



CURRY COUNTY BOARD OF COMMISSIONERS

GENERAL MEETING

Wednesday August 16, 2017 – 10:00 A.M.

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

www.co.curry.or.us

Meeting Minutes

Present: Thomas Huxley, Chair; Sue Gold, Vice Chair; Court Boice, Commissioner; John Hutt, Counsel; and Brenda Starbird, Legal Assistant

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE:

Chair Huxley called the meeting to order at 10:00A.M.

2. AGENDA AMENDMENTS:

- ✓ Late Submittal –Roads (Hire Order). Placed in Late Submittal Folder for 2017-08-16 General Meeting in BOC Packets drive. The Board agreed to add the late submittal under announcements, as Road Master Robbins was in the audience.
- ✓ Vice Chair Gold said she also received a request from Jay Trost re “Stuff the buss” information and that it would be a short presentation (5 min). Commissioner Boice suggested placing right behind Road Master, under announcements. The Board agreed.
- ✓ Vice Chair Gold also said she received a letter from Terry Brayer (handout). He could not be present and requested it be read into the record. It had to do with the All Care Grant and the showers. There was Board discussion re policy and the final conclusion was that the letter would be entered into the record, but not read.
- ✓ Commissioner Boice said the Governor had declared a state of emergency and would like Curry County to declare a state of emergency for the upcoming Eclipse. He would like that added to the agenda. Counsel Hutt said he had some materials on that. Chair Huxley said this would be put just before Commissioner Comments item following item 13.
- ✓ Commissioner Boice also had a request/comment re the meeting for expanded health care to take place at SWOCC in Brookings tomorrow. Chair Huxley said this could be put under Commissioner comments. Commissioner Boice and Vice Chair Gold accepted. There was full Board agreement.
- ✓ Chair Huxley said he was going to present documentation regarding agenda items 13b, c, and d, with additional information.
- ✓ Chair Huxley asked Counsel Hutt if Executive Session had to do with Brookings Head Start. Counsel Hutt said he was going to give the Board the option to put those agenda items in Executive Session. He said 12a was a draft agreement with City/Cal Ore and wanted to discuss in ES. Counsel Hutt said he had been approached from a representative from the Nesika Beach Water District re purchasing a piece of county owned property. Chair Huxley said he was going to have Brookings Head Start moved out of ES if it was included.

- ✓ Chair Huxley questioned Counsel HuttI about the Public Hearing re All Care Grant. Counsel HuttI said he put this on as a public hearing only to free any speakers from the 3 minute time period noting those could take a large amount of time. Chair Huxley asked the Board if they were OK with the manner in which it was in. The Board agreed that they were. Chair Huxley again noted by calling it a public hearing it would waive the time limit.

3 APPROVAL OF AGENDA:

Vice Chair Gold motioned to approve the agenda as amended with comments as presented. Commissioner Boice seconded the motion. Motion passed 3-0.

4 ANNOUNCEMENTS:

Chair Huxley read the following Announcements:

- a. Thursday, August 17, 2017 - 6:00P.M. - SWOCC in Brookings, Oregon – South County Health Services Multi-Jurisdiction Workshop. County Commissioners will be in attendance, public is welcome! (Flier posted on Board)
- b. Monday, September 4, 2017 – County Offices Closed (Labor Day)
- c. Wednesday, September 6, 2017 – Board of Commissioners’ Meeting at 10:00A.M.
- d. Wednesday, September 13, 2017 – Board of Commissioners’ Workshop at 10:00A.M.
Chair Huxley requested staff add topic on future agendas so the Board knows what will be on the workshop.
- e. Added Hire Order for the Roads Department. Doug Robbins, Road Master spoke about the position. Vice Chair Gold motioned to approve the hire order. Commissioner Boice seconded the motion. Motion passed 3-0.
- f. Added “stuff the bus 2017” presentation by Jay Trost, Juvenile Director. Trost presented a handout to the Board re “stuff the bus 2017” stating the program assists youths whom are economically challenged. Trost will leave information in the BO Meeting Rm. Door.

Chair Huxley would entertain a motion to remove agenda item 9f and move it to 4g since staff was waiting in the audience. Vice Chair Gold moved as stated. Commissioner Boice seconded. Motion Passed 3-0.

- g. Letter – re Reinvestment Grant. Mick Espinoza from the Sheriff’s Department explained the history about the funds. Counsel HuttI said this letter was a letter of support and the grant would come back before the Board, if awarded. Vice Chair Gold moved to sign letter of support for grant. Commissioner Boice seconded the motion. Motion passed 3-0.

5 PUBLIC COMMENTS: (3 minutes per person; 30 minute limit for all public comment)

Chair Huxley said any submitted public comments not on a topic on the agenda would be heard first. And Mary Rowe requested to be heard first due to a stated disability.

Rowe– Coos Curry Housing Authority Board – assignment of a liaison. Rowe requested the Board of Commissioners appoint a liaison Commissioner to the Coos Curry Housing Board. Chair Huxley said this item was up for discussion under 14b and would be further discussed then.

Rowe– All Care Grant – Shower issue for the homeless. Requesting All Care Grant money to help fund a shower trailer.

David Barnes: Passed – no public comment at this time.

Gordon Clay: Mr. Clay indicated Suicide awareness & prevention month was September. Clay presented the Board with draft proclamations for Suicide prevention month and bullying prevention

month (October). Chair Huxley thanked Mr. Clay. Counsel Huttl said the proclamations/resolutions would be on the next agenda if the Board approved. Commissioner Boice thanked Mr. Clay. Vice Chair Gold said Mr. Clay is very “faithful”, and attends every school Board meeting.

6 APPROVAL OR CORRECTION OF MINUTES OF PREVIOUS MEETING(S):

- a. Commissioner - 3-29-17 Special Meeting Minutes

Vice Chair Gold moved to approve. Commissioner Boice seconded. Motion passed 3-0.

7 CONSENT CALENDAR:

- a. Counsel - Brookings Airport Hangar Lease – 1B Huether
- b. Counsel - Brookings Airport Hangar Lease – 3C Woodfin
- c. Counsel - Scrivener’s Error – Order 20249
- d. Counsel - Scrivener’s Error – Order 20250
- e. Counsel - Scrivener’s Error – Order 20251

Chair Huxley reviewed the above consent calendar. Counsel Huttl said the items were self-explanatory noting item 11 on the agenda would address the above scrivener’s errors. Commissioner Boice moved to approve the consent calendar. Vice Chair Gold seconded the motion. Motion passed 3-0.

8 PUBLIC HEARING:

a. All Care Proposals and Order

- a. Brookings Harbor Housing Needs Assessment**
- b. Oasis Shelter**
- c. Oregon Coast Community Action (ORCCA)**
- d. The Curry Homeless Coalition’s Point in Time**

At 10:51A.M. Chair Huxley turned over the hearing to Commissioner Boice. Sam Engle was introduced to BOC by Commissioner Boice. Mr. Engle said he was the All Care Health Coordinator and his role in the county was regarding housing issue needs. He explained the County was awarded the \$100,000 grant and explained the County was able to flex the use of the money, noting All Care would like to be given the opportunity to work with individuals whom are given money to measure output/success.

Commissioner Boice thanked Mr. Engle for the flexibility to work on a different approach with the County. Vice Chair Gold questioned Mr. Engle that if the Board approved the requests would the individuals work directly with him? Engle said he would hope that would be the case. Commissioner Boice explained All Care would still have to approve the applications. Counsel Huttl said the BOC order is to recommend to All Care those applications that had been submitted, and All Care would have final approval.

Chair Huxley said the original doc approved 100K to assist in development of housing needs assessment and plan, and until in writing, feels the money is still for that purpose. He said he understands uses had changed from development of housing needs assessment and plan, and now entities were requesting money to be used for specific needs. He questioned who would be going to administer this through to completion, further stating he didn’t see county being the administrator as there are were no funds allocated. Mr. Engle said he would take on that roll. Chair Huxley said by the next regular meeting he would like Counsel to have prepared an agreement between All Care and County, and requests consensus, of this thought, by the other two Board members. If Board considered the applications before them today, then the thought would be to bring back in a resolution and they would go to All Care for approval. This could be done in multiple ways. Chair Huxley would like this in one document

(stand-alone). Commissioner Boice asked Engle why All Care wanted this to pass through the County. Engle said the funds were granted to initially study homelessness in the county. He said he would be happy to work with Counsel to make this best work. He said he was able to receive input from the community directly and he was happy to be a partner in the process. Commissioner Boice asked if the original document addressed homeless and housing needs. Chair Huxley replied that it was housing, not homelessness. Commissioner Boice stressed the local folks had a better handle on the community need and he'd seen a lot of enthusiasm and a new momentum. Counsel Huttel reviewed clarification re administration of grant. He said Commissioner Boice solicited the applicants for the grant and he would anticipate Commissioner Boice be the local contact and bring to board, but that the Board would still approve. Counsel Huttel said this would be clarified in the agreement as well. Counsel Huttel asked Commissioner Boice if everything ok with the way it had been going. Commissioner Boice would be the contact following appropriation of funds. All agreed in the process. Commissioner Boice read an email from Gary Milliman into the record.

Public comments:

Lauren Paulson from Harbor re Re-home discussion. Adjuncts to everything discussed here.

Howard Flood – Brookings re Vietnam Vets of America. Was hoping All Care would change criteria for grant and happy that happened. Commissioners should approve requests from the applicants that had applied.

Jim Johnson – Colvin street (office) Catholic lay minister to jail and hospital known as “beyond rejections” outreach ministry. He said he was a member on multiple various boards. Homelessness had tripled in last 8 years since he’s been here. He said he particularly supported the shower system requested noting there had been support from St. Charles and people in the community to help with this project.

Jay Trost - Brookings Oregon – Echo sentiments of Jim Johnson and Mary Rowe (earlier) in support of the community shower project. He said this would meet the needs for basic hygiene. Would like to see at least 20K set aside for the project. Details still needed to be worked out, bids taken, permanent vs mobile, maintenance of structure, policies and procedures, preferably before this winter.

Leah Seavey Oasis – Serves all of Curry County. She would like to use money for transitional/supportive housing - provide subsidized housing with case management. Mostly would come out of shelter and transition into public. Been in talks with veteran’s group and include female vets if get funding. Gave stats on # of days stay had increased (doubled) since 2014. Housing was scarce.

Beth B. Hidalgo – Two proposals – (1) Oregon Coast Community Action – a fund allowing for more flexibility (not confined to constraints of housing funds) dedicated to homeless prevention.

(2) Curry County homeless Coalition – 5K to assist purchasing items to distribute during homeless census. Lack Shelters, need people to come forth and engage in conversation.

Connie Hunter – South Curry County – Population density...26.7% of county population was Veterans and of that percentage, 35% lived in the south county. Would like All Care funds to address this. Advocates for support.

Commissioner Boice moved to accept proposals put before Board with projects giving a pre-approval and send to All Care – Vice Chair Gold seconded. It was noted there appeared to be about 8K left. Commissioner Boice said he was working with John Hitt to possibly use money to work with SCDC. Counsel Huttel said several speakers talked about a portable shower but noted there was no application submitted for that. Trost said there were discussions happening re this being sponsored in the community or Parks and he was waiting for clarification. Trost said he was before the Board speaking

on behalf of homeless advocacy reiterating details needed to be worked out with bids taken realizing the money not be awarded today, but requested it be earmarked.

Jim Johnson – No application for All Care because of the ambiguity and circumstances due to Board discussions in past months. Not sure if they were to go directly to All Care. Will probably be last big project he works on and wants it to be successful. Vice Chair Gold stated her main concern was the maintenance and cleaning of showers. Johnson concurred by adding the holding tank details, etc....needed to be worked out.

Counsel Huttl suggested bringing something back for Board next agenda and would work with Mr. Engle and there could possibly be other applications for the resolution or order. Counsel Huttl suggested a vote at the next meeting to submit to All Care.

Commissioner Boice asked for a motion and a second be on the table today, so there could be a vote today. There was a comment that the dollars did not add up. Counsel Huttl reviewed line item amounts. Counsel Huttl asked if these were recommendations for All Care and stated the Board doesn't make recommendations re the amounts. Order is to recommend to All Care with specifics to get approved and write checks on the 100k. Commissioner Boice said he didn't want to lose another month waiting on this. He did not want to bog down the process with bureaucracy. Vice Chair Gold expressed it needed to be clearer. Counsel Huttl said it was clear as he reviewed the applications and dollar requests and draft order. Commissioner Boice make it subject to requirement they work with All Care to fulfill the application process. Asking Board to move on this today. Chair Huxley and Vice Chair Gold said it was only a couple weeks and not a month to wait until the next meeting. Chair Huxley reiterated he wanted an agreement with All Care that would address the requests (who and how much). Counsel Huttl said there could be a recommendation for All Care to write checks for the \$34K in requests. Chair Huxley said we can't write checks today. There is a process here before any checks get written.

Counsel Huttl stated this step is only to submit to All Care and they would have to approve.

Commissioner Boice said the need was now and that it wasn't tough to decide. Chair Huxley asked if the motion was amended. Counsel Huttl suggested restating the motion if ready for a vote.

Commissioner Boice motioned to Board that there be changes to the Grant re All Care's requirements and changes and the second round of project proposals that haven't come in yet go directly to All Care and questioned the Board if that was understandable enough. Vice Chair Gold seconded for discussion. She asked if the County would be able to get a letter from All Care repurposing the funds. Counsel Huttl was questioned if he could get an agreement in a couple weeks and if All Care representative could put that in writing. Counsel Huttl reviewed Boice's motion. Chair Huxley had a question to see if his understanding was that this would be back to the Board by September 6. Counsel Huttl reiterated that submissions were due by August 29. Counsel Huttl said the only written clarification from All Care needed would be changing scope of grant requiring all things in place prior to issuing checks. Counsel Huttl said an agreement would be preferable. Counsel Huttl stated this would be Boice's motion.

Counsel to draft language and make recommendations to get the ball rolling today.

Counsel Huttl asked Commissioner Boice to restate the motion or something. Commissioner Boice motioned to make recommendations to authorize county to write checks subject to conditions being met. Commissioner Boice didn't say write the check previously as he felt that would be automatic after approval from All Care. Chair Huxley agreed but said those items not yet submitted would need to be submitted prior to approval by Board. Call for the question – Commissioner Boice yes, Vice Chair Gold No, Chair Huxley, no. Vice Chair Gold moved to have agreement with All Care and paperwork in order by next general meeting stating all applications would need to be in too. Chair Huxley reiterating that would be in two weeks. Chair Huxley seconded the motion. Commissioner Boice questioned if Engle's

Board met monthly or quarterly. Engle responded that they met weekly to review applications. Motion passed 2-1 (Commissioner Boice opposed)

Commissioner Chair Huxley recessed at 12:08P.M. for a lunch break noting the meeting would reconvene at 1:15P.M.

The meeting was reconvened by Chair Huxley at 1:15p.m.

9 ADMINISTRATIVE ACTIONS/APPOINTMENTS: (no a. below- following agenda)

b. Oregon Resources Research and Education Center (ORREC) – Lease Agreement

Chair Huxley explained the increase in lease space. Vice Chair Gold motioned to approve the lease. Commissioner Boice seconded. Motion passed 3-0.

c. Title III Applications

Commissioner Boice explained there were two submitted applications, on-going from past years. He said he was of the understanding of the process through discussions with Counsel Huttl that these would go into a 45 day comment period, noting the applications were from Coos Forest Protective Association and the Sheriff's Office. Vice Chair Gold related that she had a call from John Brazil, Harbor Fire Chief and wanted to know if Commissioner Boice had received that application from him. Commissioner Boice said he had not and was having issues with his email. Vice Chair Gold said she would let him know Commissioner Boice did not receive emails. Then Vice Chair Gold suggested Commissioner Boice calls him and follow-up with him. Counsel Huttl suggested contacting Coos Curry Electric Company (County's IT Contractor) re email issues. Counsel Huttl suggested a motion to propose the 45 day initiation timeline. Chair Huxley asked if any other applications were to come in, would they be subject to another 45 day comment period. Counsel Huttl responded by saying yes. Commissioner Boice questioned if the motion could include non-included application from Harbor Fire District. Huttl responded by saying no. Commissioner Boice moved as counsel presented above and start the 45 days initiation process. Vice Chair Gold seconded the motion. The motion passed 3-0.

d. Contract with Prothman for Interim County Administrator

Chair Huxley reviewed contract for the interim position for County Administrator noting the County Administrator position was on slight hold based on what happens with the interim. He stated the contract was a simple one. He described the contract saying Prothman can provide someone at an hourly rate and they would be their employee. The County pays no benefits. He will ask them to provide an original wet ink signature original document. Commissioner Boice questioned the travel and housing allowance noting it seemed to be open ended. Chair Huxley said it wouldn't be in play. Counsel Huttl said it appeared to be open ended. Chair Huxley said it was that way in packet but nothing required county to reimburse those expenses. Chair Huxley further stated he told Prothman it is not negotiable, county wouldn't offer it. Gold, individual could come back and negotiate with County, but it was relayed to Prothman not to bother. Boice, asked for the language to be removed. Chair Huxley said it could be removed. Counsel Huttl said a motion was needed to approve as amended. Chair Huxley would contact Prothman for a signed original and request to remove language re travel and housing. Commissioner Boice asked when this would take effect. Chair Huxley replied by saying they have individuals whom had applied now and perhaps by the end of the month. Vice Chair Gold moved to approve contract to be amended as discussed (remove last

sentence of fees and expenses paragraph – “should temporary housing”. Chair Huxley seconded the motion. Motion passed 2-1 (Commissioner Boice opposed)

e. SEIU Agreement

Counsel Huttl said Julie Swift, Personnel, had information for the Board. Swift told the Board that they don't have a signature page from SEIU as of yet and that their Team still needed to review the document before signing. Swift questioned the Board regarding signing the document not yet finalized by SEIU, stating they could either sign now or wait when the final paperwork is signed by SEIU and it would come back to another meeting. Counsel Huttl said it would be up to the Board. Commissioner Boice motioned to approved the document, pending signature page to come in by SEIU. Vice Chair Gold seconded the motion. Counsel Huttl then explained he would prefer the original signed document by SEIU be in front of him. Vote was called, Commissioner Boice yes, Vice Chair Gold and Chair Huxley opposed (1-2). Motion did not pass.

f. Sheriff - Justice Reinvestment Grant Support Letter (10 min) Moved to 4g

10 PRESENTATIONS:

11 PROCLAMATIONS / RESOLUTIONS / LEGISLATIVE ACTIONS:

a. Ordinance Amending County Code – General Administration – First Reading

Chair Huxley said the County addressed this in part this morning under Consent Calendar scrivener's errors. Counsel Huttl explained this was an Ordinance for Counsel to correct scrivener's errors and stated that it would take this out of Board purview, and keep on staff level. Chair Huxley questioned if this was because of some of the errors of late. Counsel Huttl explained there was new staff and in part some errors were due to learning who does what and also said some errors were related to departments submitting their own numbers on documents. Some errors were from the past and caught during on-the-job training, noting that sometimes it happens. Counsel Huttl said he had more concerns with errors that were not that kind and he explained the difference between scrivener's errors and errors that change the substance of what was approved by the Board. Vice Chair Gold moved to approve Counsel Huttl to read the ordinance by title only. Commissioner Boice seconded the motion. Motion Passed 3-0. Counsel Huttl said this would come back for a second reading.

Vice Chair Gold moved to extend meeting for another hour. Commissioner Boice seconded. Passed 3-0.

Counsel Huttl brought up making meeting for 2 hours with breaks, and would be coming back as an amendment to the rules of decorum. Huttl noted this would limit the meetings to a 4 hour meeting. Counsel Huttl, Board meetings will be 4 hours 10-noon lunch break and 1-3P.M.

12 NEW BUSINESS:

a. Contract with City of Brookings and Cal-Ore for Airport Water Line

Counsel Huttl presented the Board with a handout of a council workshop report from City of Brookings. Counsel Huttl reviewed the outline in the packet and discussed a proposed 8 inch water line from current main, and run due south, running under the existing airport fence to a hydrant that would costs approximately \$45K. Counsel Huttl said there was Grant funding for 27K leaving 18K to split between the County and Cal/ORE. Chair Huxley said he recalled this started at 97K, and

then was down to 57K and now hearing moving the line funding costs 45K. Counsel Huttl said City of Brookings is on a time crunch with the grant requesting completion by September. Counsel Huttl said Dan Brattain from Cal/Ore is requesting a 1 inch main from that point to his hangar. Counsel Huttl clarified there is probably more to come on this and that it might include a property transaction. Chair Huxley said that unless he was physically on site there and walked this out, he wouldn't have a clue to what Counsel Huttl was talking about. Counsel Huttl said he will print out and share an email on this as well. He further stated this would be discussed more in executive session. Counsel Huttl said he proposes Cal/Ore pays 5K and the county pays 13K and City of Brookings owns the project outright and proposes getting down to real property negotiations this might entail. He said he would like Board to come out of Executive Session and give Counsel direction, noting the window to get back to Brookings was short due to grant timelines.

13 OLD BUSINESS:

a. Adoption of Emergency Management Coordinator Job Description

Swift said this job description had been reviewed by the Board in July and this had been waiting on the supervisory clarification. She said the Sheriff agreed to maintain the supervisory role. Vice Chair Gold moved to approve. Commissioner Boice seconded the motion. Motion passed 3-0.

b. Letter to SWOCC re Acquisition for Brookings Head Start Building, Per Block Grant Terms

Counsel Huttl said the topic was one of needing Board action saying the Board asked Counsel Huttl to inspect, answer questions, hold a work session, and bring the items back to Board. He reviewed the initial acquisition process, stating the above was part of that process and also involved getting an opinion letter from a realtor. He shared with the Board the history behind the appraisal process and that he had received but was now getting the message that there was a request to have a local realtor give a FMV on the property or hire an appraiser as information received was way off in numbers. He said he would like direction from the Board how to proceed stating the process was at a point to move forward and either offer SWOCC, FMV or get the appraisal. Chair Huxley shared another option which was to not move forward at all and return the money. Counsel Huttl said if the decision was to not move forward, he would expect all grant money to be paid back, approximately 100 K. Counsel Huttl said an offer was made to SWOCC and they refused, it would still be considered a failure. Chair Huxley asked Counsel Huttl if he got that in writing. Counsel Huttl said it may be in writing and he would check.

Commissioner Boice reiterated the State does not want the County to pull out suggesting approaching SWOCC and show them both appraisals and work from there. He thinks SWOCC would be willing to look at a lower amount than the 315K approved in the grant. Commissioner Boice wants another value opinion to be done and feels it is premature to discuss returning the money. Commissioner Boice feels the work Counsel/ORCCA had done had moved the process to top of hill and was getting it in order. Chair Huxley said he had materials to discuss and present information he had obtained.

Chair Huxley said he would read (highlights) and then put documents up on the screen. (Memo from Chair Huxley to Counsel Huttl). Discussion from last meeting: Scenarios with City of Brookings – Brookings had turned down the grant application, second phase, first phase was that ORCCA was unable to be acceptable as their entity was structured to receive grant money from the state. ORCCA approached county, county said yes. Chair Huxley contacted city manager of Brookings. In 2012, they had been invited to participate as middle person for funding. In March, 2013 they recommended to cease participation. Chair Huxley said he doesn't put this out to be snarky (see handout – Council Agenda Report – Tom reads entire report). Chair Huxley to put on the screen to

share with everyone. (Chair Huxley reviewed the second paragraph). Chair Huxley said property should have been inspected prior to even moving forward on the project. 5 people inspected but none were "inspectors". Chair Huxley said the comments by Hanson were "mind boggling". Chair Huxley questioned how the permits were even received to operate a business out of there and questioned if the building had deteriorated that fast. He said the county would be liability if an accident happened. Reference to page 2: Chair Huxley said direction had been given for Counsel Huttl to contact the State and asked if that happened. He said the City of Brookings had been prudent, thorough, and then walked away. He said he had heard SWOCC had other interested buyers. Email from Milliman, review of agenda report read earlier by Chair Huxley. Curry Coastal Pilot article. Email from Lehman March 19, 2013 (Chair Huxley reads). "those are my comments. I think we need to pull the plug on the project". Commissioner Boice questioned if Hanson knew if the Fire Marshall had been in the building. Chair Huxley said he didn't hear anything from him on that. Chair Huxley said he called him yesterday. Commissioner Boice clarified that we inherited this project and that there are 60 kids that need our help. He wanted to know if Chair Huxley was recommending immediately shutting the building down concurring that he thought Chair Huxley made reasonable points. Chair Huxley said shutting down Head Start was not the issue, but he said he wouldn't let children be in the building with dangling electrical wires and couldn't see why Counsel or anyone would let people be in the building. Chair Huxley said if he was the Fire Marshall he would shut it down. Chair Huxley reiterated this was not the point in the presentation. Commissioner Boice said he believed we can fix this and it involved the community. He stated he would not be in favor of shutting down as a commissioner or citizen. He further stated Head Start serves an incredible purpose. Eric brought it up so we would all know what we were dealing with. Vice Chair Gold said personally the county is not running the Head Start. Gold said to her there were three main concerns: One – administering it, could be solved with an administrator coming on; Two – asbestos report/thorough inspection before purchasing; Three – getting nothing and taking on all the responsibility of it. Counsel said he wanted to respond. He said he does grasp the concept of the project. Counsel Huttl said that didn't need to be said. He said all along he had presented the options to the Board. Chair Huxley said but Counsel indicated he wanted the Board to move forward with the project. Boice, he didn't say he wanted to do the project. He was thorough and rolled up his sleeves and did a good job. Counsel Huttl said he did recommend going forward at that time. Today presented additional materials re the acquisition and that had created a cause to pause. Regardless of the information presented and discussed, Counsel Huttl recommended hearing from Mike Lehman, ORCCA who was in the audience. Mr. Lehman, from ORCCA came before the Board noting he was leery about coming before the Board. He said the building was shut down for the summer now. He indicated he was disappointed in the disarray of the building, also indicating confidence that it would be up to standards when kids came back. He said the great thing about the project was that it was old and no-one takes responsibility; no-one is still here that had been initially involved in the five or six-year process. Federal grant, administered by state agency, monitored by a non-profit (CCD), county acquisition of building, business to help entire county. The ultimate beneficiary is the City of Brookings, Home for Head Start brand new building. Great scenario of "nobody's fault, to "everybody's" fault. We are here today, in this process. New architect lined up, already drawing up plans, which ORCCA would be on the hook for. If this project was starting today, he would say run and hide. But now on the hook for the architect and it's already in mid-stream. Not been pretty, but understands concerns. Vice Chair Gold asked Mr. Lehman how he would suggest solving this problem noting she was not against

Head Start. She said she would like to see if we can overcome these problems and push through. Lehman's response: 1) high degree of comfort with architect; 2) working with Hanson and Counsel Huttl; 3) Lehman didn't know his role, needs to be more engaged; 4) people in place to do this; 5) Counsel Huttl understand the complexities; 6) Doesn't know if State will want repaid; 7) possible black mark from State re future grants and funding, even with ORCCA. Vice Chair Gold voiced concerns about procuring the building and requests having a total inspection with an asbestos abatement. It was clarified that abatement had been performed by SWOCC two years ago. Chair Huxley said there were other issues the City of Brookings raised, that he did not know. Chair Huxley said 150K is more like what the county is out. Lehman asked Chair Huxley if he was proposing a new contract between Curry County and ORCCA and CCD, and that he would be willing to look at that, if a new agreement could be created. The question was did the County go forward or not, and if so with or without a renegotiated contract. Lehman said the City of Brookings might have exaggerated their costs a bit. He said the County was on the hook for architectural fees and that ORCCA is on hook for that too. Lehman would be hesitant to do that, maybe not even financially. Lehman can find "people" to task with projects. Chair Huxley wants to see things in simple language so we are clear exactly where we are. Chair Huxley doesn't feel he should be raising these issues because he is not an attorney. Lehman fairly confident we can work out a MOU that reduces everyone's risk noting we all were sitting here in mid-stream and trying to keep this going. We will do everything to make everyone happy. Commitment is to make this happen. Chair Huxley doesn't feel we need to do anything further. Vice Chair Gold suggested getting another realistic evaluation of the property (FMV). Lehman would go to bat for the college. Doubt's they (SWOCC) will come down to the lower price. Chair Huxley SWOCC has a responsibility to their taxpayers too. ORCCA has a lease on the property as well. Chair Huxley, has anyone asked them? How much? Lehman, said they expressed they had inquiries. Chair Huxley doesn't cost anything to ask. Counsel Huttl, heard Reel is a teacher at the college, possible conflict. Need to get another realtor opinion letter. (Handout from Counsel Huttl from Hanson) – Abatement letter (Koos). Counsel Huttl, reads language from grant re not complying and fulfilling. Counsel Huttl wouldn't expect they'd put it in writing again. Lehman Grant scoring is based on full completion of a grant – could affect future grants. Counsel Huttl, previous county decision makers decided to move forward, now county needs to decide whether to move forward or not. Gold, suggests getting the two lawyers in the room to create a MOU, creating less risk for both parties and possibly move forward. Counsel Huttl, the idea of a MOU would be to transfer risk from county to ORCCA. Chair Huxley said there was no need to move forward if there were increased losses to the county. Vice Chair Gold moved Lehman and Counsel Huttl work together to come up with written statement to lessen risk to county, and CCD, and get another real estate appraisal. Commissioner Boice seconded. Vice Chair Gold – two appraisals so far apart. Chair Huxley, reason for getting a real appraisal. Cost? Wouldn't that suffice? Would be much more thorough than yet another letter from a realtor. Lehman would be willing to share in the appraisal cost. Part of the agreement (MOU) between Lehman and Counsel Huttl would be to get an appraisal (amended motion instead of another real estate appraisal (which meant another letter from a real estate office). Commissioner Boice seconded amended. Koos analysis report – Boice. Chair Huxley, prudent to address. Motion passed 3-0.

Counsel Huttl said there was a need for another motion on time of meeting to extend meeting for another hour. Vice Chair Gold moved, Commissioner Boice seconded. Motion passed 3-0.

- c. **Brookings Head Start Architect Contract with Woods** Vice Chair Gold moved to continue indefinitely, the above agenda item, this agenda item and the ORCCA Architect Agenda item below. Chair Huxley seconded the motion. Motion passed 2-1. (Commissioner Boice opposed)
 - d. **Contract between County and ORCCA re Architect Expenses** (See motion above by Gold)
- Break at 3:30 – 3:45**
Meeting reconvened at 3:45A.M.

14 COMMISSIONER UPDATES / LIAISON & DEPARTMENT ACTIVITY REPORTS:

- a. **Port Orford Council Meetings (email) (Port Orford requesting a Commissioner attend their city Council Meetings.)** Commissioner Boice plans to attend meeting tomorrow. Chair Huxley would like to set up a rotating calendar (similar to Management Meeting rotating calendar) for this particular request.
- b. **Coos-Curry Housing Authority Commissioner Liaison** Chair Huxley asked the Board if they wished to defer for future discussion. Vice Chair Gold said she doesn't know enough about it. Commissioner Boice said he is learning about it. He said he has two important meetings tomorrow in the Coos Bay area and would possibly stop by CCHA if he had time and would then report back to the Board.
Emergency Declaration Eclipse (ADDED agenda item) Commissioner Boice said he had a resolution re declaring an emergency for the eclipse. He Expressed there would be a lot of travelers going through here on 101 and that he wanted to bring this before the Board due to the anticipated approximate two million extra visitors to visit Oregon during this time. He said if the County would declare a state of emergency, and if there were demands/constraints on county, we could possibly receive resources. Counsel Huttl reiterated if the County declared an emergency, then the governor declares an emergency and opens the door to possible funding. And Counsel Huttl said the Governor already declared one on the 14th. He said he had worked with Commissioner Boice on this yesterday noting the map was borrowed from another entity. Vice Chair Gold suggested putting the information, particularly regarding "not going blind" on the County Website. Vice Chair Gold motioned to approve resolution with the resolution from the Governor as well. Commissioner Boice seconded. Vice Chair Gold reiterated putting the material on the website. Motion passed 3-0.
- c. **Community Development Activity Report**
Vice Chair Gold said she appreciated getting these reports. Commissioner Boice said he concurred. Chair Huxley commented on the 101 ODOT/Marijuana parking lots/facilities reference. 18 building code violations received. He said the Code Enforcement position was still in process. Chair Huxley said they were working on updating job descriptions. When the position begins, hopefully will see a decrease in dumping, etc.... Vice Chair Gold said she had a call from a citizen dumping raw sewage into the Chetco River. Vice Chair Gold said this was upsetting because it affects everyone's water, not just her property. Counsel Huttl questioned if these complaints were being forwarded to the appropriate places, stressing the county employees Ben Cannon from Curry Community Health at .25%, and felt he needed to be in the loop as well.
- d. **Surveyor Monthly Activity Report**
Vice Chair Gold again said she appreciated the Board getting these. Commissioner Boice concurred.
- e. **Back to School Info for Brookings (Flyer) Information only (No discussion)**

Vice Chair Gold – comments: Health meeting tomorrow at 6:00. She said a lot of work had been done to pull this meeting together. She is asking the Board to be appointed to the Committee/Panel as well as take the County's Tascam recorder to the meeting. Commissioner Boice said he had same

request and asked if both could be appointed. Vice Chair Gold said there was only one opening. Commissioner Boice said he was born in this county and this topic was very personal for him. He also said he wanted to make a couple introductions at the meeting (Krieger) and Les Balsinger. Commissioner Boice said he respected the effort Vice Chair Gold had put out, but that he also had a noteworthy record with this whole issue. He further stressed the importance to the people in the south county who elected him and couldn't understand why both couldn't be appointed. Chair Huxley motioned to appoint Vice Chair Gold to the one position that was available. Vice Chair Gold seconded the motion. Commissioner Boice rebutted with "that's the decision"? Vice Chair Gold said introducing Les was part of the meeting but stating as far as Krieger he had not been a part of the procedure. Vice Chair Gold said the people who would be introduced were mainly people introduced in the healthcare process that led up to the meeting. Vice Chair Gold said utilizing time wisely was very important as this was limited to approximately two hours and the focus to stay on task was important. Commissioner Boice questioned who had decided on the panel and the format structure. Vice Chair Gold said it was asked of each entity to recommend two people, city two people, state representative and a facilitator. Vice Chair Gold again stressed the process was a lot of work. Commissioner Boice asked if Wiley was on the panel. Vice Chair Gold said she was. Commissioner Boice expressed he was looking for a change of heart. Vice Chair Gold said this was about everyone working together (the Team). Motion passed 3-0. Vice Chair Gold had another comment. She asked to borrow the recorder (Tascam). Chair Huxley said "absolutely". Counsel Huttl asked if Counsel was expected to be present. Chair Huxley said it was being recorded. Counsel Huttl said he was asking to be excused. Vice Chair Gold said he could be excused.

Commissioner Boice comments: - None.

Chair Huxley Comments: Chair Huxley said he had just one item and it was a question for Commissioner Boice. On the August 2nd (gen. meeting), toward the end of the meeting (discussing salary positions) he recalls a document that Commissioner Boice handed him during the meeting and then the document was given to John Jezuit, for the record. Chair Huxley said there were no documents in the supplemental folder and after checking with Jezuit, he indicated he didn't end up with any documents. Commissioner Boice said he should be compensated for the personal insults and didn't remember handing Chair Huxley the document during the meeting.

15 EXECUTIVE SESSION:

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

Counsel Huttl indicated there were two topics on for Executive Session, stating the follow up re the water line with City of Brookings and possible real property transaction.

Chair Huxley moved to go into Executive Session at 4:16P.M. Carl King, a member of the Nesika Beach Ophir Water District Board said he had a comment prior to the Board going into Executive Session. He said they have over 500 customers and there is only one source of water. It was a well along the Rogue River adjacent to property owned by county. He said the District was in the eighth year of an eleven year contract. He said there was interest in a lot the county owns that would protect the rights to the well. He said there had been concerns of contamination coming from ground level and would like to make sure there would be no use of that land that could contaminate the well. He further stated that purchasing this property would protect their rights. He said they could fence it off. Vice Chair Gold asked how much property was being considered? King said the Director had spoken with

Counsel Huttel. Commissioner Boice asked if Counsel Huttel was working with Pat Cox. King said he was.

4:20 P.M. into ES.

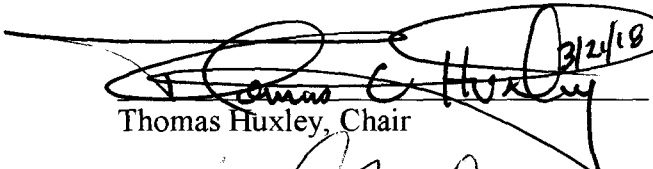
4:53P.M. out of Executive Session. Vice Chair Gold motioned for Counsel Huttel to proceed as directed in Executive Session. Commissioner Boice Seconded. Motion passed 3-0.

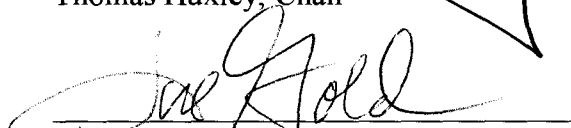
16 ADJOURN:

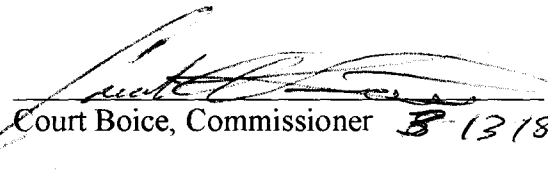
The meeting was adjourned at 4:55P.M.

Approved this 18th day of October, 2017.

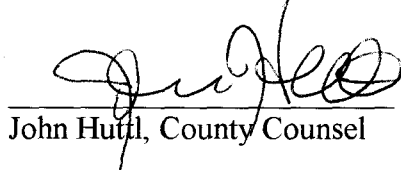
Curry County Board of Commissioners


Thomas Huxley, Chair


Sue Gold, Vice Chair


Court Boice, Commissioner 8-13-18

Approved as to Form:


John Huttel, County Counsel