

**Legal Counsel Update: April 23, 2020**

**10:00 a.m. – Anne Basker via Zoom**

Attending: Commissioners Darin J. Fowler, Daniel E. DeYoung and Lily N. Morgan; Wally Hicks, Augustus Ogu and Pat Ellison, Legal Counsel; Wendy Watkins, Recorder

Chair Darin J. Fowler called the meeting to order at 10:07 a.m.

**1. County Advisory Boards – Public Meetings**

Wally Hicks, County Legal Counsel, mentioned a baseline of understanding for what the vision is for getting the County Advisory Boards up and running again. Commissioner Morgan mentioned the City of Grants Pass has one staff person who issues out the agendas and we can pick the venue and offer a video option, phone-in option and does not want to leave it up to each advisory board to come up with their own system. Commissioner Fowler said he would like IT to work with Trish Paredes, Advisory Board Coordinator, to come up with a solution to make one technology the chosen one. Mr. Hicks encouraged the Advisory Board's to meet during the day since there will be reliance on the County's IT Department.

Chair Darin J. Fowler called for Executive Session at 10:15 a.m. Minutes filed separately.

*Additional Attendees via Zoom: Tamra Martin, Fairgrounds Director; Sarah Garceau, Parks Director; Dave Streeter, Forestry Director, Helene Lulich, Real Property Manager; Ryan Johnson, Facilities Director; Shaun Hall, The Daily Courier*

**2. EXECUTIVE SESSION**

- a. **O'Brien v. Josephine County Sheriff; USDC Case No. 1:19-cv-01053-CL - ORS 192.660(2)(h)**
- b. **Charter Communications v. Oregon Dept. of Revenue: Oregon Tax Court Case TC5361 - ORS 192.660(2)(h)**
- c. **Josephine County v. Kern; Case No. 19CV39340 - ORS 192.660(2)(h)**
- d. **Confidential Memo re: Ausland Contract for Whitehorse Park Consulting Services - ORS 192.660(2)(f)&(h)**
- e. **Termination of Land Sale Contract - ORS 192.660(2)(e)**
- f. **Report and Recommendation re: Offer to Purchase County Real Property - ORS 192.660(2)(e)**
- g. **County real property at 870 Redwood Highway - ORS 192.660(2)(e)**
- h. **Report and Recommendation re: County Real Property at 400 Sunny Valley Loop - ORS 192.660(2)(e)**
- i. **County Real Property at Josephine County Fairgrounds - ORS 192.660(2)(e)**
- j. **Confidential memo re: Transfer of Real Property - ORS 192.660(2)(e)&(f)**

**Executive Session Adjourned at 11:46 a.m.**

The Board reported the following:

Agenda Item #2(a): Discussion only.

Agenda Item #2(b): Discussion only.

Agenda Item #2(c): Discussion only.

Agenda Item #2(d): Discussion only.

Agenda Item #2(e): Commissioner DeYoung made a motion to allow for a 90-day grace period to the Land Sale Contract, seconded by Commissioner Morgan. Upon roll call vote, motion passed 3-0; Commissioner Morgan – yes, Commissioner DeYoung – yes and Commissioner Fowler – yes.

Agenda Item #2(f): Commissioner DeYoung made a motion to reject the Report and Recommendation re: Offer to Purchase County Real Property, seconded by Commissioner Morgan. Upon roll call vote, motion passed 3-0; Commissioner Morgan – yes, Commissioner DeYoung – yes and Commissioner Fowler – yes.

Agenda Item #2(g): Commissioner Morgan made a motion allow a 60-day relief for County real property at 870 Redwood Highway, seconded by Commissioner DeYoung. Upon roll call vote, motion passed 3-0; Commissioner Morgan – yes, Commissioner DeYoung – yes and Commissioner Fowler – yes.

Agenda Item #2(h): The Board received an update on the insurance claim.

Agenda Item #2(i): Discussion only.

Agenda Item #2(j): Discussion only.

### **LEGAL COUNSEL UPDATE CONT'D**

#### **3. Additional Subjects/Matters from Commissioners – ORS 192.640(1)**

Mr. Hicks advised there is a new federal lawsuit regarding an inmate who died at the jail and the County is the main defendant. Commissioner DeYoung said Curry County is interested in a zoom meeting this next Thursday regarding the Cole Rivers Fish Hatchery. Commissioner Morgan said this should be in Executive Session since there is pending litigation. The Board agreed.

Meeting adjourned at 12:01 p.m.