

CROOK COUNTY WORK SESSION

Administration Conference Room
203 NE Court Street, Prineville, OR

Tuesday **September 14, 2021** at 9 a.m.

Discussion Items

	<i>Requester's Name</i>	<i>Matter</i>	<i>Docs in Packet?</i>
1	Erik Nelson	Adjusted Budget for Veterans	✓
2	Casey Daly	Letter of Support to Relocate Weir Damn	✓
3	Troy Poncin	Creating Internal Policies That Dictate Internal Workflows That May Require Outside Departments to Act	
4	County Court	Consider Adoption of Oregon 2021-50, Declaration of Emergency for Lack of Adequate Resources to Respond to Public Health and Safety Services; Discussion of OHA Vaccine Mandates	✓

Executive Discussion Items

	<i>Requester's Name</i>	<i>Matter</i>	<i>Docs in Packet?</i>
Exec #1			

Items placed on the Work Session agenda are intended for discussion only, without making decisions or finalizing documents unless an emergency exists.

**The Court may add additional items arising too late to be part of this Agenda. Agenda items may be rearranged to make the best use of time.*

**The meeting location is accessible to persons with disabilities. If additional accommodations are required, please submit your request 48 hours prior to the meeting by contacting County Administration at 541-447-6555.*

*Requests to be placed on the Work Session agenda are
due at **5 p.m. on Thursday** before the Work Session*

September 14, 2021 Work Session Agenda Items

Veteran Service Budget Adjustment Proposal

Introduction:

The Veteran Service department has seen many changes in the last year. With the former Director leaving in October of 2020, this presented unspent personnel costs from the previous year's budget. This accounts for the vast majority of roll over funds from the previous fiscal year. The Oregon Department of Veteran Affairs (ODVA) also projected a cut in funding statewide, which did not happen. Instead of a projected 10% decrease in state funding, we saw an actual 12% increase in pass-through lottery funds. These funds are prescribed to the County under ORS 406.454, and limitations on use of the funds is governed by ORS 406.460.

Ultimately, the General Fund contribution cannot be decreased further than the average decrease in funding to all other departments in the county. If the average decrease is 5% across the board, ODVA will accept a General Fund decrease of that amount. Overall expenditures in the Adopted Budget (see attached) are approximately 4% less than FY20-21, while General Fund expenditures are projected to be as much as 40% lower. With these factors in mind, I am proposing an overall decrease in our General Fund contributions of 10%. I am also using the FY2019-20 General Fund amount, as that was the last full fiscal year prior to the COVID-19 pandemic effecting the budget. For FY2021-22, ODVA is providing more discretion to budget adjustments due to the effects of the COVID pandemic on counties across the state.

Proposed Use of Funds:

I have attached proposed budget adjustments of 5%, 10%, and 15% for reference. These adjustments reflect a base General Fund contribution of \$149,737 which was used in FY2019-20 prior to the pandemic. Because of the pandemic, I feel we can use this amount to adjust the budget from and still meet ODVA approval.

At this time (since state-wide restrictions lifted June 30th), despite COVID concerns, we have continued to serve the community in every facet. This includes going to service organization meetings, in-person appointments, and holding regular walk-in hours. Adam Williams did attend the National Association of County Veteran Service Officers (NACVSO) Annual Conference in Washington D.C in July, but aside from this, all other required professional training events will require no travel, accommodations, or per diem. For this reason, a modest increase to education and certification to pay for remote learning courses seems prudent. The other cost which needs to be adjusted across all budgets is the monthly Verizon cellphone expenses which are \$200 a month.

All other increases to the budgets are reflected in Operating Supplies, Advertising, Office Supplies, and Lodging/Meals. These are the primary expenses used for our annual goals: the **Annual Veteran Appreciation Dinner** (tentatively December 2, 2021), our **Suicide Awareness and Prevention** campaign which normally begins in September and lasts through December, and finally our **Armed Forces Day Celebration** (tentatively May 21, 2022). The Lodging/Meals line item has generally been used to provide the food for these events, and the

increase to this item reflects the planned events in December and May. The increase in Advertising likewise is to reflect our efforts in Suicide Awareness and Prevention along with promotion of our events. Operating Supplies and Office Supplies increases are primarily to further the cause of these other events.

Conclusions:

The Veteran Service department can easily maintain operations through this fiscal year with any of the proposed budgets outlined in this proposal. However, the scope and scale of our efforts in our main goal areas will be affected by the resources we are able to apply in those areas. I feel ODVA will accept any of these proposals but will be most comfortable with whatever percentage reduction is closest to the average applied to all departments from the last fiscal year. As previously stated, **I am recommending the 10% decrease I described, as I think it will be acceptable to ODVA and provide reasonable expenditures for this fiscal year.** The goal in future years will be to maintain, as much as possible, our ability to facilitate the annual events, outreach in the community, and involvement with community partners at their events.

Veterans Services Fund

Account Number	Category	Description	2021-22 Approved Budget	2021-22 Adjusted Budget	2021-22 Final Budget
325-0000-300-01-01	BEGINNING FUND BALANCE	BEGINNING BALANCE	51,800	24,065	75,865
325-0000-300-01-05	BEGINNING FUND BALANCE	INTEREST EARNED	0	0	
325-1101-324.35-08	STATE GRANTS	VETERANS SERVICE OFFICER	70,000	21,567	91,567
325-1101-324.35-39	STATE GRANTS	STATE REVENUE / SUCIDE PREVENTION AWARE	0	0	0
325-1101-347-47-00	DONATIONS/CONTRIBUTIONS	DONATIONS/CONTRIBUTIONS	500	0	500
325-1101-360-60-03	REIMBURSED ITEMS	REIMBURSED REVENUE	0	0	0
325-1101-380-80-23	TRANSFERS IN	GEN FUND SUPPORT	160,700	(25,932)	134,768
	TOTAL REVENUE	TOTAL REVENUE	283,000	19,700	302,700
325-1101-510-01-02		OVERTIME			
325-1101-510-01-17	PERSONNEL SERVICES	DEPARTMENT HEADS	55,500	0	55,500
325-1101-510.01-22	PERSONNEL SERVICES	ASST/TECH/COORD/CLERK	88,400	0	88,400
325-1101-510.02-01	PERSONNEL SERVICES	FICA	11,000	0	11,000
325-1101-510.02-02	PERSONNEL SERVICES	WORKERS COMPENSATION	300	0	300
325-1101-510.02-03	PERSONNEL SERVICES	HEALTH INSURANCE	43,000	0	43,000
325-1101-510.02-04	PERSONNEL SERVICES	LIFE INSURANCE/LTD	400	0	400
325-1101-510.02-05	PERSONNEL SERVICES	UNEMPLOYMENT	200	0	200
325-1101-510.02-06	PERSONNEL SERVICES	401K RETIREMENT	11,700	0	11,700
	PERSONNEL SERVICES TOTAL		210,500	0	210,500
325-1101-520.05-28	MATERIALS & SERVICES	OPERATING SUPPLIES	12,500	5,600	18,100
325-1101-520.10-01	MATERIALS & SERVICES	ADVERTISING	3,000	4,000	7,000
325-1101-520.10-25	MATERIALS & SERVICES	OFFICE SUPPLIES	800	2,300	3,100
325-1101-520.10-29	MATERIALS & SERVICES	PHOTOCOPIES	0	0	0
325-1101-520.25-06	MATERIALS & SERVICES	MILEAGE OTH THAN MTR POOL	2,000	0	2,000
325-1101-520.25-11	MATERIALS & SERVICES	FUEL	1,000	0	1,000
325-1101-520.40-17	MATERIALS & SERVICES	CELL PHONE COSTS	1,800	600	2,400
325-1101-520.45-01	MATERIALS & SERVICES	AIRFARE	1,500	0	1,500
325-1101-520.45-02	MATERIALS & SERVICES	EDUCATION & CERTIFICATION	300	200	500
325-1101-520.45-03	MATERIALS & SERVICES	LODGING & MEALS	6,000	7,000	13,000
325-1101-520.66-04	MATERIALS & SERVICES	FINANCE	6,900	0	6,900
325-1101-520.66-09	MATERIALS & SERVICES	FACILITIES	5,300	0	5,300
325-1101-520.66-27	MATERIALS & SERVICES	LEGAL	2,900	0	2,900
325-1101-520.66-28	MATERIALS & SERVICES	ADMINISTRATION	3,800	0	3,800
325-1101-520.66-29	MATERIALS & SERVICES	HUMAN RESOURCES	6,700	0	6,700
325-1101-520.66-94	MATERIALS & SERVICES	GIS	400	0	400
325-1101-520.66-95	MATERIALS & SERVICES	IT	17,600	0	17,600
		Equipment < \$10,000	0	0	0
		Materials and services total	72,000	20,200	92,200
		Capital Outlay	0	0	0
		Contingency	0	0	0
	TOTAL EXPENSES	TOTAL EXPENDITURES	283,000	19,700	302,700

Ending balance

0

0

Revenue OVER (UNDER) expenditures

Beginning balance

Veterans Services Fund - 325

Account Number	Category	Description	2016-17 Actual	2017-18 Actual	2018-19 Actual	2019-20 Actual	2020-21 Actual	2021-22 Approved Budget	2021-22 Proposed 20% Decrease	2021-22 Proposed 15% Decrease	2021-22 Proposed 10% Decrease	2021-22 Proposed 5% Decrease
325-0000-300-01-01	BEGINNING FUND BALANCE	BEGINNING BALANCE	32	28	60,101	5,000	11,440	51,800	75,865	75,865	75,865	75,865
325-0000-300-01-05	BEGINNING FUND BALANCE	INTEREST EARNED	5	379	224	400	217	0				
325-1101-324.35-08	STATE GRANTS	VETERANS SERVICE OFFICER	31,953	85,263	85,325	78,000	81,151	70,000	91,567	91,567	91,567	91,567
325-1101-324.35-39	STATE GRANTS	STATE REVENUE / SUICIDE PREVENTION AWARE		4,700	0	0	0	0	0	0	0	0
325-1101-347-47-00	DONATIONS/CONTRIBUTIONS	DONATIONS/CONTRIBUTIONS		5,095	80	1,000	1,000	500	500	500	500	500
325-1101-360-60-03	REIMBURSED ITEMS	REIMBURSED REVENUE		648	0	0	0	0	0	0	0	0
325-1101-360-80-23	TRANSFERS IN	GEN FUND SUPPORT		149,737	149,737	149,737	210,400	150,700	119,768	127,268	134,768	142,268
	TOTAL REVENUE	TOTAL REVENUE	31,950	245,850	296,467	234,137	303,591	283,000	287,700	295,200	302,700	310,200
325-1101-510-01-02		OVERTIME			1,590		545					
325-1101-510-01-17	PERSONNEL SERVICES	DEPARTMENT HEADS		50,484	53,557	54,500	59,478	55,500	55,500	55,500	55,500	55,500
325-1101-510.01-22	PERSONNEL SERVICES	ASST/TECH/COORD/CLERK	25,885	53,273	78,208	87,400	59,382	88,400	88,400	88,400	88,400	88,400
325-1101-510.02-01	PERSONNEL SERVICES	FICA	1,969	8,294	10,124	10,900	9,125	11,000	11,000	11,000	11,000	11,000
325-1101-510.02-02	PERSONNEL SERVICES	WORKERS COMPENSATION	73	279	339	600	264	300	300	300	300	300
325-1101-510.02-03	PERSONNEL SERVICES	HEALTH INSURANCE	1,903	36,484	34,825	38,700	22,970	43,000	43,000	43,000	43,000	43,000
325-1101-510.02-04	PERSONNEL SERVICES	LIFE INSURANCE/LTD	85	270	321	300	325	400	400	400	400	400
325-1101-510.02-05	PERSONNEL SERVICES	UNEMPLOYMENT	26	107	133	1,500	120	200	200	200	200	200
325-1101-510.02-06	PERSONNEL SERVICES	401K RETIREMENT	1,525	8,775	6,013	11,700	8,938	11,700	11,700	11,700	11,700	11,700
	PERSONNEL SERVICES TOTAL		31,366	167,966	185,110	205,600	161,147	210,500	210,500	210,500	210,500	210,500
325-1101-520.05-26	MATERIALS & SERVICES	OPERATING SUPPLIES	0	14,621	30,773	7,600	20,055	12,500	14,400	15,700	18,100	21,700
325-1101-520.10-01	MATERIALS & SERVICES	ADVERTISING		951	10,908	1,500	372	3,000	4,000	4,000	7,000	9,000
325-1101-520.10-25	MATERIALS & SERVICES	OFFICE SUPPLIES		2,808	5,342	1,000	1,660	800	2,000	2,000	3,100	4,000
325-1101-520.10-28	MATERIALS & SERVICES	PHOTOCOPIES		1,627	473	500	197	0	0	0	0	0
325-1101-520.25-06	MATERIALS & SERVICES	MILEAGE OTH THAN MTR POOL		108	185	357	0	2,000	2,000	2,000	2,000	2,000
325-1101-520.25-11	MATERIALS & SERVICES	FUEL				1,000	0	1,000	1,000	1,000	1,000	1,000
325-1101-520.40-17	MATERIALS & SERVICES	CELL PHONE COSTS					739	1,800	2,400	2,400	2,400	2,400
325-1101-520.45-01	MATERIALS & SERVICES	AIRFARE			0	0	0	1,500	1,500	1,500	1,500	1,500
325-1101-520.45-02	MATERIALS & SERVICES	EDUCATION & CERTIFICATION		258	0	0	0	300	300	500	500	500
325-1101-520.45-03	MATERIALS & SERVICES	LODGING & MEALS		4,674	9,385	5,130	1,825	6,000	6,000	12,000	13,000	14,000
325-1101-520.66-04	MATERIALS & SERVICES	FINANCE				1,000	5,182	6,900	6,900	6,900	6,900	6,900
325-1101-520.66-09	MATERIALS & SERVICES	FACILITIES		606		0	6,600	5,300	5,300	5,300	5,300	5,300
325-1101-520.66-27	MATERIALS & SERVICES	LEGAL				0	2,821	2,900	2,900	2,900	2,900	2,900
325-1101-520.66-28	MATERIALS & SERVICES	ADMINISTRATION			0	0	4,108	3,800	3,800	3,800	3,800	3,800
325-1101-520.66-29	MATERIALS & SERVICES	HUMAN RESOURCES		182	2,697	1,750	4,348	6,700	6,700	6,700	6,700	6,700
325-1101-520.66-84	MATERIALS & SERVICES	GIS		2,268	2,859	3,500	504	400	400	400	400	400
325-1101-520.66-95	MATERIALS & SERVICES	IT			513		20,299	17,600	17,600	17,600	17,600	17,600
		Equipment < \$10,000				5,000	0	0	0	0	0	0
		Materials and services total	0	27,784	64,325	28,537	83,325	72,000	76,700	84,700	92,200	99,700
		Capital Outlay			44,856	0	0	0	0	0	0	0
		Contingency					0	0	0	0	0	0
	TOTAL EXPENSES	TOTAL EXPENDITURES	31,366	166,760	294,262	234,137	348,413	283,000	287,700	295,200	302,700	310,200
		Ending balance	(9,873)	50,098		0	55,578	0				
		Revenue OVER (UNDER) expenditures	592	60,072		(5,000)	(55,578)					
		Beginning balance	(10,585)	(9,973)		0	55,578					

Juniper Flood Control

Legend



IN THE COUNTY COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK

**IN THE MATTER OF DECLARING AN
 EMERGENCY IN RESPONSE TO THE
 FORESEEABLE LACK OF ADEQUATE
 RESOURCES TO RESPOND TO THE
 BASIC NEEDS FOR PUBLIC HEALTH
 AND SAFETY SERVICES; VACCINE
 MANDATE CONSEQUENCES**

**RESOLUTION AND
 ORDER 2021-50**

WHEREAS, in August 2021, the Oregon Health Authority issues three successive versions of administrative rules (codified as OAR 333-019-1010), adopted on emergency bases, which require “healthcare workers” to be either fully vaccinated against the SARS-CoV-2 virus by October 18, 2021, or provide documentation for medical or religious exemption from such a requirement; and

WHEREAS, the Oregon Health Authority’s intent, as described in their Frequently Asked Questions flier dated September 1, 2021, is that “definition of healthcare provider is intentionally very broad” and, as specifically mentioned in the flier, “State owned department of corrections facilities are not subject to this rule. However, the rule does apply to non-state correctional facilities that have healthcare personnel providing healthcare. County and city jails are not exempt from this rule. If the city or county jail has control or responsibility for the activities of healthcare providers or healthcare staff at the jail facility, they are required to comply with the rule;” and

WHEREAS, Crook County maintains a jail facility to house a variety of adults-in-custody. In light of the current pandemic, Sheriff’s Office staff have undertaken a number of significant steps to reduce the possibility of an outbreak at the jail, including more frequent cleaning, limiting the number of inmates below the normal capacity, providing training opportunities for corrections staff, and directing staff which may have been exposed to COVID-19 to quarantine as a precaution against the infection of others. Since the beginning of the pandemic 18 months ago, there has not been an outbreak at the County jail facility, and all of the exposures of Sheriff’s Office staff members have been traced to sources outside the jail; and

WHEREAS, Sheriff's Office corrections staff may be required to administer medications to inmates, and it is not physically possible to segregate the administration of healthcare services to only certain parts of the facility. Further, all corrections staff must be able to administer medications or emergency health services to inmates, and it is not possible to limit the provision of medications or health services to only certain staff members. Attempting to do so would create the possibility that during certain shifts, there would be no personnel able to render these necessary services, to the detriment of the inmates and the general community; and

WHEREAS, it costs the County many thousands of dollars to train deputies, whether corrections, patrol, or civil, to the level of competence necessary to serve the local community. Crook County invests vast sums of money to meet the need for capable, conscientious public safety personnel which the general public can rely upon in dangerous, unpleasant, or emergency circumstances; and

WHEREAS, the County has been informed that as many as seventeen (17) Sheriff's Office personnel will consider voluntarily terminating their service with the County rather than submit to OHA's required emergency administrative rule. These include personnel providing corrections, patrol, and civil functions, and include exemplary officers and public servants. Their concerns are not idle petulance, but deeply held convictions that the administrative rules are wrong, unwarranted, and foolish.

NOW, THEREFORE, based upon the foregoing, it is hereby **ORDERED and RESOLVED** that:

Section One: The Crook County Court finds that, if it loses the services of seventeen public safety personnel, the immediate, foreseeable consequences will include:

- Daily gaps in the availability of law enforcement patrol coverage, perhaps totaling 14 hours per week or more, will need to be imposed. The dramatic reduction in Sheriff's Office personnel will reduce the amount of services available, and require those personnel remaining to work longer hours with fewer opportunities for holidays, vacations, or other leave, to make up for the reduction in staff to the limited degree possible.
- Future admission into the jail adults-in-custody population would be limited to only the most severe circumstances, such as felony arrests and mandatory housing only. Many individuals charged with, or serving time for, serious criminal offenses that do not quite meet this high threshold will not be incarcerated and may, in fact, need to be returned to the community before their debts to society have been paid.
- The costs of many thousands of dollars spent on training each individual employee would not be recouped by continued service in Crook County.
- The cancellation of many inmate-related programs. These programs are designed to help rehabilitate the individuals in custody and reduce the possibility of recidivism, improving both the individuals' lives and the safety of the local community.
- The cancellation or reduction of essential individual public safety programs which help promote public safety and the functioning of civil, family law, and criminal law court

proceedings, and help prevent the harassment of private citizens by disappointed counterparties.

- The County will endure vacancies in critical public safety positions for an unknowable length of time. Recruiting for qualified candidates to undertake at-times dangerous, unpleasant, and difficult public safety tasks is challenging enough under normal circumstances. Filling seventeen vacancies all at once would be unprecedented for the Crook County community, presenting yet another unneeded drain on limited time and resources.
- The loss of seventeen employees would require the payout of approximately \$96,000.00 for accrued leave time, all in one fiscal year. Personnel leaving County employment are eligible for the payout of certain types of accrued leave, and the costs for this are estimated through the routine budget processes. The unprecedented loss of seventeen employees all at once, however, would necessarily lead to a similarly unprecedented payout from a single department far beyond what could have been reasonably foreseen with the adoption of the County's budget. The County refuses to raise fees to the public for services to offset this expense, because, among other reasons, this circumstance is not one that the general public is responsible for creating.

These consequences will create a lack of resources to respond to basic public service needs; and therefore, an emergency is declared to exist.

Section Two: The County finds that the administrative rules promulgated by the Oregon Health Authority could be modified so as to reduce or eliminate these harms. Many important public facilities, the Crook County Sheriff's Office and Crook County jail among them, have had no outbreaks of COVID or any infection traced back to exposure therein. This is due to the increased, expensive, and diligently followed cleaning and safety procedures adopted in light of the pandemic. The administrative rules could be modified to recognize that those facilities which have successfully preserved the health of the general public, and the individuals housed within, would not need to be held to the same standards as those facilities with more unfortunate histories. On issues of this magnitude, of known public concern, adopting administrative rule mandates through an emergency process unnecessarily and unwisely deprives the general public and interested stakeholders from participating in, and informing the drafters of, the administrative rules. OHA should take the opportunity to suspend or revise these rules until the public has had a meaningful ability to participate, on a non-emergency basis. If the Oregon Health Authority refuses to do so, a special session of the Oregon Legislature could be convened to address the pandemic with appropriate legislation, as they have convened several times over the preceding months. Oregon Governor Kate Brown could exercise her authority to modify those administrative rules to reduce the impact to communities like Crook County.

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Section Three: In light of the consequences to the general public that the Oregon Health Authority's administrative rule will provoke, an emergency is declared to exist. The County Court of Crook County calls upon the Oregon Health Authority to modify the administrative rules; the Legislature of the State of Oregon to adopt sensible, bipartisan legislation to address the harms created by the pandemic; and Governor Kate Brown to restrain the adoption by executive branch agencies of counterproductive administrative rules, especially through emergency processes without regular involvement and review by the general public.

DATED this ____ day of _____, 2021.

Seth Crawford
County Judge

Jerry Brummer
County Commissioner

Brian Barney
County Commissioner

<u>Vote:</u>	Aye	Nay	Abstain	Excused
Seth Crawford	_____	_____	_____	_____
Jerry Brummer	_____	_____	_____	_____
Brian Barney	_____	_____	_____	_____

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BOARD OF COMMISSIONERS

COUNTY OF COOS

STATE OF OREGON

In the Matter of Declaring a County State of Emergency Due to the Foreseeable Lack of Adequate Resources to Respond to Basic Needs for Public Health and Safety Services) ORDER
) 21-09-056L
)

WHEREAS the ongoing COVID-19 pandemic has exhausted many providers of core public services, including first responders, healthcare providers, emergency services, public health, and public safety, among many others; and

WHEREAS the recent surge of COVID-19 cases due to the Delta variant has further strained those crucial services, filling our hospitals with COVID-19 patients; and

WHEREAS, in an effort to address this new surge, the State of Oregon has attempted to further increase the percentage of Oregonians who are vaccinated by imposing vaccine mandates on certain sectors, including those who work within elements of the healthcare, emergency services, and public safety systems; and

WHEREAS those efforts may have incentivized additional Oregonians to obtain vaccinations; and

WHEREAS those efforts now appear to be backfiring by causing some of the exhausted workforce in those critical public health and safety systems to leave employment; and

WHEREAS concerns are now arising that there will be insufficient remaining resources to provide basic public health and safety services, such as the operation of jails, pre-hospital emergency services (for example, traffic crashes, hunting accidents) and more; now, therefore, in accordance with ORS 401.309,

NOW, THEREFORE, BE IT RESOLVED THAT:

1. A state of emergency is declared within Coos County due to the immediately foreseeable lack of adequate resources to respond to basic needs for public health and safety services; and
2. This state of emergency is limited to the period of time during which the conditions described above remain in existence, and may be terminated at any time by the Board upon a finding that the emergency conditions no longer exist; and
3. It is requested that the State of Oregon immediately withdraw its vaccine mandates to prevent further erosion of the vital public health and safety workforce.

[signature page follows]

Order 21-09-056L

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3 Approved as to form:

4 Office of Legal Counsel

BOARD OF COMMISSIONERS

Chair

Commissioner

Commissioner

9/7/21

27
Order 21-09-056L