



**Board of Commissioners' County Counsel Meeting
March 17, 2020 ~ 10:00am ~ Room 214**

3/17/2020 - Minutes

1. Call To Order & Those Present

Commissioner Boyd, Commissioner Morris, Commissioner DeGroot; Haley Huffman / Admin Staff; Marcus Henderson / County Counsel; Nathalie Johnston / Library (via phone); Becca Robbins / Herald & News.

2. Approve Minutes From Last Meeting

Approved.

3. Possible Department Closure

Nathalie Johnston addresses the Board. Most libraries around the state are closed and are only using UPS delivery for home bound patrons. Commissioner Boyd asks if Nathalie could keep all her employees working if the doors to the public are closed. She said yes but she doesn't know for how long. At the branches, she is not sure she can keep them busy enough. She said she cannot keep the branches busy for 30 days. Commissioner Boyd said he'd like to talk about this at Admin this afternoon. Commissioner Morris said, there is the issue of the employees and the issue of the library closing, do we want to decide on the library closure and decide on the employees later. Commissioner DeGroot confirmed we have 12 branches, aside from the main library and south suburban, all the other 10 have only part time staff. Ms. Johnston said she could keep them busy for a week. In the south suburban and main library, she can keep those employees busy for much longer. Commissioner DeGroot asks how many branches provide wifi. Ms. Johnston said all of the branches provide wi-wifi. Commissioner DeGroot confirmed that staff doesn't need to be present for the wifi to work. Commissioner Morris said she is ok with saying we close the libraries until April 1st, in alignment with the schools. Commissioner Boyd said he would like to have an A shift and a B shift, limiting the number of employees in each department, they work 10 hours a day. This limits the number of employees in the building and in each department. Commissioner DeGroot asks, County wide? Commissioner Boyd said, in the departments that have the ability to do it. Commissioner Morris said she likes the idea as well as not having the public come into the building over the next couple weeks. Commissioner DeGroot said he sees departments like the fairgrounds and libraries differently than say the Assessor's Office because those are social gathering spaces. Commissioner Boyd said this allows employees to work and just rotate their work schedules. Essential departments like the Sheriff's Department and the Health Department wouldn't be able to do this. He said salaried employees could continue to work 40 hours a week or take laptops home to work from home, but he would still ask them to come in a couple hours a week to make sure their departments are doing what they need to do. Commissioner Boyd said in a situation like this equity is not going to happen but we need to treat all employees as equally as possible. Commissioner Boyd said we need to talk to the unions. Jennifer Little said one more consideration is childcare for those parents who have children at home.

Commissioner DeGroot said he likes the concept and appreciates Commissioner Boyd striving for equity but he feels we will have a difficult time getting that equity, we will have to evaluate each department and their service. We will need to go department by department. Commissioner Boyd suggested talking to all the departments and discussing this at 1pm Admin meeting today. Commissioner Morris said she'd like to close the libraries until the end of the month. Commissioner Morris motions to close the libraries effective March 18th until the end of the month when the schools reopen. Commissioner DeGroot seconds. Unanimous vote. Approved. Commissioner DeGroot asked Ms. Johnston to regularly check the wifi at the branches to make sure it's up and running.

4. Planning Commission Meeting - April 1, 2020

Mr. Henderson said, this relates to the public meeting regarding South Suburban Sanitation. There is a Statute that describes the rules and orders under declaration. He said because the Governor has ordered no public gatherings we would have a reprieve from the 150 day rule so we can push that deadline for public comment out.

Commissioner Boyd said he spoke to the Governor's office and they feel we can use her declaration to supersede statute but it is a grey area. Commissioner Morris said, additionally the belief by some is that adding on the layer of a local emergency adds for a stronger case. Commissioner DeGroot asks if we could get an opinion from the Attorney General's Office. Commissioner Boyd said he asked if we follow the Governor's recommendation and we get sued, will the State reimburse use for attorney fees and she (someone from the Governor's office) said yes that would be the intent. Commissioner DeGroot said he spoke with someone from the SSSD Board and they wanted to proceed with only accepting written comments. Commissioner DeGroot said he was very disappointed in that as this is a huge policy decision that effects all our citizens.

Commissioner DeGroot said he spoke with the acting Chair of the Planning Commission and he believes it's important to have live public input. Commissioner Morris confirms this is informational and we do not need to decide anything.

5. Emergency Declaration

Marcus Henderson addresses the Board. The County has the ability to declare an emergency under state statutes which allows us to seek reimbursement for certain expenses and relaxes some of the contracting and acquisition rules. Commissioner Boyd said, today there is one presumptive case of Covid in Klamath County. Commissioner Boyd said he doesn't think we are in an emergency today but he thinks we need to declare an emergency to open up our ability to ask the State for reimbursement and for help with things that the Emergency Management can help us with. Commissioner Morris said she agrees. She said as best as she can see there's no real disadvantages to declaring an emergency. This sets us up to have more flexibility procedurally. She'd like Council to get this going immediately. She asks if the declaration of emergency would allow a liaison commissioner or the chair to make a decision without a public meeting. Mr. Henderson said, it provides the authority to establish an emergency management agency and gives the emergency manager or program manager the ability to make decisions.

Commissioner Boyd said he has a severe problem with that. Commissioner DeGroot said, he agrees. Mr. Henderson said, you as a Board can appoint another Board member. Commissioner DeGroot said it may be time for us to consider what we want to do for liaison responsibilities and extending those to get things done quicker. He said he agrees that we need to be very clear to the citizens that the sky is not falling, it's not time to go out and clear the shelves from every store. The reasons for this are very clear, reimbursement, for example the closing of all events at the Fairgrounds for the next month is estimated around a \$300,000 loss of revenue. Commissioner Morris said she would feel

comfortable operating as liaisons as is for now. Commissioner DeGroot said we could suspend our internal procedures and say liaisons are allowed authorities up to whatever State law would allow. Commissioner Morris said that is a great idea. Commissioner Boyd said he's great with that. He said there needs to be a limit on the emergency declaration. Mr. Henderson said, that is up to your determination. Commissioner Boyd said he'd like to direct Mr. Henderson to prepare the declaration. Commissioner Morris said she'd like him to prepare it by the Admin meeting this afternoon. Commissioner Boyd suggested having our declaration expire when the State's does. Mr. Henderson will check to see if there is a date certain. Mr. Henderson said, it is open to interpretation and he reads the Statute aloud. He said you could tie it to the Governor's declaration if you expect hers to end. Her original declaration is for 60 days from March 8th. Her second Executive Order, the 250 people was done on March 12th. Commissioner Morris suggests 60 days. Board agreed by consensus to have Mr. Henderson prepare the declaration with a 60 day expiration.

6. Slade Judgment Status

Mr. Henderson said, the cost bill was submitted, the costs we expended, \$822.76 is awarded to the County. After the 14 days a supplemental judgement will be submitted including the costs. As soon as we get the supplemental judgement we can begin the foreclosing of the judgement. Commissioner Boyd said, since the Courts are limiting their actions this may or may not happen on the 27th.

7. 1500 Esplanade Ave.

There was a defunct non profit who potentially had a lein. We served the registered agent of the defunct non profit and March 14 and that begins the clock of 30 days for the defendant to appear. After expiration we can receive an order of default and then a judgement to clear title.

8. Other County Business

Jennifer Little addresses the Board on protocol should a County employee need to be tested. Labs are overwhelmed including commercial labs. If a provider says, I am going to test you, we don't know when that lab will be processed. What is happening now, if someone is symptomatic or has had contact with a confirmed case, they are told to stay home and quarantine for 14 days. If they are awaiting a test they are told to stay home and quarantine for 14 days. If they have symptoms and have the flu they are told to return to work 72 hours after symptoms have resolved. If a test comes back positive, that will trigger sanitizing and Public Health coming in to track contacts. Ms. Little said the first thing people are being tested for is the flu. If that test is negative and they are ill enough to be admitted, the hospital is running a biofire which test for many other illnesses. If the person tests negative for that, the doctor could order a Covid test but that would be in extreme cases that would need to be admitted. Because the labs are overwhelmed, if symptoms are mild a doctor may just say go home and self quarantine and not test them. Commissioner Boyd asks about sanitation. Ms. Little said the school district uses the foggers on buses. The EPA has a list of approved sanitizers or 1/2 cup of bleach to one gallon of water and wipe anything down. She said you want to wear gloves and goggles if you use those because they are irritants. Commissioner Boyd asks if our employees could literally deep clean their departments and our buildings. Ms Little said she'd want to first talk with Maintenance and the Unions to see if that is appropriate. Commissioner Boyd said, all union contracts state other tasks as assigned. Commissioner DeGroot asks, if we have an employee that gets sent home for quarantine, what should we do to address their work space. Ms. Little said it won't hurt to sanitize the area. She said to be judicious

about when and where since cleaning supplies are in high demand, focus on high touch areas. Commissioner DeGroot asks, if we have a positive what do we do? Ms. Little said yes, wipe everything down. Commissioner Morris asks the difference between, my doctor asked me to quarantine or Public Health quarantining. Ms. Little said, it's safest to stay home if told. Commissioner Morris said, so sometimes Public Health will ask the person or a doctor might ask the person to quarantine. Ms. Little said, if you're under monitoring your asked to take your temperature everyday and monitor your symptoms. Ms. Little read from a flyer available on our website, the difference between being under investigation and under monitoring. Commissioner Boyd asks about authority to force someone to be quarantined. Ms. Little said, there is legal authority to enforce a quarantine. Mr. Henderson said we would have to get a court Order and ask that a judge order the test or quarantine to be done. The judge could authorize the Sheriff to uphold the Order.

County Staff Travel - Commissioner Boyd said he'd like to suspend all County employee travel outside the County for meetings, conferences and trainings. There might be stuff that has to happen like a deputy needs to transport a prisoner. Commissioner Morris said, she has seen other organizations call it non-essential travel and a restriction of the next four weeks. Commissioner DeGroot said he'd like to think about that and discuss it later at the Admin today. He has questions on how to define essential and non-essential travel.

9. Adjournment

11:15am

Audio recordings of all proceedings are available at the County Commissioners' office. The meeting facility is handicap accessible. Persons needing materials in alternate format or communication access, should telephone this office at 541-883-5100 (voice/TDD) or the ADA Coordinator at 541-883-4296 at least 48 hours in advance of the scheduled meeting.

Klamath County Commissioners' Weekly Calendar is subject to change without notice. 305 Main Street 2nd Floor,
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