



CURRY COUNTY BOARD OF COMMISSIONERS

MINUTES – GENERAL MEETING

Wednesday, April 5, 2017 –10:00 A.M.

Commissioners' Hearing Room, Courthouse Annex
94235 Moore St., Gold Beach, Oregon 97444

Commissioners Present: Chair Thomas Huxley, Vice-Chair Sue Gold, Commissioner Court Boice

Support Staff Present: County Counsel, John Huttli; On Call Clerk, John T. Jezuit; County Accountant, Louise Kallstrom

1. CALL TO ORDER & 1001 PLEDGE OF ALLEGIANCE

Chair Huxley opened the meeting at 10:01AM. After the Pledge of Allegiance, **Chair Huxley** asked for public speaker slips. There were 8.

2. AGENDA AMENDMENTS

- Move Agenda items **2A** Order Amending County Counsel Working Out of Class Pay and **2B** Contract for Prisoner Transport Services with Cal-Ore moved to the **Consent Calendar**.
- **Motion by Vice Chair Gold** to move Agenda item **12A** 2015 Juvenile Recidivism Report to after Public Comments. Second by Chair Huxley. Vote – **Chair Huxley Aye; Vice Chair Gold; Aye Commissioner Boice Nay.** (10:07AM)
- Regarding Agenda items **10A** BOC Budget Direction & **10B** County Consumption Tax Advisory Committee C.T.A.C., reverse the order so that 10A is 10B and **10B** is **10A**.

3. APPROVAL OF AGENDA

- **Motion by Commissioner Boice** to change **7A** to rules of conduct for Commission members. No second. Motion dies. (10:14AM)
- **Motion by Vice Chair Gold** second by **Commissioner Boice** to add Agenda item **7C** Secret Meeting **Motion** carried Agenda item **7C** added.
- **Motion by Commissioner Boice** to approve the Agenda. Second by **Vice Chair Gold**. **Motion** carried unanimously. (10:18AM)

4. ANNOUNCEMENTS - None

5. PUBLIC COMMENTS

- **Chair Huxley** stated there are 8 speaker slips and asked if any of the speakers who are not commenting on an agenda item would like to do now? Also, would the speakers like to comment before or after the agenda item.
 - Speaker 8, **Assessor Jim Kolen** chose to wait until discussion of Agenda item **10B** BOC Budget Direction.
 - Citizen **David Barnes** wanted to speak now.
- **Chair Huxley** invited **Mr Barnes** to the podium. (10:21AM)
 - **Mr Barnes** spoke about salmon, specifically, Washington DC is about to cut all money going into salmon reproduction & education on west coast. Salmon is important to the local

economy and tourism. Will BOC consider writing a letter to Washington DC to say it's a bad idea to do this?

- **Vice Chair Gold** suggested we talk to the Ports, too, about this issue.
- **Commissioner Boice** agrees with **Vice Chair Gold**.
- **Chair Huxley** asked if **Commissioner Boice** would like to take the lead.
- **Commissioner Boice** agreed.
- **Chair Huxley** asked Juvenile/Parks **Director Jay Trost** to present Agenda item **12A** 2015 Juvenile Recidivism Report. **Director Trost** -- (10:25AM)
 - Reported Oregon's overall recidivism rate is 27.2% Curry County's rate's is 85.4%, which is the 4 lowest in the State. Also 85.4% is the lowest rate in the State when compared to counties with 15 or more referrals.
 - Credits Curry County's success in this area to prevention and the staff, led by Karli Wright, School Resource Counselor, which promotes and fosters a prevention culture. This results in a boots on the ground approach which is doing good work in schools and communities.

6. CONSENT CALENDAR

- A. Order Appointing K. Bunten to the Curry County Compensation Board
- B. 2016-17 Budget Appropriations Transfer
- C. Amended agreement with ODOT
- D. Personnel - add Fly-U-Home Program to AirMedCare Agreement
- E. Personnel Actions done by Appointing Authorities (Sheriff's Dept)
- F. Order Appointing J. Brazil and D. St. Marie to the Curry County Planning Commission
- G. Amendment to IGA for Southwest Seven (SW7) Consortium
- H. 2A added -- Order Amending County Counsel Working Out of Class Pay

Motion by **Vice Chair Gold**, second by **Commissioner Boice** to approve the Consent Calendar. **Motion** carried unanimously. (10:29AM)

7. ADMINISTRATIVE ACTIONS/APPOINTMENTS

A. Adoption of Rules of Conduct for Board

- **Chair Huxley** stated there are 3 public comment speaker slips and asked if the speakers would like to comment before or after the Board discussion?
- **Mr Barnes** approached the podium and asked what is the impetus or mechanism the Board can be to ask for removal or censure? 1 or 2 commissioners? (10:31AM)
 - **County Counsel Huttl** responded the
 - Chair is empowered by Ordinance from year 2000 to govern the code and discipline.
 - Existing Order gives all power to the Chair.
 - New order gives power to the Board of Commissioners.
- **Assessor Kolen** stated he will speak after the discussion.
- **Chair Huxley** asked County Counsel to open discussion on Agenda item 7A.
- **County Counsel Huttl** reviewed the rules.
 - Old rules were put there before board experienced disruptive conduct. Rules were taken from around the State and country.
 - The main changes were to Meeting management to 2.5 hours meeting time, listen to citizens, and why not take speakers at Workshop.
 - The new rule clarifies these old rules by requiring actual disruption in a meeting.

- There is case law of an incident where the one Board member was disrupting the Chair, was removed from the meeting, and the Court ruled the Board member was interfering with the Board's business.
- **Commissioner Boice** opposes these rules. (10:43AM)
- **Commissioner Gold** believes the BOC meetings need rules. As long as we have rules in place, Board can act accordingly.
- **Chair Huxley** opened the meeting to public comment.
- **Assessor Kolen** gave several reasons for opposing these rules. (10:46AM)

Motion by **Vice Chair Gold**, second by **Chair Huxley** to approve the Rules of Conduct for Board. **Chair Huxley** called for vote. **Chair Huxley** Aye. **Vice Chair Gold** Aye. **Commissioner Boice** Nay. **Motion** carried 2-1. (10:52AM)

B. Order Rescinding Order 20322 (Temporary Pay Increase)

- **Chair Huxley** asked if the speaker would like to comment before or after the Board discussion.
 - **Senior Accounting Clerk, Cena Crook** -- (10:54AM)
 - Stated a 6 point summary of the work load
 - Advised Payroll and Personnel Coordinator, Julie Swift, helped, too.
 - Suggested changing temporary pay increase from November 30, 2016, to January 31, 2017, as County Account Kallstrom had evaluation in January.
- **Chair Huxley**
 - Asked **County Accountant Louise Kallstrom** and **County Counsel Huttl** for any comments? Agree with Order?
 - **County Account Kallstrom** recommends BOC seriously considers **Senior Accounting Clerk, Cena Crook** suggestion. (11:00AM)
 - **County Counsel Huttl** stated
 - **Senior Accounting Clerk, Cena Crook** did work at the higher pay grade during January & February 2017.
 - **County Account Kallstrom** not aware of temporary pay increase Order.
- **Commissioner Boice** stated he appreciate their efforts.
- **Commissioner Gold** stated looking at \$748 a month for both combined, about \$2100.

● **Motion: Chair Huxley** moved to change termination date from November 30, 2016 to February 28, 2017. Second by **Vice Chair Gold**. **Motion** carried unanimously (11:11AM)

C. Secret Meetings (11:12AM)

- **Commissioner Boice** expressed his concerns over the potential possibility of secret meetings
- **Chair Huxley** asked **County Counsel** if he had any comments?
- **County Counsel** asked **Commissioner Boice**, "Do you have statutory reference?"
- **Commissioner Boice** replied he will do research and provide it. (11:18AM)
- **Chair Huxley** suggested **Commissioner Boice** speak to **County Counsel Huttl** about this. (11:20AM)

Also discussed was the definition of a meeting; i.e., there be must be a quorum to designate a meeting as an official meeting. If there is not a quorum, then there cannot be a secret meeting.

* * * * * 12:15PM to 1:15PM Lunch Break * * * * *

10. NEW BUSINESS

A. County Consumption Tax Advisory Committee C.T.A.C. (11:34AM)

- **Commissioner Boice** Expressed his concern about the need to study this issue because budget cuts due to declining Federal funding have the potential to create safety issues for Curry County residents. (11:36AM)
- **Vice Chair Gold** stated she is not totally against a committee but cautioned the people she has spoken to are adamantly against any taxes.
- **Chair Huxley** agrees with **Vice Chair Gold** about taxes and suggested considering the initiative process which has done in the past.
- **Chair Huxley** Do you want to make a motion?

Motion by Commissioner Boice for the Board of Commissioners to adopt a resolution to form a Consumption Tax Advisory Committee for the November, 2017 general election. No second. Motion dies. (11:50AM)

B. Board of Commissioner (BOC) Budget Direction (1:18PM)

- **Chair Huxley** stated there are 4 open public speaking cards and asked **County Accountant Kallstrom** to begin the discussion.
- **County Accountant Kallstrom** approached the podium, stated she had 8 Recommendations and asked if there were any public comments now?
 - **Carl King** stated build a budget no Road Fund revenue and provide reasonable and adequate law enforcement. (1:23PM)
 - **Thomas Brand** spoke next. He stated he supports **Carl King** and advocates presenting voters with what they're paying for – a bare bones budget for a couple of years (1:28PM)
 - **Bryan Grammon** spoke next. He stated the county needs turn around and supports a sales tax, especially concentrated on tourist area. (1:32PM)

County Accountant Kallstrom started with Recommendation 1 (1:35PM)

Various Departments: Decrease Revenue (\$8,082)
 Move Grants from General Fund to Restricted Fund. Some grants had revenue budget lines without corresponding expenditure budget lines.

- **Chair Huxley** stated grant accountability is critical and observed there is a need in FY17-18 \$30K to \$60K for matching grant funds which must be budgeted.
- **County Accountant Kallstrom** some grants had revenue budget but not expenditure budgeted. Therefore impact to general is \$8082

Chair Huxley called for discussion on Recommendation 2 (1:43PM)

Move certain department budgets to restricted funds. The revenues for these funds are very restricted to certain activities and if they are in the General Fund any carryover balance would be absorbed into the General Fund carryover. Restricted carryover balances are not allowed in General Funds. The Department Heads in charge of these activities will budget in the restricted fund with a zero based budget (no transfers from the General Fund).

Also need to eliminate budgets for discontinued RSVP and SHIBA programs.

<u>Sheriff:</u>	<u>Decrease Expenditure</u>	<u>\$47,884</u>
Move Search & Rescue, Marine Patrol, Forest Patrol and Adult Parole and Probation to restricted funds. Funds have restricted revenues that cannot be carried over into General Funds.		
<u>RSVP & SHIBA:</u>	<u>Decrease Expenditure</u>	<u>\$18,116</u>
Programs not continued into 2017-2018 budget year		

Chair Huxley called for discussion on Recommendation 3 (1:44PM)

Use approximately half of the unanticipated carryover from 2015-2016. Budgeted carryover to 2016-2017 was \$1,647,808 and the Actual carryover is \$2,265,167. I recommend to budget \$450,000 of the \$977,359 increased carryover. The amount of unanticipated carryover has been fairly consistent over the past few years and should be at least the amount in Contingencies and budget lines for unexpected Capital Projects.

Non-Departmental: Increase Revenue \$450,000

2015-2016 Carryover in General Fund was \$977,000 more than the budgeted amount

- **Chair Huxley** Recommends to not budget any of the road funds (\$977K) for this budget process and carry over to next year suggesting **County Accountant Kallstrom** find another \$460k in revenue.
- **Vice Chair Gold** concurred.
- **Commissioner Boice** disagreed.
- **County Accountant Kallstrom** stated she needs direction

Chair Huxley called for discussion on Recommendation 4 (1:52PM)

Current budget for O&C harvested timber on Federal Forest lands is \$250,000. Rocky McVay estimates \$500,000 to \$600,000 for Fiscal Year 2017-2018. Add revenue of \$250,000 to budget line.

Add 3% to property tax revenue and reduce various miscellaneous revenue lines in Non-Departmental revenues that do not have historical support for budgeted amounts.

Non-Departmental: Increase Revenue \$250,000

Estimate received from Rocky McVay should be a total of \$500,000 to \$600,000 for O&C funds in 2017-2018

Non-Departmental: Decrease Revenue (\$6,923)

Increase Property Tax Revenue by 3%; decrease other miscellaneous revenues per historical actual receipts

- **Vice Chair Gold** expressed support
- **Commissioner Boice** had some reservations.
- **County Accountant Kallstrom** this is adding \$250K

Chair Huxley called for discussion on Recommendation 5 (1:54PM)

Recommend reducing transfers into the General Fund.

a. Two departments are receiving transfers from Reserve Funds that are more than the annual receipts. The County Clerk's Recording Reserve Fund and the County Surveyor's Cornerstone Reserve Fund are currently spending down their reserves by transferring more than annual receipts. Recommend reducing transfers to annual receipts.

b. Reduce transfer from Road Capital Improvement Fund for Sheriff Patrol from \$1,705,000 to \$500,000 to maintain Road Capital Improvement Fund balance.

c. A transfer was budgeted in 2016-2017 Fiscal Year from Public Health Fund to Sheriff Department to cover partial cost of the Code Enforcement Officer. Sheriff Department is no longer handling the Code Enforcement Officer position so this transfer to the General Fund is no longer needed.

Clerk-Recording:
 Reduce transfer in from Recording Reserve fund to maintain Reserve fund balance **Decrease Revenue**
 (\$40,722)

County Surveyor:
 Reduce transfer in from Cornerstone Reserve fund to maintain Reserve fund balance **Decrease Revenue**
 (\$10,000)

Sheriff-Civil/Criminal/Patrol:
 Reduce transfer in from Road Capital Improvement fund to maintain Road Capital fund balance **Decrease Revenue** (\$1,205,000)

Sheriff-Civil/Criminal/Patrol:
 Eliminate transfer in from Public Health fund -Sheriff Department no longer funding Code Enforcement Officer position **Decrease Revenue** (\$30,000)

- **Chair Huxley** is not in favor of using road funds for this budget process and supports hiring a code enforcement officer.
- **Vice Chair Gold** Would like to see what budget looks like with and without road funds.
- **Commissioner Boice** disagrees with not using road funds.
- **County Accountant Kallstrom** needs budget direction to continue working on budget.
- **Chair Huxley** For direction here, at this time, we have 2 for use of no road funds. (2:07PM)

Chair Huxley called for discussion on Recommendation 6 (2:07PM)

Recommend closing County Services for six days during the 2017-2018 Fiscal Year. This recommendation comes with the caveat that the County, citizens and interested parties join together to pass a Sheriff Levy on the November 2017 ballot to permanently fund the Criminal, Civil and Patrol Department and the Jail Department. The cost savings for the General Fund comes from employee cost per day of approximately \$17,000. All funds and departments, including elected officials, department heads and regular employees, would participate.

<u>All Departments:</u>	<u>Decrease Expenditure</u>	<u>\$102,000</u>
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Close County Departments for 6 days during 2017-2018 Fiscal Year at \$17,000 per day. To be used in conjunction with campaign to pass a Sheriff Levy.

- **Chair Huxley** is not in favor of using furlough days because it is not realistic for Sheriff's department, but favors exploring possibility of changing from 40 hour work to 32 week and/or departments changing certain positions to irregular.
- **Vice Chair Gold** suggested considering other options such as 2 weeks at Christmas as that would be 10 furlough days or perhaps 1 furlough ay a month at a not yet scheduled Workshop.

- **Commissioner Boice** believes the following departments are most important: Assessor's office, Clerk's office, DA's office, and the Juvenile office.
- **County Accountant Kallstrom** stated furloughs are a step toward keeping anybody from losing their jobs. It would include all employees within the General Fund and their respective admin costs.
- **Chair Huxley** directed County Account Kallstrom not to proceed w/furlough issue (2:14PM)

Chair Huxley called for discussion on Recommendation 7 (2:18PM)

Reduce budgeted positions through attrition. County Election Department- reduce one position not filled in the current fiscal year. Sheriff Department- reduce two out of three unfilled positions.		
Clerk-Elections: Reduce budgeted position (not currently filled) Decrease Expenditure \$50,947		
Sheriff-Civil/Criminal/Patrol:		
Reduce (2) budgeted positions (not currently filled)	Decrease Expenditure	\$130,000
Recommend combining Board of Commissioners Office and Finance Office. The consolidation would provide backup staff to BOC daily operations and allow the current unfilled BOC staff position to be reduced.		
2 nd Portion Admin Services:	Decrease Expenditure	\$28,000
Consolidate Financial & BOC offices. Use finance staff as backup and eliminate (1) budgeted BOC position (not currently filled).		

- **Chair Huxley** observed recommendation for the 17-18 FY was not to budget for 3 positions and feels this should be held in abeyance until a county administrator and a county accountant are hired.
- **Vice Chair Gold** supports consolidation via attrition, supports following the department head's recommendations and asked about the disadvantages and advantages of county administrator.
- **Commissioner Boice** supports consolidation, but is not in favor of a county administrator for several reasons including unknown cost and because there are positions in the County, especially in the Sheriff's department, that need to be filled.
- **County Counsel** agrees a 1 single person in the BOC office is reasonable and favors keeping legal assistant, Brenda Starbird.
- **County Accountant Kallstrom** observed department heads have done without and adjusted to it and also it is better to have the county administrator and the county accountant work closely together.
- **Chair Huxley 2nd portion** of recommendation 7. There seems to be agreement on this and asked for consensus. (2:31PM)
- **Vice Chair Gold** Fine
- **Commissioner Boice** OK

Chair Huxley called for discussion on Recommendation 8 (2:32PM)

Correct 2016-2017 budgeting typo error, in Sheriff Department the Uniform Supply budget line item was inadvertently entered as \$75,000 instead of \$7,500.		
Sheriff-Civil/Criminal/Patrol:	Decrease Expenditure	\$67,500
Correct budgeting error, budgeted \$75,000 instead of \$7,500 for Uniforms.		
Reduce all Material and Supplies budgets, net of Administrative Intergovernmental SeNices and Grants, by 5%. (Schedule Attached)		
Find additional expenditure line items in General Fund to complete budget balancing.		
Non-Departmental: Reduce expenditure line(s) to balance as needed		
Decrease Expenditure		\$930

- **Chair Huxley** stated we're in agreement there and expressed concern impact grants and IGA's will have on the budget.
- **Vice Chair Gold** emphasized importance of involving department heads.
- **Commissioner Boice** observed budget is a moving target and asked if there was there a goal or objective of 0% to 10% for getting to a net figure?
- **County Accountant Kallstrom** stated typo was not caught last year, the grants are being moved from General Fund to Restricted Fund and observed, in materials & services, a 10% reduction would really cause some problems.
- **Chair Huxley** continued the discussion on the 17 – 18 FY budget asked about PERS increase and the Floras Lake issue (2:39PM)
- **Vice Chair Gold** supports a setting up a Floras Lake contingency fund and asked if a special budget meeting may be needed?
- **County Accountant Kallstrom** advised she has not yet removed the attrition positions nor removed funds going to restricted funds and favors assigning funds, the amount up to the Board, to care of the Floras Lake project.
- **Chair Huxley** stated that was the last of **County Accountant Kallstrom's** recommendations and asked if **John Spicer** or **Terry Brayer** were here to discuss the Citizens Budget Advisory committee (CBAC) recommendations? (2:47PM)
- **Terry Brayer** (2:51PM) summarized the CBAC recommendations and addressed the effects of those recommendations such as a 30% reduction in all departments, adding 1.5 to 2 .0 FTE to the Assessor's office, using or not using road funds, increasing revenues, keeping 7 or 8 deputies, and/or kicking the can down the road.
- **Chair Huxley** As a side piece to recommendation 6, we were looking at a 32 work week vs a straight 30% cut.
- **Vice Chair Gold** observed the deputies need roads.
- **Commissioner Boice** observed there was about a \$2M difference between the 2 proposals, CBAC & County Accountant in terms of the shortage and asked if Mr Brayer could shed some light on this?

Chair Huxley asked for public comment (3:06PM)

- **Assessor Jim Kolen** Haven't given us any budget direction at all. Over another of \$1M cuts out of budget. Looks like not any money for anything else. My recommendation, just fund law enforcement and shut down everything else down. Assessment tax collection cut from 14 FT in 2007 to 7.2 FT now. We're not meeting many of the mandates required by law. A 30% cut – see comments to CBAC committee **Commissioner Gold** what did you mean about talking to people who don't want tax?
- **Vice Chair Gold** Get a county administrator. Maybe it will be me that has to be cut. Fine with that. (3:09PM)
- **Assessor Kolen** expressed desire to see more specific direction from the Board as he does not believe the County can fund the law enforcement while continuing to fund all departments and

feels an obligation to advise current employees of possible future consequences of BOC budget decisions.

- **Chair Huxley** We have given direction to county accountant. (3:13PM)
- **Vice Chair Gold** feels a workshop with department heads is needed to further discuss these issues.
- **Commissioner Boice** stated he learned a lot today, such as no use of road funds, no furlough days, and asked the Board to set another meeting to continue to discuss these issues. o
- **County Accountant Kallstrom** doesn't think budget is balanced at this point; however, with the direction given today -- the 4 positions through attrition will be adjusted in department budgets and department heads will be directed to take a take a 5% cut in materials and supplies feel she will have something available by 4/12.
- **County Counsel Huttl** point out there is a 10-Noon Solid Waste Recycling meeting on 4/12.
- **Chair Huxley** Schedule workshop 4/12 at 1P (3:23PM)

13. COMMISSIONER UPDATES/LIAISON & DEPARTMENT ACTIVITY REPORTS (11:53AM)

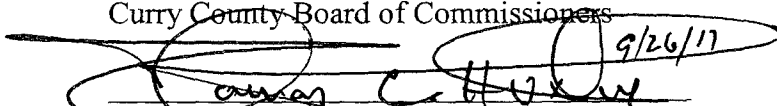
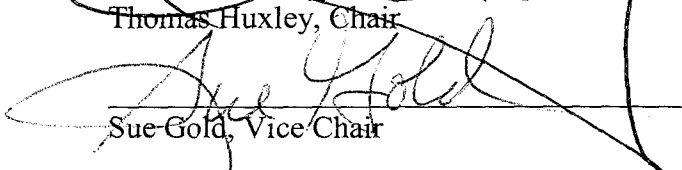
- **Vice Chair Gold** stated wants to bring back the travel policy, has talked to **County Counsel** about county administrator and asked **County Account Kallstrom** if she needs more budget direction.
- **Commissioner Boice** advised he attended a Fair Board meeting, attended a meeting in Coos Bay discussing narcotics in our area, observed Coos County jail has similar problems as Curry County jail and is working with **Roadmaster Robbins** about vehicle inventory.
- **County Counsel** asked if BOC wants a workshop as there are other alternatives.
- **County Account Kallstrom** stated budget direction from BOC is essential so that she can calculate the impact those directions will have.
- **County Counsel** asked about the April 8 Town Hall meeting and **Carl King** stated there will be town halls in Chetco 1st, Gold Beach 10:45A and Port Orford at 1P (12:06PM)
- **Chair Huxley** stated Town Hall meetings are with State Sen Cruse & Representative Smith and asked if **County Account Kallstrom**, and **County Account Kallstrom** confirmed she has resigned effective June 21, 2017. (12:13PM)

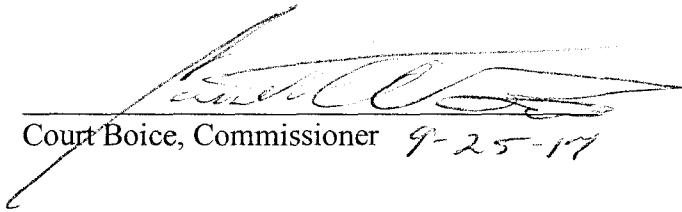
***** 12:15PM to 1:15PM Lunch Break *****

14. EXECUTIVE SESSION

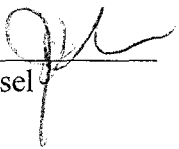
15. ADJOURN 3:25P

Approved this 2nd day of August, 2017

Curry County Board of Commissioners

 Thomas Huxley, Chair

 Sue Gold, Vice Chair


Court Boice, Commissioner 9-25-17

Approved as to Form:



John Huttli, County Counsel