



**CURRY COUNTY BOARD OF COMMISSIONERS
GENERAL MEETING**

Wednesday September 19, 2018 – 10:00 AM
Commissioners' Hearing Room, Courthouse Annex
94235 Moore Street, Gold Beach, Oregon

www.co.curry.or.us

MINUTES

Present: **Chair Gold, Vice-Chair Huxley, Commissioner Boice, County Administrator Schroeder, County Counsel Huttli, Minute Clerk Jezuit**

A. CALL TO ORDER & PLEDGE OF ALLEGIANCE 10:00AM

B. ADOPTION/AMENDMENT OF THE AGENDA {10:00A to 10:06A}

Schroeder add Executive Session 192.660 2(a) to hire Building Official.

Boice opposed as he wants it open to the public and further stated this looks like an attempt to cover Schroeder's backside for a bad decision. If I'm wrong on that, then I'd like to state that for the public. It's a sad day; endemic to Curry County.

Huttli stated it is the Board's decision to invoke the Executive Session.

Huxley supported adding the Executive Session because no decisions can be made in Executive Session.

Gold in favor of following **Huttli's** advice.

10:06A Motion by Huxley 2nd by Gold to approve agenda as amended Carried 2-1 No Boice

C. PUBLIC COMMENTS: For Items not on the Agenda. {10:07A to 10:09A}

David Barnes stated

- the No Overnight Camping signs on Hwy 101 are eyesores, and he feels it's a permanent solution to a temporary problem.
- He disagrees with adding the Executive Session and feels the County should do away with County Administrator position.

D. CONSENT AGENDA {10:09A to 10:09A}

1. Surveyor Monthly Report
2. Replace Commissioner Boice from OPTIS (Oregon Public Transit Information System) - Clark Schroeder, County Administrator

10:09A Motion by Huxley 2nd by Gold to consent agenda. Carried 2-1 No Boice

E. PRESENTATIONS

F. REGULAR AGENDA {10:09A to 11:02A}

3. Accept Roadmaster Report to Vacate a County Owned Road in Pacific City Subdivision – Petition Initiated

Huttl reviewed materials submitted and recommended the Board accept the prior Roadmaster's (**Dan Crumley**) report.

10:09 Motion by **Boice 2nd** by **Huxley** to approve Agenda Item F3. Carried Unanimously

4. Minutes Update – Clark Schroeder, County Administration

Schroeder

- Went over estimated cost (\$14,000 using the current detail level) to complete minutes from July 1, 2017 to present.
- Advised the irregular employee doing minutes is very close to number of hours allocated in the 18-19 FY (Fiscal Year) budget
- Asked if the Board wants to fund the irregular employee's position for the remainder of 18-19 FY.

A discussion ensued - -

Boice

- Stated, per current Oregon law, video recordings of the meetings are sufficient for minutes
- Based on Attorney General's interpretation, does not want to spend any more money on this.
- Does not want to take any action until law is revised.

Huxley

- Wanted explanation of the hourly costs
- Commented on necessity for written minutes
 - He has addressed this on some of the meetings earlier as far as the Oregon AG (Attorney General) 2014 manual.
 - He has dealt with the senior attorney responsible for updating that manual and interfacing with Attorney General Rosenblum.
 - He has lengthy correspondence back and forth with him and others on revising the language on that, which they have acknowledged is not correct.
 - The manual has been revised.
 - The revised documents should be out within the next month for 2018, which clarifies and corrects that misinformation or confusing information.
 - Reiterated the language has been re-done and will not be in the manual.
- Commented on accuracy of minutes, specifically - -
 - The irregular employee transcribed minutes are excellent and outstanding.
 - Observed she has not done all of the other minutes and his issue has been with the others minutes that have not been done by her.
 - His recommendation is that the individual in the temporary position should do all the minutes.

Kallstrom

- Stated written minutes will absolutely comply with the law.
- Revised the estimated expense upward by including associated payroll costs.
- Advised if the Board decides to fund the position, a supplemental budget will be needed.

Huttl

- Advised both **Boice** and **Huxley** can find legal authority to their positions.
- Stated best standard is written minutes which will cover all scenarios.
- Advised part of decision is cost of doing minutes.

- Observed Budget Committee is meeting on October 31, 2018.
- Gold** suggested tabling until the Budget Committee meeting

10:37A Motion by Huxley 2nd by Gold to continue with the temporary employee doing meeting minutes, use budget for Commissioner's Office for outside services for funding, and come back with a more accurate proposal for the Budget Committee to look at on October 31, 2018. Carried 2-1 No Boice

5. Decorum Ordinance 2nd Reading – John HuttI County Counsel {10:40A to 10:46}

HuttI explained

The ordinance is changing an existing ordinance. Specifically, the changes are in Sections

- 1.07.010 (3) changes loud and disrupted language to conduct ;
- 1.07.030 changed removal to impose sanction on a person; and
- 1.07.050 under sanctions can call recess, clear meeting room, adjourn meeting or order a citation.

Barnes does not feel this change is necessary.

Boice

- Commended **HuttI** for a well done procedural effort
- Stated he wants to encourage the public without the public feeling intimidated.

10:46 Motion by Huxley 2nd by Gold to approve 2nd reading, Agenda Item F5 Carried Unanimously

6. Appoint Budget Committee Member (Carl King) to a New Term and Change Term Expiration Date of a Committee Member (William Ostrowski) - Clark Schroeder, County Administrator {10:47A to 10:48A}

10:47 Motion by Huxley 2nd by Boice to approve Agenda Item F6 Carried Unanimously

7. AOC (Association of Oregon Counties) Conference Travel Request - Clark Schroeder, County Administrator {10:48A to 11:02A}

Schroeder

- requested authorization to use County funds to attend the November, 2018 AOC Conference and
- explained the
 - Current policy, which is travel requests for County funds must be approved by the entire Board, and
 - Anticipated future policy – changing approval needed from the entire Board to the Chair.

Boice expressed concern, due to County budget constraints, about Schroeder attending for several reasons

- Less than half the Counties send Administrators to the AOC meeting
- County Administrators do not have a vote
- Feels it's important for
 - Him to attend as he is on the AOC Board and has a list of items he will be addressing at the AOC conference and

- The Commissioner Elect to attend

10:48 Motion by Huxley 2nd by Gold to approve agenda item F7 Carried 2-1 No Boice

Boice asked for Board approval to use County funds to attend the November AOC Conference
A motion was made by **Boice** and seconded by **Huxley**. The motion was amended

11:02A Amended motion by Boice 2nd by Huxley to have Board approve Boice attending AOC meeting contingent upon Boice bringing proper paperwork to next meeting. Signature authority to the Chair. Carried unanimously.

G. PUBLIC HEARINGS {11:03A to 11:10A}

8. 11:00AM Supplemental Budget # 1 Airport - Louise Kallstrom, County Accountant
Kallstrom explained the need for the Supplemental Budget for the 18-19 FY is the result of the sale of the airport to the City of Brookings not closing when anticipated. Specially, the
1. Anticipated closing date, which was at the beginning of 18-19 FY, is now scheduled for late September;
 2. County has unbudgeted airport expenses;
 3. Grants were not budgeted; and
 4. Need for a final number for the escrow officer

Gold asked if there were any public comments. They were none.

11:09 Motion by Boice 2nd by Huxley to approve Item G8 with correction, 2nd paragraph ORS 294.473 Carried Unanimously

Huxley observed most of these exceed 10% and asked if they were properly noticed?

Kallstrom replied yes the notices ran in the September 12, 2018 Curry County Reporter and the Curry Coastal Pilot.

9. 1:15PM Pelican Bay Heights Annexation into Harbor Water PUD (Public Utility District)
{1:17P to 1:43P}

Huttl stated the purpose of today's public hearing is to set the boundaries, either shrink or expand, of the area to be annexed. Citing ORS Chapter 198, Special Districts Generally; Chapter 261, People's Utility Districts; and conversations with counsel representing the Harbor Water PUD, he advised

- An election is necessary
- Based on election calendar timelines, the election will be in March, 2019

Jan Amlin Owner of Pelican Bay Heights Water District LLC

- Feels, based on interpretation of Chapter 198, an election is not needed
- Asked, if election needed, why wait until March, 2019?

Schroeder stated the deadline for

- A November 6, 2018 election was August 19, 2018
- The deadline for a March 12, 2019 election is December 2, 2018

A discussion ensued about water rates - -

Huxley observed if the annexation takes place, the customers joining the Harbor Water PUD will see lower water rates.

Gold asked if Pelican Bay Heights rates are higher due to storage tanks?

Amlin stated

- Agreed rates will go down and advised Harbor Water looking into raising rates, not because of this annexation, but due to some infrastructure issues.
- Addressed higher rate issue -
 - Rates are not high due to storage tanks
 - At the request of a Pelican Bay Heights customer, the Oregon PUC (Public Utility Commission) investigated and found the rates, based on a 1% profit, were not high
 - She buys water from Harbor Water PUD at 2.5 times the commercial rate for water.

1:43P Motion by **Huxley** to approve the wording HuttI just read, "Motion to adopt a resolution establishing the boundaries for an election on annexation of territories served by Pelican Bay Heights Water LLC to Harbor Water PUD. Election set for March 12, 2019." 2nd **Boice** Carried Unanimously

H. OLD BUSINESS/PENDING ACTIONS

I. ANNOUNCEMENTS/MEETING SCHEDULE 11:12A

Vacancies -

- Ambulance Service Area Advisory Committee, Law Enforcement Position
- Parks Advisory Committee Taking Applications
- Planning Commission 1 from South County and 1 from North County
- Board of Property Tax Appeals (BOPTA)
- Citizen's Revenue Task force

October 3, 2018 General Meeting 10:00AM – Commissioners' Hearing Room

October 17, 2018 General Meeting 10:00AM – Commissioners' Hearing Room

October 31, 2018 Budget Committee Meeting 10:00AM – Commissioners' Hearing Room

Schroeder Add workshop on October 10, 2018 at 10AM.

Huxley stated on September 25, 2018, there is a public meeting, in the Blue Room, on STIF (Statewide Transportation Improvement Fund).

J. COUNTY ADMINISTRATOR UPDATES - Clark Schroeder, County Administrator {11:16A to 11:23A}

Schroeder

- Announced CCH (Curry Community Health) Offering Flu Shots
- Pacific High School County government tour on October 3, 2018, which he will be discussing tour at the department heads meeting on September 25, 2018.
- On October 3, 2018, there will be a 1PM public hearing to replace Curry County flood management ordinance so that it complies with FEMA (Federal Emergency Management Agency) standards, which the State wants approved by October 10, 2018.
- Asked if the Board would like a packet, to be discussed at a future meeting, put together for the Commissioner Elect to attend the November, 2018 AOC meeting.
- About \$500,000 of funds available for Sudden Oak Death (SOD) removal.
- Working on labor negotiations with Teamsters
- Trying to find Planning director. Zero applicants based on current salary.
- Re: **Boice, Schroeder**
 - Issued a citation for travel violation.

- Will be following the majority direction from the Board to collect \$5,513 from **Boice** in small claims court.
 - Emphasized he is following the direction of majority of the Board.
 - Hired a 19 hour per week code enforcement officer, **Dave Fortman**.
 - **Jezuit** will put Citizen's Complaint form on the website under Community Information link. This form is for citizens who think there are code violations or nuisances.
- Gold** observed some of the nuisances are worse than others and asked if nuisances will be prioritized?
- Schroeder** stated he advised **Fortman** to give priority to risks to neighbors and other people.

K. COMMISSIONER UPDATES {11:23A to 11:50A}

Commissioner Huxley

- Inquired about status of AOC road fund loan repayment and asked **Schroeder**
 - to interface with AOC to find out what's going on here and
 - report back to the Board in a couple of weeks
- Encouraged **Schroeder** to follow up with **John Yost** who addressed the Board at a previous meeting about our code enforcement efforts on South Bank Rd and North Bank Rd on the Chetco River.

Schroeder advised

- State directed municipalities to develop anti-camping regulations or policies which describe certain requirements before evicting someone camping on public right of ways or pull offs.
- Staff also found an anti-camping County policy from 1996. It may be brought to the Board for updating.

Huxley asked if we have an estimate on when we can expect revenue and expense reports for June 2018, July and, August, 2018?

Kallstrom responded

- Working with **Cena Crook**, Senior Accounting Clerk, on July and August, 2018. These should be ready within the week.
- Working on issues to close 17-18 FY.
 - The auditors are coming week of November 12, 2018.
 - Hope to get a trial balance a week before. At that time it should be close enough to post June 30, 2018.

Commissioner Boice

Boice

- Asked the Board to please re-consider the Executive Session as we need to get all the facts.
- Klondike Fire –
 - Switched Type 1 team to a Type 2 team
 - Reported on firefighting efforts in great detail
 - Stated citizens very nervous about burns which
 - had **Boice's** support and
 - were very effective
- Willing and anxious to go to court.
- Stated due to two (2) mega fires in past 15 months, he will continue to refine his Curry Recovery letter of September 17, 2018.

Commissioner Gold

Gold

- Stated she is working with CCPTSD (Curry County Public Transit Service District) on coming up with ways to spend their new STIF (State Transportation Improvement Fund) funds.
- Stated CCPTSD is looking at expanding services between Gold Beach and Coos Bay.
- Advised citizens for \$50 may buy a monthly bus pass.
- Is trying to coordinate scheduling for a same day roundtrip to Eugene.

11:50A recess for lunch come back at 1:15P

L. EXECUTIVE SESSION 1:45P

In matter of hiring new employee following person Range E-14 \$5954 per month status full time

2:36P Motion by Huxley 2nd by Gold to in the matter of hiring a new employee, Richard Stauffer, to full position of Building Official pay range E14 at \$5,964 per month with status of full time. Carried 2-1 1 Boice No.

M. ADJOURN 2:36P

Meeting Minutes were approved on October 17, 2018.

Curry County Board of Commissioners


Sue Gold, Chair


Thomas Huxley, Vice Chair


Court Boice, Commissioner

Transcribed by John T. Jezuit