware of employees, due to Boice's actions, (1) moving out of their offices, (2) not wanting Boice as their liaison, and (3) fearing retaliation; commented this has led to his fear the County may be inundated with lawsuits; and stated, based on input from CIS insurance and discussions with Huttel, he is asking the Board to censure Boice. Paasch read the censure order and stated he is doing this to protect the citizens of the County.

A lengthy discussion followed. Paasch observed the Board had not granted Boice authority to enter into contracts to resolve the water issue at the park and encouraged the Meakins to go through DeRock or the Parks liaison, Gold. Boice stated Sheila Meakins is a disabled US army veteran, spoke about the Meakins moving to another camp site, read letters from the neighbors, stated he went through the proper channels, noted the Meakins (1) have been treated horribly by the County, (2) are probably the most qualified camp hosts the county has had in a long time, (3) have had three (3) contracts, and (4) are not comfortable around County representatives; asked for an independent review of the matter; and stated he did the right thing. DeRock stated the Meakins have stopped all communications with him and detailed the history of the Meakins' contracts. Schmelzer addressed the issues with the Meakins contracts and observed DeRock is being prevented from doing his duties. Sheila Meakins stated DeRock treated her with disrespect and had not reached out to talk to her; commented she loves her job and Boice-Cope Park; noted issues with her motorhome's propane heater; and is coming to the Board because she does not feel she has been treated right.

For detailed information on any agenda item, refer to Audio/Video.

Curry County Strategic Plan:

1. Financial Stability 2. Economic Development 3. Quality of Life 4. Public Trust 5. Infrastructure

Walter Meakins stated DeRock will not talk to them; commented they can never get a hold of DeRock as DeRock always texts; and provided details on the water problem. Gold, before voting on the censure motion, read a letter stating she sympathizes and empathizes with employees as she has been a recipient of this harassment and bullying.

Motion by Paasch, seconded by Gold, to censure Boice. Motion carried 2-1 (Gold – Yes; Paasch – Yes; Boice – No)

Boice makes a motion to start an investigation. Motion dies for lack of a second.

G. Discuss Implementing a Model Policy of Employees with COVID-19 Exposure – Julie Schmelzer, (DCO) Director of County Operations

Schmelzer explained the Oregon OSHA COVID-19 Workplace Advisory Memo (11.12.20) and stated she will modify the “Model Policy for Notification of Employees when COVID-19 Exposure Occurs” to reflect Curry County Boice asked what generated this item. Rueckert stated they were part of the new OSHA guidelines. The Board asked to review the modified Model Policy guidelines reflecting Curry County before voting on them.

8. PUBLIC HEARING AT 10:00AM

A. Community Development Block Grant (CDBG) from Business Oregon

Paasch opened the Public Hearing and opened public comment. There were no public comments. Paasch closed public comment. Schmelzer spoke about the grant; provided details to the public of the projects under consideration, one of which is a Family Resource Center at 517 Railroad St, Brookings, OR; compared the advantages and disadvantages of either making that building ADA compliant or doing a rebuild; stated it is the County’s intention to apply for the funds to make the 517 Railroad St location better suited for the low and moderate income population. Paasch closed the Public Hearing.

9. DIRECTOR’S REPORT

Schmelzer spoke about

- Two-thirds (2/3) of Emergency Management Department expenses, dues to grants and in kind services, are covered outside of the General Fund
- COVID-19 related reimbursement expense requests which total in excess of \$500,000.
- A conference call with Rueckert in anticipation Brad
- An update on wrap up of Floras Lake Land Swap

10. COMMISSIONER UPDATES

A. Commissioner Boice spoke about

- Boice-Cope Park RV sites
- Wearing masks
- Kudos to Clerk Kolen and her staff for their work on the election
- The SOD (Sudden Oak Death) and gorse in the County
- The censure, specifically
 - it was outrageous,
 - there was no proper warning,
 - Gold’s prepared statement,
 - a distraction from main issue which was the Meakins,

For detailed information on any agenda item, refer to Audio/Video.

Curry County Strategic Plan:

1. Financial Stability 2. Economic Development 3. Quality of Life 4. Public Trust 5. Infrastructure

- neighbors are citizens and some of them have been there for years,
- doesn't feel censure should be processed, and
- is ready to make a motion on the independent review.

B. Commissioner Gold spoke about

- Attended a DEQ (Department of Environmental Quality) meeting about a bill regarding recyclables
- Native American week.

C. Commissioner Paasch spoke about

- The content of the censure, specifically no one but CIS insurance and Huttl knew about it prior to Monday, November 16, 2020 when he had advised Schmelzer and this morning Gold
- NRCS (Natural Resources Conservation Service)
- The USACE (United States Army Corp of Engineers) have made a definite promise to dredge the mouth of the Rogue River in Spring, 2021.

11. EXECUTIVE SESSION

A. Consider employment of an employee

192.660(2)(a) To consider the employment of a public officer, employee, staff member or individual agent.

B. Consider Information Exempt from Public Records Laws

192.660(2)(f) To consider information or records that are exempt by law from public inspection.

Chair Paasch entered Executive Session at 1:35 p.m.; recessed at 2:28 p.m.

Staff to proceed as directed

12. HIRE ORDERS

A. Re-hire of an Employee

Motion by Gold, seconded by Paasch, to approve, as amended, the order for the job description and the order for the re-hire of an employee. Motion carried 2-1 (Gold – Yes; Paasch – Yes; Boice - No.)

13. OTHER (ORS.192.640(1) ". . . notice shall include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.”)

Schmelzer addressed closing the county due to the Governor's freeze, specifically, the timeline of executive orders, OSHA guidelines, some employees working remotely, and Alex Campbell, Southern Oregon Region Coordinator, advising it is not a mandate.

Paasch stated reiterated Kolen's request to leave building's open and allow each office to decide whether open or closed. Gold agrees with Paasch and stated each department is responsible for their respective employees. Boice stated shutting down the County for ten (10) days doesn't send a good message overall, commented about training on cleaning, and stated he is just a little apprehensive, reluctant that shutting the County down for ten (10) days is not as productive of a time. Kolen asked about the doors of the Annex being open.

For detailed information on any agenda item, refer to Audio/Video.

Curry County Strategic Plan:

1. Financial Stability 2. Economic Development 3. Quality of Life 4. Public Trust 5. Infrastructure

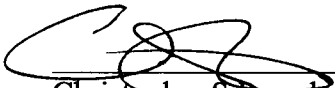
Motion by Boice for department heads and elected official to report back to the DCO on the 22nd.
Motion dies due to lack of a second.

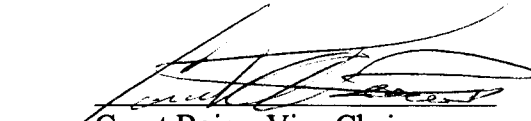
Motion by Paasch, seconded by Gold, per Governor's mandate, for non-essential can work from home but it is under their department head's discretion to make that decision. Motion carried unanimously.

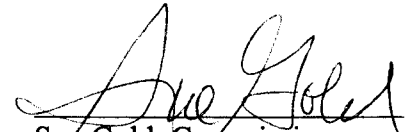
14. ADJOURN

Chair Paasch adjourned the meeting at 2:39 p.m.

Dated this 2nd day of December , 2020.


Christopher S. Paasch, Chair


Court Boice, Vice Chair
12-2-20


Sue Gold, Commissioner

Minutes prepared by: John Jezuit, Administrative Assistant

For detailed information on any agenda item, refer to Audio/Video.

Curry County Strategic Plan:

1. Financial Stability
2. Economic Development
3. Quality of Life
4. Public Trust
5. Infrastructure