

Legal Counsel Update: October 29, 2019

2:00 p.m. – Board Conference Room

Attending: Commissioners Lily N. Morgan, Darin J. Fowler and Daniel E. DeYoung; Wally Hicks and Leah Harper, Legal Counsel; Wendy Watkins, Recorder

Chair Lily N. Morgan called the meeting to order at 2:00 p.m.

1. Kane County, Utah v. United States Class Action Lawsuit – PILT

Wally Hicks, County Legal Counsel, explained checks were mailed last week for each Class Member's FY 2015-2017 PILT underpayment, less its pro rata share of the attorney fees and litigation expenses awarded by the Court. A check was issued to Josephine County in the sum of \$19,262.

2. Draft for WBS: IGA #159203 with State of Oregon for PSRB Tort Liability coverage

Leah Harper, Assistant County Legal Counsel, mentioned this IGA with the State of Oregon, acting by and through its Oregon Health Authority (OHA), may provide tort liability coverage through the Oregon Department of Administrative Services to any county that is contracted with OHA to provide supervision, care, treatment or training of persons under the jurisdiction of the Psychiatric Security Review Board. *Staff was directed to place the item under Administrative Actions on next week's Weekly Business Session Agenda.*

3. Draft for WBS: Grant Agreement with Options of Southern Oregon for funding under IGA #159168

Karla McCafferty, Options for Southern Oregon Executive Director, explained this Grant Agreement with Options for Southern Oregon and the State of Oregon, acting by and through the Oregon Health Authority (OHA) has entered into an IGA for the Financing of Community Mental Health, Addiction Treatment, Recover and Prevention, and Problem Gambling Services by IGA No. 159168 to assist counties in the establishment and financing of community addictions and mental health services. *Staff was directed to place the item under Administrative Actions on next week's Weekly Business Session Agenda.*

4. Draft for WBS: Amendment #1 to Grant Agreement with Options of Southern Oregon for funding under IGA #159168, to include PSRB Tort Liability Coverage

Ms. McCafferty said the purpose of this amendment is to add the State of Oregon, acting by and through its Oregon Health Authority, as a third part to the contract. This amendment shall be approved by the Department of Justice and expires on June 30, 2021. *Staff was directed to place the item under Administrative Actions on next week's Weekly Business Session Agenda.*

5. Ambulance Service Area Plan Report by OHA

Mike Weber, Public Health Director, discussed the report sent over from the EMS & Trauma Systems Deputy Director that state three sections in the Ambulance Service Area (ASA) Plan, which include deficiencies, weaknesses and strengths. The report read the deficiencies were not in compliance with Oregon Revised Statute 682.204 to 682.991 and stated the deficiencies must be corrected prior to ASA plan approval. Mr. Weber provided the County has defined those areas as geographically and Dave Matthews with AMR is willing to work with the County. Mr. Weber said he is prepared to make a full response, but we need to decide whether we want to implement these changes or whether we want to challenge. If we want to make changes, we need a review these with Legal Counsel, AMR and myself.

Chair Lily N. Morgan called for Executive Session at 2:42 p.m. Minutes filed separately.

Additional Attendees: JJ Scofield, Human Resource Director; Wyatt Navarro, Intern; Annette Sorensen, Executive Office Manager

6. EXECUTIVE SESSION

a. Bennett vs. Parkway Village - Case No. 19CV4452

Executive Session Adjourned at 2:54 p.m.

The Board reported the following:

Agenda Item #6(a): The Board has declined to take action.

LEGAL COUNSEL UPDATE CONT'D

7. Additional Subjects/Matters from Commissioners – ORS 192.640(1)

Commissioner Morgan said she met with Arthur O'Hare, Finance Director, and asked him to prepare a bigger picture of the budget and General Fund obligations. Commissioner Fowler mentioned he will be working on the 2020 census. Commissioner Fowler would like to change the name of the Mining Advisory Board to the Natural Resources Committee. Mr. Hicks said it may be better to call it a Coordination Committee.

Meeting adjourned at 3:11 p.m.