



## CURRY COUNTY BOARD OF COMMISSIONERS

Approval Date:

June 5, 2019

Commissioners' Hearing Room, Courthouse Annex  
94235 Moore Street, Gold Beach, Oregon

[www.co.curry.or.us](http://www.co.curry.or.us)

### BUSINESS MEETING MINUTES

May 22, 2019

#### 1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

The meeting was called to order by Chair Paasch at 9:00 a.m. Present were Chair Christopher Paasch, Vice-Chair Court Boice, Commissioner Sue Gold.

Also present: County Counsel John Huttel, Director of Operations Julie Schmelzer, and Administrative Assistant John Jezuit

The Pledge was recited by all.

#### 2. AMENDMENT/APPROVAL OF THE AGENDA

Schmelzer – Pull 4A

Huttel – Add Executive Session 192.660(2)(e) - Negotiate real property transactions

Boice - Switch Action Items on agenda 7C before 7A

Motion by Gold, seconded by Boice to approve agenda as amended. Motion carried unanimously.

#### 3. PUBLIC COMMENTS

Ron Crook thanked all who worked on the TLT (Transient Lodging Tax) as the measure passed May 21, 2019. Boice spoke about the Boice family history in the Langlois area, noted the upcoming Langlois sesquicentennial (150 years) celebration in 2021, and asked if anyone wanted to help plan the celebration. Tim Scullen is happy about TLT passing and stated he supports the Floras Lake land swap. The following speakers, individually, stated they support the Floras Lake swap: Jo Rieber, Vicki Graham, Gary Garman, Linda Tarr, Ann Schmierer, Rich Folden, Ann Vileisis, Rowland Wills, Julia Bott, Bob Morrow, Trudy Spanier, Deanna McDevmo (illegible), Mark Furler. Mary Wahl supports the Floras Lake land swap, Option A. Peg Reagan supports the Floras Lake land swap and discussed procedures to get it done that day. Richard Thode supports the Floras Lake land swap and looks forward to other opportunities such as expanding the Cape Blanco Airport. Jim Kolen does not support the Floras Lake land swap as property OPRD (Oregon Parks and Recreation Department) offering is not as valuable as Floras Lake property, and he believes the OPRD has more options than they are offering.

#### 4. PRESENTATIONS

- A. 2019 Fire Season Outlook – Jeremy Dumire, Emergency Management - (Cancelled in that the main speaker, Derwin Boggs, was unavailable)

#### 5. CONSENT AGENDA

- A. BOC (Board of Commissioners) Minutes Business Meeting May 8, 2019
- B. Wally's House Transfer Agreement

For detailed information on any agenda item, refer to Audio/Video.

- C. Promotion Order Kassandra Van – District Attorney’s Office
- D. CAFFA (County Assessment Function Funding Assistance) Grant 2019-2020 Application Revision
- E. CCH (Curry Community Health) Amendment 11 to PH (Public Health) IGA (Intergovernmental Agreement) # 154108
- F Hire Order Waylon J. Somers Crew Supervisor, Juvenile
- G. Hire Order and Job Description Nancy O’Dwyer Planner, Community Development

Motion by Gold, seconded by Boice, to the approve consent agenda as presented. Motion carried unanimously.

**6. PUBLIC HEARING – 11AM**

Order Vacating Alley Right of Way in Pacific City Subdivision – John HuttI, County Counsel  
 HuttI stated this is a petition to vacate an alley and the Roadmaster reported the alley was not needed for the county’s purposes. Paasch declared Public hearing is open. There were no comments. Public Hearing is closed.

Motion by Boice, seconded by Gold, to approve vacation of the alley. Motion carried unanimously.

**7. ACTION ITEMS**

A. Emergency Ordinance Wolf Advisory Committee – John HuttI, County Counsel  
 HuttI described the make-up of the 7 member Wolf Advisory Committee and stated the county must fund part of the program. Gold stated the county’s funding is 10% on whatever damages are declared and asked about the possibility of an administrative fee.

Motion by Boice, seconded by Gold, to adopt an ordinance establishing the Curry County Wolf Advisory Committee. Motion carried unanimously.

B. Emergency Ordinance Amending Article Five, Division One – Park Regulations, Josh Hopkins Parks Director. Hopkins explained this ordinance was the one presented at the previous workshop.

Motion by Gold, seconded by Boice, to adopt the emergency ordinance. Motion carried unanimously.

C. Floras Lake Potential Land Swap Exchange– Julie Schmelzer, DOC (Director of County Operations)  
 Schmelzer:

- Summarized, starting in 2010, the timeline of the issue.
- Agrees with Jim Kolen’s comments and believes we are better off to swap entire parcel.
- Stated the wayside cannot be sold for home sites, has wetlands, and can only be used for recreational use.
- Commented, because OPRD has said they are open to McVay (McVay Rock State Recreation Site) in a land swap, we owe it to the citizens to preserve the property and make money on it.

Paasch:

- Stated he has been in conversation with Jay Trost, former Curry County Parks Director, who said OPRD had offered McVay to the county.

For detailed information on any agenda item, refer to Audio/Video.

- Emphasized he is not against the Floras Lake land swap, but wants to make best deal for the county and would like to see Floras Lake preserved in perpetuity.
- Wants a trade that will benefit everyone.
- Asked if there were issues with transferring ocean front property [to which OPRD said some, but they could be worked out].

Gold asked about:

- Length of time to get trails in Floras Lake.
- Need for an appraisal for McVay.
- Possibility of a land swap or a low cost lease.

Dennis Comfort - Coastal Region Manager OPRD stated OPRD:

- Identified McVay and did speak to both former Commissioner David Brock Smith and Jay Trost about it.
- Has a Master Plan and the lease or land swap for McVay will take some time.
- Are land barons and are concerned about delivering service the people want.
- Does not want to lose presence in Curry County.

Boice :

- Stated we have an opportunity today.
- Observed working in partnership with OPRD can help the county with a Master Plan as there a lot of things the county hasn't haven't even looked at with OPRD.
- Cited feedback from Ann Vileisis, Bob Morrow, and Chris Hawthorne which, in his opinion, puts forward why this a good deal for our county and our citizens.
- Stated the motion gives OPRD the direction they need to move forward.

Motion by Boice, second by Gold, to direct staff to establish a resolution and then go to an order (Boice, reading from Exchange Agreement for Exchange of Real Property, page 1, Recitals E dated May 15, 2019), "The Parties have determined that an exchange of fee title interest in the Department lands and fee title interest in 90 acres of County lands at the south end of Floras Lake and adjacent to Departments lands known as Floras Lake State Natural Area are of relatively equal value and desire to exchange these respective property interests whereby the Department will acquire fee interest in that portion of County lands and County will acquire the Department land."

Motion carried 2-1 (Gold, Yes; Boice, Yes; Paasch, No)

Staff was directed to follow up with OPRD and determine what was needed for next steps.

#### D. Community Development Reorganization – Julie Schmelzer, DOC

Schmelzer stated the benefits for the Community Development Department to have access to administrative staff. Boice asked for 'Commissioner liaison' to be added to top of organizational chart and stated he is lobbying for an additional Code Enforcement position, either part time or full time [Note: a full time position was approved during the budget process].

Motion by Paasch, seconded by Gold, to accept and approve reorganization of the Community Development Department. Motion carried unanimously.

E. Reimbursement for Litigation, Legal Fees and State Court Costs – Commissioner Boice  
Boice stated the litigation was poorly advised, the fees he's contributed to the county are over \$40,000 now, and he is relying on the integrity of Board to do the right thing. Gold stated court order read no fees awarded. Citizen Barnes asked the Board let the court decision stand.

For detailed information on any agenda item, refer to Audio/Video.

Paasch cited the court ruling and questioned why it took so long to submit these receipts when discussions from months ago and the new travel policy indicate 30 days.

Motion by Paasch, seconded by Boice to reimburse fees. Motion does not pass. (Gold - No; Boice - Abstain; Paasch - Abstain).

## **8. DIRECTOR'S REPORT**

Schmelzer spoke about:

- Contacting Josephine County regarding the marijuana initiative;
- Upcoming interviews for strategic planning; and
- Working on purchasing county properties.

## **9. COMMISSIONER UPDATES**

A. Commissioner Paasch:

- TLT passing and strongly stating every bit of that money will be given out responsibility;
- Looking forward to K-9 until coming; and
- The Floras Lake land swap again emphasizing he is not now and never was against the land transfer of Floras Lake, but feels Curry County citizens did not get a fair shake from OPRD

B. Commissioner Boice:

- PERS (Public Employee Retirement System) being a huge issue, especially for small counties.
- Vietnam War Memorial – he has collected \$1,000 so far.

C. Commissioner Gold:

- A training meeting she attended with the Brookings Harbor School Board and the decisions made to improve the district and improve positive relationships between staff and administration, and
- The upcoming June 12, 2019, Board workshop with the school district superintendents and the Dean of SWOCC (Southwestern Oregon Community College).

## **10. EXECUTIVE SESSION**

192.660 (2) (e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

Entered executive session at 11:08a.m. Came out of executive session at 11:30 a.m.

Staff to proceed as directed.

**11. OTHER** (ORS.192.640(1) ". . . notice shall include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.")



(Nothing added or discussed.)

## **12. ADJOURN**

Chair Paasch adjourned the meeting at 11:30 a.m.

Dated this 5th day of June, 2019.

For detailed information on any agenda item, refer to Audio/Video.

  
Christopher Paasch, Chair  
Court Boice, Vice Chair  
Sue Gold, Commissioner

6-5-19

Minutes prepared by: John Jezuit, Administrative Assistant