

Scott Fein claims his work for Curry County since last summer is 'no secret,' but it caught salary board by surprise

The Jackson County Elected Officials' Salary Committee on Tuesday recommended 4.6% cost-of-living increases across the board — including for the county surveyor despite learning he is working a second job at another county.

The revelation that Jackson County Surveyor Scott Fein has also been Curry County's appointed surveyor since June 2023 sidetracked the meeting to discuss Jackson County elected officials' salaries for the coming fiscal year. Fein has been county surveyor since 2012 and is unopposed for reelection in the May 21 primary.

County Administrator Danny Jordan presented to the lay members of the county budget committee a Curry County web page printout showing Fein's office hours as identical to his office hours in Jackson County, a copy of which was obtained by the Rogue Valley Times as part of a public records request for meeting handouts.

"I believe there could be a conflict in the number of hours worked," Jordan said. "So is Scott working 40 hours for the county or not ... and is he available during the normal office hours that our county provides services for the public?"

Jordan claimed he "never quite got an answer" as to whether Fein was available in Jackson County during normal business hours. "What I got here is, 'The work's getting done,'" Jordan said.

County Counsel Joel Benton told the board he learned about Fein's second job late last week through comments from an individual at a local land use law firm with concerns about turnaround of survey documents. A second lawyer in the same office mentioned it to a county lawyer the following day.

"I mean, I don't know if they coordinated reaching out to us," Benton said, adding that he has a duty to report these matters to the county administrator.

Fein attended the hearing to defend himself, and said the land use attorney's comment was "grossly mis-conveyed." He claimed the comment was related to a land use planning project in Curry County not getting done.

"The issue in terms of any type of performance issue is a Curry County issue; this is not a Jackson County issue," Fein said. "We have an outstanding reputation in the development community, among private-sector surveyors for turning things out faster — much faster than we're allowed to under state law."

Fein said that, when Curry County appointed Fein, he made "a very clear agreement in writing" specifying "a remote, part-time position with flexible hours and that there's no expectation I be physically present in the office." He balances the two jobs by taking care of Curry County work "primarily on Saturdays and Sundays."

"A lot of other people do work on the weekends, it's not uncommon," Fein said. "In terms of the workload standpoint of it, it's just understood in Curry County — they don't have the financial resources to have somebody there in the office."

In a follow-up phone interview after the meeting Tuesday afternoon, Fein claimed he has been open about his work in Curry County, and that those who know include his staff, the county engineer and the "entire private sector land development community."

"There's no secret," Fein said in the interview. He said the responsibility is no different from his consulting work as a certified water rights examiner or private survey work.

The development clearly caught citizen members of the county budget committee by surprise, and sparked mixed reactions.

Board member Matthew Stephenson asked Fein why he didn't disclose the work to county officials.

"There is a fundamental limit in terms of a witch hunt that goes into people's lives, and at some point it needs to stop," Fein said. "So in terms of my obligation — I mean, do I need to tell the community that my wife's a nurse practitioner? There's a limit."

Stephenson pressed further.

"At the end of the day, personally, I think it's incredibly unethical to have two separate jobs and not tell the electorate or this body that you do have two separate jobs doing the exact same thing," Stephenson said. He added that Fein's salary from a performance standpoint "probably is completely fine," but Fein's not disclosing the information "sits unethically with me."

Fein told the board he recently filed his annual statement of economic interest with the Oregon Government Ethics Commission disclosing income from Curry County.

"It might be your personal opinion, but in terms of a legal obligation, I have none. I just fulfilled it to the OGEC," Fein said.

Fein highlighted how, two weeks ago in a department budget meeting, Jordan told the board that Fein managed the surveyor's office well and its budget well.

"If you guys have an issue with my performance, or there's some true, fact-based evidence that I am not doing a full-time job as the Jackson County surveyor, there is relevance to the discussion, but that's never been an issue," Fein said.

"I'd say that now, Scott," Jordan said, agreeing with Fein's performance assessment.

Jordan later clarified to the board that, "just to be clear, the work's getting done. I never contested that."

Budget committee member April Sevcik had a more lenient perspective. She said her father was a county commissioner for more than 20 years and ran a resort at the same time.

"I understand both sides of this," Sevcik said. "It's not our purview as the salary committee to make the decision."

Committee Chair Craig Morris moved for an internal audit of the Surveyor's Office and a "thorough review of the situation." Stephenson voiced some agreement, but stopped short of seconding Morris' motion because he didn't think it fell under the duties of the salary review committee.

"I don't think this is inappropriate behavior if — and there's a whole bunch of ifs after that," Stephenson. "The disclosure is what bothers me."

"I'm not interested in doing any further digging," Jordan said. "I just reported it because you all are interested in knowing whether people are working full-time or not."

Sevcik made the motion for leaving Fein's recommended compensation plan as set, and it passed unanimously. Fein is at step 6, the maximum rung of his position classified as Program Manager VI. It puts his recommended salary for the fiscal year starting July 1 at \$126,506.60, or \$60.82 per hour. Elected official salaries

Fein's pay increase was part of 4.6% cost-of-living adjustments for elected officials recommended across the board by the elected officials' salary review committee. Their recommendations will be presented to the budget committee Thursday for final approval.

Outgoing Jackson County District Attorney Beth Heckert is overall the highest-paid elected official in Jackson County with a salary of \$205,954 per year starting July 1, but her compensation is a combination of \$164,520 from the state and a \$41,433.60 stipend plan from the county. The cost of living increase only applies to the county stipend plan. After Heckert leaves office in January, the position will revert to a combined \$196,989 per year.

The highest-paid elected official fully on the county's payroll is Sheriff Nathan Sickler at \$175,552, or \$84.40 per hour. Sickler has been in the role since 2017, and is maxed out at the sixth step of the Director III classification.

The next highest-paid officials are commissioners Colleen Roberts and Rick Dyer. Both are at the maximum sixth step of the Director I classification, earning \$150,009.60, or \$72.12 per hour.

Commissioner Dave Dotterer and outgoing Assessor David Arrasmith, both of whom are at the fourth step of the Director I classification, will earn \$136,073.60 per year, or \$65.24 per hour, starting in the first pay period of July. After the positions are vacated in January, the positions will revert to step 1 of Director I classification, \$117,562 per year.

Ballot Measure 14-226 in the May 21 election seeks to cap county commissioner salaries. If passed, an amendment to the county charter setting commissioner salaries at \$75,000 would go into effect starting Jan. 1, 2027. Salary increases, under the measure would be indexed to the average wage in Jackson County.

The county administrator has said that even if the measure is passed by voters, it could be stricken by the courts because state law mandates that county officials' salaries be set by a review compensation board that sets pay based on comparisons to similar positions in the private and public sector.

Supporters of Measure 15-226, however, counter by saying the law only instructs the board to "consider" a limited number of ideas and does not preclude the board from considering other matters,

including sentiment of the community or whether the county's salaries are well over those of comparable counties.

County Clerk Chris Walker is maxed at the top level of her Program Manager V classification and will earn \$120,411.20 per year, or \$57.89 per hour.

Justice of the Peace Joe Charter, who was appointed by the governor in January and has four prior terms of experience, is at the maximum step of his Program Manager I classification and will earn \$105,019.20 per year, or \$50.49 per hour.