

WEEKLY BUSINESS SESSION – September 4, 2019

9:00 a.m. – Anne G. Basker Auditorium
600 N.W. Sixth Street, Grants Pass, OR 97526

Present: Lily N. Morgan, Chair; Darin J. Fowler, Vice-Chair; and Daniel E. DeYoung, Commissioner; Trish Paredes, Recorder

These are meeting minutes only. Only text enclosed in quotation marks reports a speaker's exact words.

Pursuant to notice through the media and in conformance with the Public Meeting Law, Lily N. Morgan, Chair, called the meeting to order at 9:00 a.m.

Items discussed were as follows:

1. RECOGNITION OF EMPLOYEES:

The Board recognized the following employees for their years of service with the County:

Lorna Jessee – Public Works – 20 years
Kathleen Knecht – Transit – 5 years
Shannon Doak – Public Health – 5 years
Michael Waldon – Juvenile Justice – 5 years
Mary Lewelling – Sheriff's Office – 5 years
Teresa Gibson – Fairgrounds – 5 years
Marshall O'Dell – Fairgrounds – 5 years

2. ADMINISTRATIVE ACTIONS IN CONSIDERATION OF:

BOARD DECISIONS UNDER ADMINISTRATIVE ACTIONS WERE MADE AFTER PUBLIC COMMENT WAS RECEIVED

- a. **Approval of Order No. 2019-051; In the Matter of Revision to Administrative Policies and Procedures for Josephine County for the Purpose of Conducting Business on a Daily Basis: Section F-5, Legal, Public Records Request (One original Order filed with the County Clerk)**

Wally Hicks, County Legal Counsel, explained that in 1992 the Board of Commissioners adopted Order No. 1992-199, in 2016 the Board amended that order with Order No. 2016-052, and then later in 2016 Oregon Legislature made considerable changes regarding public records law. In response to the current methods adopted and to streamline processes of keeping things consistent, the present Board would like to pass this new order that will replace Order No. 2016-052 and will take effect immediately if passed. This order only changes the procedure in which public records requests are processed but not access to what public records are accessible. This process change will bring policy more consistent with other counties and is more efficient and cost effective for the County.

3. REQUESTS/COMMENTS FROM CITIZENS: (Each person will be given three (3) minutes to speak)

Todd Rumrey, Josephine County, spoke in support to positive changes to the intersection of Highway 238 and Cedar Flat Rd. that slow down traffic but maintain the integrity of the community.

Scott Cameron, Grants Pass, spoke in support for citizens to gain access to public records without going to court and also spoke in opposition to bringing 5G networks to Josephine County.

Bryan Hunter, Josephine County, spoke in support of Josephine County Public Works having a meeting that informs the affected community about the plans of making changes to Highway 238 and Cedar Flat Rd.

Tim Wagerley, Josephine County, spoke in opposition to the County's present process of public records requests.

Sharon Martin, Grants Pass, spoke in opposition to passing Order No. 2019-051.

Michael Wetterauer, Hugo, spoke in support of the Declaration of Independence and for government to practice transparency.

Jean Mount submitted her email for the record, **BCC Meeting for September 4, 2019 (Exhibit 1)**.

4. BOARD MAY REVIEW PUBLIC COMMENTS/QUESTIONS:

The Board addressed public comments.

Board Discussion and Action – Agenda Item 2(a)

Commissioner Fowler made a motion to approve Order No. 2019-051; In the Matter of Revision to Administrative Policies and Procedures for Josephine County for the Purpose of Conducting Business on a Daily Basis: Section F-5, Legal, Public Records Request, seconded by Commissioner DeYoung. Upon roll call vote, motion passed 3-0; Commissioner DeYoung – yes, Commissioner Fowler – yes, and Commissioner Morgan – yes.

5. APPROVAL OF CONSENT CALENDAR:

- a. **Minutes (Draft minutes are available for viewing in the Board's Office)**

City/County Monthly Update – August 27, 2019
Legal Counsel Update – August 27, 2019
Weekly Business Session – August 28, 2019
County Administration Workshop – August 29, 2019

- b. **Order No. 2019-050; In the Matter of the Josephine County Dog Control District; Transfer of Board of Supervisors' Authority to Newly Established Board** (*One original Order filed with the County Clerk*)

Board Discussion and Action:

Commissioner DeYoung made a motion to approve the Consent Calendar Agenda Items 5(a) through 5(b) as listed, seconded by Commissioner Fowler. Upon roll call vote, motion passed 3-0; Commissioner DeYoung – yes, Commissioner Fowler – yes, and Commissioner Morgan – yes.

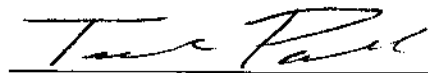
6. **OTHER: (ORS 192.640(1))** “. . . notice shall include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.”)

Commissioner Fowler made a motion to approve Commissioner Morgan signing a letter on behalf of the Board to the Oregon Department of Transportation (ODOT) in support of creating the third slip-lane on Highway 199 between Williams Highway and Redwood Avenue, seconded by Commissioner DeYoung. Upon roll call vote, motion passed 3-0; Commissioner DeYoung – yes, Commissioner Fowler – yes, and Commissioner Morgan – yes.

7. MATTERS FROM COMMISSIONERS:

Commissioner DeYoung discussed the railroad crossing street issue that Oregon Department of Transportation (ODOT) and Public Works are working on fixing. Commissioner Fowler discussed the Hemp Symposium and the success of the event, his attendance at the Labor Day Parade in Cave Junction, driving safely on Highway 199, practicing fire safety, safe driving regarding schoolchildren, and Harold Haugen's memorial September 5, 2019. Commissioner Morgan mentioned the success of the Labor Day Parade and the festivities that accompany that event, Chief Hoke's service to Josephine County, citizens keeping communications civil, and her upcoming Washington D.C. trip.

Weekly Business Session adjourned at 10:07 a.m.



Trish Paredes, Recorder

Exhibits:

Exhibit 1 – BCC Meeting for September 4, 2019

SEP 04 2019

SEP 03 2019

Nicole Mannan

Board of Commissioners

Board of Commissioners

From: Jean Mount <jelmount@gmail.com>
Sent: Tuesday, September 3, 2019 9:18 PM
To: Board of Commissioners; Wendy Watkins
Subject: Comments for The Record related to Approval of Order No. 2019-051 -- Public Records Request

EXTERNAL EMAIL: Please verify links by hovering over them!

For the Record and BCC meeting for September 4, 2019

Dear Commissioners,

I have carefully read the past Public Records Request policy and the current proposed changes in the Public Records Policy. And I find the proposed changes that designate the Board of Commissioners to make public record decisions on records that do not originate with the BCC to be a potential problem. A denial of any request will lead to a costly process involving the district attorney office. And if not appealed the end result is suppression of information. Many departments are not listed under Department Procedures and thus the release of the public records would be decided by the Board of Commissioners. An example of omitted departments includes— Animal Control, Shelter, airport(s), and Legal. An intermediary process and review is needed for a request denied by the Commissioners other than an appeal to the District attorney's office.

County government works best when it is transparent and has a fair and workable process to access public records. In addition, the pdf file and proposed policy changes were available only 24 hours prior to the BCC meeting and that is not sufficient time for the public to be aware and review these revisions.

I request a delay in approval of Order No. 2019-051 Revision of the Administrative Policies and Procedures for Josephine County related to Public Records Requests.

Thank you,
Jean Mount
Grants Pass, OR

ADMINISTRATIVE ACTION(S) IN CONSIDERATION OF:

a. Approval of Order No. 2019-051; In the Matter of Revision to Administrative Policies and Procedures for

Josephine County for the Purpose of Conducting Business on a Daily Basis: Section F-5, Legal, Public Records Request

Agenda & Minutes:

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Board of County Commissioners
Read More at <http://www.co.josephine.or.us//Agendas.asp?AMID=4553>

The Board of County Commissioners has designated the Josephine County Legal Counsel Board of Commissioners' Executive Office Manager as the Public Records Management Officer (RMO) to coordinate the County's Public Records Management Program in accordance with ORS 192.105 (2)(a).

The Board, Legal

A. All decisions regarding public records for which the Board of County Commissioners is the custodian are considered decisions of the RMO. Decisions of the RMO are appealable to the District Attorney in accordance with ORS 192. 415.

B. Notwithstanding section 4.A. of this policy, the RMO may refer any request for public records to the Board of County Commissioners for a determination. **Decisions of the Board of County Commissioners are appealable to the Circuit Court in accordance with ORS 192. 427.**

Agenda & Minutes:

9/4/2019 - Weekly Business Session Agenda

Board of County Commissioners

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