



**CURRY COUNTY BOARD OF COMMISSIONERS
GENERAL MEETING**

Wednesday May 2, 2018 – 10:00 AM
Commissioners' Hearing Room, Courthouse Annex
94235 Moore Street, Gold Beach, Oregon

www.co.curry.or.us

MEETING MINUTES

(Times referenced are approximate)

PRESENT: Thomas Huxley, Vice Chair; Sue Gold, Chair; Court Boice, Commissioner, John Huttli, County Counsel; Brenda Starbird, Legal Assistant

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Gold called the meeting to order at 10:00A.M. Following the pledge of allegiance, Gold introduced those present (above).

2. ADOPTION/AMENDMENT OF THE AGENDA (10:01A.M.)

Boice said he learned late yesterday that State Representative David Brock Smith would like to give the Board a 2017-2018 legislation update asking to add it as an agenda item 5c., as Rep. David Brock Smith was present in the audience. Gold said she was OK with that as long as the presentation was a short one.

Huxley said he wanted to pull agenda item 4a (CCD/County amendment 2) out of consent calendar due to the Head Start item he would be voting against, noting he didn't want it tied to other agenda items. This was taken out of Consent Calendar agenda item 4a and placed immediately following the consent calendar.

Huttli expressed he wanted to add three items to Executive Session, indicating that topics had come up since publication of the agenda. He said, one: Real property transaction re airport transaction with city of Brookings; two: discuss labor negotiations, union matter to discuss; and three: information exempt from disclosure – legal/attorney re rights, duties, enforcement of travel policy and update on that under ORS's 192.660(2) (d),(e), and (f). Huxley motioned to approve agenda as amended. Boice seconded the motion. Motion passed 3-0.

3. PUBLIC COMMENTS (10:05A.M.)

Leonard Krug – discussion re Salmon Trout Enhancement Program with Oregon Department of Fish and Wildlife (ODFW). He said there was a petition drafted by a small special interest group to release wild steelhead. He said the petition pits fisherman against each other (handout). Mr. Krug said they had their own letter and wanted the Board to support it. Gold asked for a copy. Boice suggested they craft a letter that the Board could sign.

David Barnes – suggested Board listen to what people have to say.

David Brock Smith – said he would wait until his presentation.

4. CONSENT CALENDAR (10:10A.M.)

A. ~~Contract Amendment No. 2 Between CCD (Coos Curry Douglas) and Curry County for Grant Administration for the purchase and renovation of the Brookings Head Start Facilities (moved to below-page 2 second paragraph)~~

B. *D-SART (OVW Fiscal Year 2017 Rural Sexual Assault, Domestic Violence, Dating Violence and Stalking Program known to the County as the D-SART Grant) Grant-Oasis Shelter Home Lease Agreement*

Louise Kallstrom, County Accountant said the original lease agreement had small changes to it. She explained the changes. Huxley noted that the legal description didn't get attached. Gold requested a motion to approve consent calendar as amended, noting Kallstrom would include the legal description to the lease. Huxley so moved. Boice seconded. Motion passed 3-0.

(4A moved out of consent) Amendment No. 2 between CCD (Coos Curry Douglas) and Curry County for Grant Administration for the purchase and renovation of the Brookings Head Start Facilities. Huttel gave a brief description of the change to the CCD agreement. Original was to coincide with the grant, but that was extended. Boice motioned to approve. Gold seconded. Passed 2-1, Huxley opposed.

5. PRESENTATIONS (10:15A.M.)

A. *Letter of Support for a National Park Service Rivers, Trails and Conservation Assistance Program Grant – Carolyn Johnson, Community Development Director*

Carolyn Johnson said this was re the Floras Lake Lands and was a follow-up from a year ago, noting it was slow going, but proceeding. She said the letter as noted above was another opportunity for putting together a master plan for the community if the Board approved. She said there would be no cost to the County other than staff time, noting the Application was due by June 30th and notification of selection would be November 1, 2018. Johnson felt the County was qualified for the grant. She said she would be approaching other entities if Board agreed to the letter. Huttel questioned the grant program with the national park service, noting it was just a letter but not the grant application before them for consideration. He asked Director Johnson who would be the applicant on the grant. Johnson said it would be the County. Huttel questioned if non-profits were able to apply. He then questioned why the County would sign their own letter of support, noting that was odd. Johnson said that was what was asked of her. He also noted it was odd the County would back a grant that hadn't even been submitted. Huttel asked if the Board would review the grant prior to submission. Johnson said they could if they wanted to. Boice said he was not ready to vote on this today, stating he felt it was rushed. Boice said with a new Administrator coming on board and since they had until June 30, 2018 he would recommend the Administrator get involved and work with Director Johnson and bring back to Board. Gold said it would be best to look at the grant application before giving a letter of support. There was consensus to postpone until there was more information. Huxley said he was ok with that. Carolyn said she wanted to print out the application, and put on the May 9th workshop. Boice again suggested this could wait. Huxley said it couldn't hurt to get the additional information for the workshop, although no decision would be made at the workshop. Carolyn said before approaching people living in the community, she wanted to know she had Board support prior to making the application, which was her reasoning for bringing it to the Board early. She said there was a deadline. Huttel said he was more comfortable looking at the grant application. Gold

concluded that made sense. Boice again emphasized waiting for the new Administrator. Huxley asked for a half page document or so, outlining the critical timeline to dictate the path. Huttl questioned the amount of staff time involved. Johnson said writing the grant would take a lot of time and she didn't know if she would have it done in time for the May 9th workshop. She would look at her calendar. Huxley said he was not proposing the entire grant be filled out. Huttl said if the County would be the grant applicant, there would be the commitment to do a number of things, and he saw that as a large commitment of staff time. Huttl also recommended waiting for the new Administrator. Carolyn questioned the Board, in general, stating if they desired to hold off on decisions that would engage staff time down the road, she would like direction for that now, if that was where the Board was heading. It was agreed to wait for new Administrator. Huxley said it was a short period of time, less than 30 days.

Boice encouraged Johnson to not leave discouraged and keep working with the Board.

B. Authorization of a Press Release Announcing Curry County's Nomination of Census Tract 9501 to the U.S. Department of Treasury as an Opportunity Zone– Carolyn Johnson, Community Development Director (10:35A.M.)

Johnson said she had a draft press release for the Board to review. She discussed the County's nomination of census tract 9501. She said she would like to put the press release on the County Web page (front page and Community Development site) and two designated newspapers. Huxley requested the press release have a contact name and number. Johnson said she couldn't get that specific information. There was consensus to approve the press release and also add Business Oregon (BO) to the notice, as they would be doing the marketing plan. Johnson said SCDC also had been involved in the creation of the press release and it would be in the SCDC toolbox, noting the County has an agreement with SCDC. Gold said this could be very important for the county.

Representative David Brock Smith (DBS) (10:43)

Brock Smith commented on the announcement of the County's nomination of Census Tract 9501. He said this still had to be finalized at the federal level, but he had no concerns.

C. Legislative updates by DBS. (agenda item added) (10:50A.M.)

Representative DBS updated the Board on a number of Committees he had been involved with, presented on the Sudden Oak Death (SOD) projection, and HB 2377, drafted and passed (workforce housing). He also noted there were 15 other pieces of legislation, but he wouldn't go into them all, and encouraged the Board to follow him on these bills. He also spoke regarding greenhouse emissions tax. Boice commended DBS, praising him for record setting in bills. Huttl apologized, but stated they had to wrap this agenda item up.

6. ADMINISTRATIVE ACTIONS/APPOINTMENTS

None

7. PUBLIC HEARING

None

8. OLD BUSINESS/PENDING ACTIONS (11:04A.M.)

A. Curry County Parks Advisory Committee – Commissioner Boice

Boice stated he had tried a couple times to develop this and had failed, but was bringing it back again. Jay Trost, Parks Director said there was interest by the Board, particularly Boice and Gold, who had expressed wanting to wait and possibly bring it back after budget sessions, to consider moving it forward. Trost said not much had changed in the committee outline. Gold questioned selection process, qualifications, etc. Trost said the Board would need to set the parameters and select the nominees like any other committee. Trost would want equal representation in the county, and perhaps include Agness Community as well, perhaps two from each area, and then one from Agness. Huttli said there was an order in the packet concerning forming a committee for Board's consideration. Trost said when applying for grants for enhancements, etc.... there is generally an area on the application requesting letters of support from Park's Committees. He felt this would increase opportunities when having those types of letters of support, and going through the public process. Huxley noted there was reference to the new County administrator and would take that to mean this item would come back at a later meeting, and wasn't for Board approval today. Huxley also stressed the importance of procedure for the committee, i.e. noticing, publishing meeting minutes, etc.

Boice said the Parks Department pays their own way and that Flores Lake Park was increasing revenues 15-20% each year. Trost confirmed that, but also stated the rates would not continue increasing 15-20% annually. Boice commended Trost and his staff noting they had done an incredible job. Boice motioned to approve the order today. Gold said she was not opposed but wanted more specifics and to put forward in an organized fashion. Huttli stated the order does say approves forming the committee. It was decided Huttli would work with Parks Director Trost and bring back to the next meeting. There was consensus by all to bring back at the next general meeting, on May 30, 2018.

B. Approval of Minutes (11:23A.M.)

- i. March 21, 2018 General Meeting (packet page 44) Huxley motioned to approve the minutes as written. Gold seconded. Motion passed 2-1, Boice opposed.
- ii. April 28, 2017 Workshop (packet page 53) Huxley motioned to approve the minutes as written. Gold seconded the motion. Motion passed 2-1, Boice opposed.
- iii. April 26, 2017 Special Meeting (packet page 57) Huxley motioned to approve the minutes, as written. Gold seconded. Motion passed 2-1, Boice opposed.
- iv. July 5, 2017 General Meeting (packet page 61) Huxley motioned to approve the minutes as written. Gold seconded. Motion passed 2-1. Boice opposed. (11:25)

C. Letter to United States Senators requesting Congressional investigation into Chetco Bar Fire (11:25A.M.)

Jan Barbas (Public Comment) – stated he learned Rep. Defazio already had an existing investigation into the above matter, and recommended the Board writing a letter, to piggy back on the existing investigation, and shared several questions with the Board that he felt should be addressed in the letter, noting the community wanted to learn more about particulars that apparently had or had not taken place during the fire.

There was debate amongst Board members re the facts outlined in the proposed letter.

Huxley stated the letter consisted primarily of opinions, hearsay and rumors. Following a lengthy conversation and a public comment from Cecilia Worlton, who lost her home in the Chetco Bar Fire, Boice motioned to approve the letter with two changes agreed upon during the discussion: language re the 78 mil and growing (adding “at least”) and changing 7% (to 2.5%). Gold seconded. Motion passed 2-1, Huxley opposed. (11:44)

9. DISCUSSION/BOARD DIRECTION/DECISION

None

10. ANNOUNCEMENTS/MEETING SCHEDULE

Gold read the following announcements:

- A. Farm Service Agency (FSA) Offering Chetco Bar Fire Assistance In Coos And Curry Counties (Packet Page 69)
- B. May 7, 2018 - -
 - i. Budget Committee Meeting 10:00AM – Commissioners’ Hearing Room
Delivery, message, officers, public comments accepted per L. Kallstrom. Huxley open to questions from the budget members. Kallstrom if questions are regarding the budget message, but doesn’t want to answer specific line item questions due to budget just being handed out.
 - ii. Compensation Board Meeting 1:00PM – Commissioners’ Hearing Room
- C. May 9, 2018 Workshop 10:00AM – Commissioners’ Hearing Room – Road Funds Loan Ordinance, *Oregon Department of Forestry (good neighbor timber harvest) being added per Huttli* Huxley said this would be agenda item one, Huttli, understands 45 minute presentation.
- D. May 14 – 17, 2018 Budget Committee Meetings 10:00AM – Commissioners’ Hearing Room
- E. May 21, 2018 (IF NEEDED) Budget Committee Meeting 10:00AM – Commissioners’ Hearing Room
- F. May 30, 2018 General Meeting 10:00AM – Commissioners’ Hearing Room
- G. June 6, 2018 General Meeting 10:00AM – Commissioners’ Hearing Room
- H. June 20, 2018 General Meeting 10:00AM – Commissioners’ Hearing Room

**11. COUNTY ADMINISTRATOR ORAL REPORT (Interim John Huttli, County Counsel)
(11:49A.M.)**

Huttli said there were a few items he wanted to bring to the Board’s attention after going over some of John Hitt’s information, following his departure as Interim Administrator. He said Hitt had signed on the Board’s behalf on a couple items: a letter of support from Susan Brown for grant development for a master plan for the Curry Event Center and a support letter for a grant application by the City of Brookings re Oregon State Conservation. Huttli said he was more familiar with the role of the Administrator asking the Board whether they supported certain items, and suggested the Board might wish to work through some of the roles of the Administrator.

Huttli briefed the Board on a few upcoming events around the county for May - Business Innovation Conference, free Mother’s Day Brunch, National Drug Take Back event, and Whale of a Wine Festival.

The meeting recessed at 11:58A.M. The Board would return at 1:00P.M. and go right into Executive Session per Counsel Huttli.

Gold reconvened the meeting at 1:00P.M. and gave direction to go into executive session citing ORS 192.660(2)(d)(e)(f).

(1:00P.M.) EXECUTIVE SESSION ADDED: (2:20P.M. end)

Gold announced the Board was back in open session. Huttli said he was looking for a motion for Counsel to work with a Realtor re Pine Street Property. Huxley motioned to do just as counsel stated. Gold seconded. Passed 2-1. Boice opposed.

Huttl said he was looking for a motion to give himself signature authority to sign WHP map of the airport parcels. Boice motioned to approve. Huxley seconded. Motion passed 3-0.

12. COMMISSIONER UPDATES - Deferred until after ES (2:20P.M.)

- A. Commissioner Gold - Good news about the letter signed for Sutter Hospital. Gold said they (Sutter Hospital) had gotten rid of contract with M-care that was overcharging in the Emergency Room. She was told the letter the Board of Commissioners sent was very influential in that happening.
- B. Commissioner Huxley – pass through comment re phone message he received from Carolyn Johnson re TJ’s café/restaurant and the completion of a significant expansion. Very positive comments from her.

Handout from Huxley: (enter into record and handout to each Commissioner) Notes from April 19th of an incident encountered at 9:37A.M. between himself and Boice. Huxley read his handout. He said there was an “unprovoked verbal attack by Boice” in the office. Huxley said Boice’s tone was very concerning and reference was made by Boice to Hitt’s resignation. Huxley said following the altercation, he asked Starbird who was in her office, if she had heard it. She said she had not. Huxley also expressed great concern re ORS 192.660 re various allowances by law to go into Executive Session and to have those discussions remain confidential. Huxley expressed grave concern about information being disclosed from those meetings.

- C. Commissioner Boice –Wants the public to know, the locked door policy is one he is in opposition to, and wants to know how this came about. Huttl said he believed the County Administrator implemented that. As part of the security measures this had been done, along with all the doors downstairs remaining locked due to staff not in on Fridays. Boice asked if this policy was to remain. Boice said over three months ago, he asked to improve security issues here and was told no, noting he had asked for security cameras as well. He shared his current concern now with conducting business with doors closed. He wished to set new policies jointly. Boice said re the verbal attack, Huxley had been a bully since he’s been in office. Boice wanted the public to know there were significant rumors going around the County that Boice was not supportive of John Hitt and contrary to rumors, Boice said he recruited Hitt and personally asked Hitt to apply for the fulltime Administrative position. Boice further stated Hitt was treated indecently and couldn’t stand to remain even 10 days. He acknowledged Huxley’s complaint, saying he couldn’t have been too loud in his tone, or staff Starbird would have heard the comments. Boice did give Huxley credit for the accurate summary of events. Boice said he wished he could work with Huxley, but due to personal attacks and things said during Exec. Session, he could not, and he would stand up to bullies and that people depended on him to do that. Huttl said there was a question at the end of Huxley’s communication questioning what were the legal authorities regarding such disclosure of ES as Huxley postulates and draws conclusions in his handout that there were alleged violations. Huttl reminded the Board under ORS 192.685 enforcement of alleged violations of ORS 192.660 (Public Meeting Law). Under ORS 244.260 pertains to reports to Oregon Gov. Ethics Commission and review/civil penalties are under ORS 244.350. Huttl said if additional information was needed, he invited all to come by and see him. He further reminded the Board of confidentiality. Boice said he respected and appreciated that but further stated he would welcome another investigation. He stated whatever was on Curry News and Views, he could validate or argue with, if that were the case. He said it was public

knowledge about him having to pay back \$2,500.00 due to expenses incurred by the Chetco Bar fire, and the public needed to know.

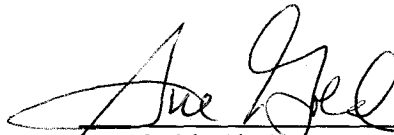
Boice had another commissioner comments update re information from Megan Harper of BLM re Board Feet of timber salvage issue. Info would be posted on Court's web site for purview, noting this was how he was going to keep spending his time.

13. ADJOURN

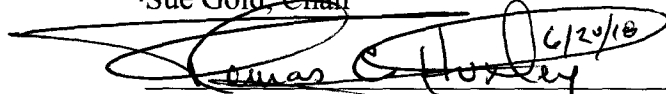
Meeting was adjourned at 2:44P.M. by Chair Gold.

Meeting Minutes were approved on June 20, 2018.

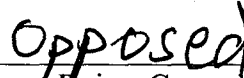
Curry County Board of Commissioners



Sue Gold, Chair



Thomas Huxley, Vice Chair



Court Boice, Commissioner