

**SEPTEMBER 13, 2017**  
**SPECIAL MEETING**

The meeting was called to order at 10:00 a.m. by Carol Shank, Chairwoman. Those present were Robert McDougal and Larry Rackley, Commissioners; Bryce Shields, District Attorney; Karen Wesner, Administrative Assistant; and Abi Generoso, District Attorney's office.

**PUBLIC INPUT:** There was no public comment at this time.

**PERSONNEL SESSION:** DISCUSSION TO CONSIDER THE CHARACTER, ALLEGED MISCONDUCT, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF STEVE COCHRAN; THE BOARD OF COUNTY COMMISSIONERS MAY TAKE ADMINISTRATIVE ACTION AGAINST MR. COCHRAN, WHICH MAY INCLUDE, BUT IS NOT LIMITED TO VERBAL OR WRITTEN REPRIMAND, SUSPENSION, OR TERMINATION – Steve Cochran was present along with his attorney Todd Plimpton.

Mrs. Shank stated that the first concern they have is that Mr. Cochran was asked by HR to fill out a Leave Request Form and it is not being done.

Mr. Plimpton stated that he went over the report with Mr. Cochran and prepared a few notes. The first thing he would like to discuss is chicken liver. Mr. Plimpton stated that Mr. Cochran would speak to that himself, but he did not realize at the time the inconvenience it caused others in the building. In regards to the Leave Form, Mr. Plimpton did find that the County has an informal policy requiring non-elected department heads to provide notice to the Commission Chair and he has instructed Mr. Cochran to follow this policy. The third concern is in regards to reporting. Mr. Plimpton asked that the Commission look at Mr. Cochran's last report and give him instruction on what else they would like to see.

Mr. Cochran stated that he didn't have anything further to add, except that there was no malicious intent when he threw the chicken liver away and that, in hindsight, he should have done it outside.

Mr. Rackley stated that he felt Mr. Cochran needed to apologize to the employees that were affected by the chicken liver. He feels Mr. Cochran showed total disregard for his fellow employees. Mrs. Shank asked how long it had been in his car and didn't he notice the smell then? Mr. Cochran didn't remember the degree of the smell.

Mrs. Shank stated that the Humboldt County Conflict billing for the third quarter ending in March wasn't done until August and the fourth quarter was late as well. Mr. Cochran stated that his portion of that was done, so he didn't have an answer as to why the billing was late.

Mr. McDougal spoke about Mr. Cochran's previous request to not be listed as a Safety-Sensitive employee. At that time Mr. Cochran stated that he was traveling very little for county business and did not need to be assigned the County vehicle. In the letter today Mr. Cochran talks about the amount of time spent away from the office. Mr. McDougal stated that this constitutes a regular occurrence and should be classified as Safety-Sensitive.

Mr. Plimpton stated that this is the first he has heard of this issue and wondered why it was being brought up now. Mr. Shields stated that Mr. Plimpton invited the Board to voice any concerns they might have. Mr. Shields gave some background information in regards to Mr. Cochran originally appearing on the Safety-Sensitive random drug testing list. Mr. Cochran was assigned a County vehicle as he was regularly driving to Humboldt County under the Conflict Council Agreement. Mr. Rackley stated that if Mr. Cochran is regularly driving out to the Lovelock Correctional Center on County

business, the County is still liable. Mr. Shields asked that this not be discussed further at this time as this specific issue wasn't noticed. Mr. Plimpton stated that if this is an issue the Board wants to discuss they would be happy to, but he hasn't had the opportunity to look into the issue. Mr. McDougal would like a better understanding of what Mr. Cochran's schedule includes and if it does include regular travel for County business that they will have to revisit the Safety-Sensitive classification in a regular meeting.

Mrs. Shank stated that another issue that was brought up was office hours. She has been told that the office is closed on Fridays on a regular basis. Mr. Cochran stated this isn't true. Mrs. Wesner stated that after the issue was brought up, the office was open. Mr. Plimpton stated that an attorney's hours are difficult to reconcile. He did admit that Mr. Cochran needs to better communicate with his supervisor when he isn't in the office. Mrs. Shank stated that it isn't just Mr. Cochran's time that is a concern. The office does have a secretary and if the office is closed that means they are both gone. Mr. Cochran stated that Fridays are the least busy day, so he has instructed his secretary to take that day if necessary.

Mr. McDougal stated that if there are scheduling issues that need to be discussed within a department they are willing to discuss it, but they, as the Commission, need to know what is going on. Mr. Cochran works for the Commission and is not an elected official. Mr. McDougal stated that they do not have any issues with the work Mr. Cochran does as the Public Defender, but they do have an issue with him as an employee. Mr. Cochran needs to communicate with the Board.

Mrs. Shank stated that she would prefer to move forward with termination. Mr. Rackley was leaning towards a probationary period, but discovered that a probationary period does not apply to unclassified employees. Mr. Rackley would like to see a written reprimand given. Mr. McDougal also agreed with a written reprimand stating that Mr. Cochran will be communicative and accountable to the Commission and that expectations are met. Mrs. Shank stated that Mr. Cochran has an agenda item every meeting. She realizes that he cannot always attend, but he could send a written report.

Mr. McDougal made a motion to provide Mr. Steve Cochran with a written reprimand stating that he be communicative and accountable to the Commission and meet expectations. Motion seconded by Mr. Rackley and passed.

Mr. McDougal stated that it is important, whether in private practice or county government, that along with the professional behavior in the court room, that personal decorum and behavior always represent the best that you can.

Mr. Plimpton thanked the Board for accommodating their schedules.

**PUBLIC INPUT:** There was no public comment at this time.

As there was nothing further to come before the Board the meeting was adjourned at 10:38 a.m.

Approved 11/01/17: \_\_\_\_\_/s/  
Carol Shank, Chairwoman

Attest: \_\_\_\_\_/s/  
Lacey Donaldson, Clerk