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VOL. 141 NO. 36 8 Pages Wednesday, September 7, 2022 Morrow County, Heppner, Oregon

# Fired county administrator files \$750,000 lawsuit

## Green claims unlawful employment practices, wrongful discharge, and violation of open meetings law

Former County Administrator Darrell Green has filed a \$750,000 lawsuit against Morrow County, alleging unlawful employment practices, wrongful discharge and violation of the open meetings law. Green was terminated June 28 for allegedly violating a nepotism agreement involving his wife Debra, who also worked for the county in the health department. In his lawsuit, filed in circuit court last week, Green is seeking \$250,000 in economic damages for lost income and \$500,000 in non-economic damages for mental stress, humiliation and inconvenience. He is also seeking to recover his attorney fees incurred in the lawsuit. Green's attorney is Loren Collins of Salem who specializes in employee representation.



Former county administrator Darrell Green

and therefore the county "is providing you both 30 days to decide which one of you will resign from employment." The Green's had until June 24 to decide which one would resign, and when neither did, the county commissioners on June 28 in front of a packed public meeting room, voted 2-1 to fire Darrell. The county later also terminated Debra but not at a public meeting.

### The investigation

How the county concluded the nepotism agreement wasn't working was through an independent investigation by an outside attorney paid for by the county.

According to Bischof's resignation demand letter sent to the Greens, the county had earlier received "several" complaints about Debra's conduct on the job. In addition, there were also complaints made by Debra against the county regarding alleged improprieties of COVID-19 vaccine actions taken by the then-Public Health Department Director Nazario during the pandemic. Debra thought these transgressions were so serious enough she needed to become a whistle blower and report them. County Commissioners felt all these complaints taken together warranted the outside investigation, as explained by Bischof in his letter to the Greens. "Because of the complexity of these complaints, the county retained an independent third-party investigator to review the totality of the situation," Bischof stated.

Although never made public Bischof said after the investigation was completed it revealed that Debra had made "disrespectful and derogatory comments in the workplace about her supervisor, the former Public Health Department Director; and engaged in disrespectful and confrontational behavior toward another County employee." Bischof said her conduct violated the county's non-bullying policy.

In his termination letter

to the Greens and made part of the public lawsuit Bischof said the investigation was not the first time the county addressed "problematic performance" on the part of Debra. "In fact, a lack of professionalism and inappropriate communication were issues raised as far back as Deb's probationary period in 2019, which resulted in her being placed on a performance improvement plan. Previous efforts to correct Deb's conduct have been unsuccessful, in part because of Darrell's involvement in Deb's personnel matters," Bischof said in bringing up the alleged nepotism issue. He added that in early 2021, when the Public Health Department was attempting to address Deb's conduct, there were concerns raised then that "Darrell was interfering in Deb's personnel matters." Bischof said the outside investigation of the health department was also prompted by "propriety of actions taken by the then-Public Health Department Director (Nazario)." Those actions centered around Nazario, and Health Department Employees alleged improper handling of COVID-19 vaccination protocols and documents.

In his complain with the court Darrell spelled out his handling of those improprieties saying in July of 2021 he was notified that a nurse in the health department had "falsified notes on a medical chart." Meeting with Director Rivera about the alleged falsifications Darrell said Rivera was "unable to tell him what was going on relating to this issue." On another occasion Darrell was informed of a complaint against the Public Health Department about a person with COVID-19 symptoms who had requested assistance at the Boardman office saying there was a lack of protocols for people displaying COVID symptoms. The next day Rivera complained to the county human resource department that Darrell had retaliated against him because Rivera had earlier "verbally reprimanded" Debra.

Later in March of 2022 after becoming a whistleblower and reporting the COVID improprieties to county officials, Debra then filed a labor complaint with the state Bureau of Labor and Industry (BOLI) saying she had been retaliated against for her actions. "I found that the Morrow County Health Department was not following the Data Submission Guide required by the Oregon Health Authority in regard to the COVID-19 vaccines," she said in her complaint. She charged that Rivera, who was at that point no longer employed at the county, "falsified

medical documents" which she then reported to her supervisor, who was also Rivera, and to Local Public Health Administration (LPHA) Director Darrell. *Continued page 2*

# Mediation could help end ambulance dispute

## County and Fire District discuss ending conflict



Boardman Fire Chief Michael Hughes (left) speaks to county commissioners Don Russell, Jim Doherty and Melissa Lindsay about ways to solve the ongoing emergency medical service disagreement.

Having an outside mediator hold talks with community leaders across the county could lead to resolution of a long-running dispute between the County Health District and Boardman Rural Fire District over ambulance service in north Morrow County. For months the two districts have battled over how to provide ambulance service in the area, with the conflict producing, accusations, caustic statements and both sides hiring attorneys.

The ongoing argument is over who should respond to emergency medical calls in the Boardman area. The health district has, for 27 years, provided emergency medical service (EMS) there and has ambulances stationed in both Boardman and Irrigon. However, Boardman Fire Chief Michael Hughes recently acquired three ambulances, and now wants licenses to also provide the service. Hughes says the additional ambulances will give citizens added medical protection and safety.

Fire trucks are now being used to respond to

the medical emergency calls but without licenses cannot transport patients. The fire district responding to calls at the same time as Health District ambulances has led to the accusations of "call jumping" by the health district, and requests to the Sheriff's office to stop sending 911 EMS dispatch calls to the Fire District.

In an effort to break the contentious months-long dispute county commissioners at a special August 31 meeting discussed hiring a professional mediator that specializes in emergency services issues to look into the county's Ambulance Service Area Plan (ASA) for solutions to the problem. The ASA governs how emergency services are deployed in Morrow County. A link to the plan is available on the Morrow County Health District web site.

At the special meeting Commission Chair Jim Doherty suggested maybe it was time to bring in a professional to help the county solve the dispute. "Maybe we need to take a re-look at this and visit with people in health care," he said.

"Perhaps we can look into what Mike Hughes said to us" (see further in story). In looking for a mediator Doherty said he had talked to a woman at the state level "who does these type of things" (negotiate EMS disputes) who may be willing to act as mediator in the argument. Doherty agreed that all the participants, Sheriff for dispatch, fire chief, health people and other leaders need to come together "hopefully in a public meeting" and work out the problem, adding that it can be a complex issue. "There are 36 counties in Oregon and 36 models," he said about various ambulance service area plans. Commissioner Don Russell agreed with the mediator idea saying "I think this would be a good thing. We need to put the baggage behind us and go forward with the best model that brings the best service to the people."

A motion was made to move forward and look for a mediator for examining the county ASA plan.

Earlier in the month at an August 17 commis- *Continued page 2*

# OregonLive runs three-part series on Amazon data centers' Morrow County impact

THE DATA CENTER NEXT DOOR

Part one of three

## How leaders in a small Oregon town positioned themselves for an Amazon 'windfall'

The OregonLive news web site is running a three-part series on Amazon's arrival with its large data centers in Boardman and the impact it has had on Morrow County. The stories are accessible online at [www.oregonlive.com](http://www.oregonlive.com).

"This special report from *The Oregonian/OregonLive* examines what happens when one of the world's biggest companies lands in one of Oregon's smallest communities. Internet data centers bring big economic upside, but they come with costs — often amplified by tax breaks."

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