



CURRY COUNTY BOARD OF COMMISSIONERS

MINUTES – GENERAL MEETING

Wednesday, May 6, 2015 – 10:00 A.M.
Commissioners' Hearing Room, Courthouse Annex
94235 Moore St., Gold Beach, Oregon 97444

Commissioners Present: Susan Brown, Chair; Thomas Huxley, Vice-Chair; David Brock Smith, Commissioner – via teleconference.

Staff Present: County Counsel, M. Gerard Herbage; Operations Coordinator, Terri Perez

1. CALL TO ORDER and PLEDGE OF ALLEGIANCE: The Chair called the meeting to order at 10:01 a.m.

2. AGENDA ALTERATIONS

a. Addition to the Announcements

Monday, May 11, 2015 9:30 A.M. Board of Commissioners' Special Meeting

b. Correction to the Announcements

Wednesday 13 10:00

Thursday, May 14, 2015 10:30 A.M. Public Transit Special District Budget Hearings

a. Table Item 6j. – moved to Special Meeting scheduled for May 11, 2015

Commissioner Huxley moved to approve the alternations to the agenda, Commissioner Smith seconded the motion; all were in favor 3-0.

3. PUBLIC COMMENT (*None*)

4. CONSENT CALENDAR

- a. OLCC Liquor License New Outlet Application - Langlois Market dba The Spoon with signature authority to the Chair.
- b. OLCC Liquor License New Outlet Application - Pacific Ocean Harvesters with signature authority to the Chair.
- c. Approval of General, Special, & Workshop Board of Commissioners' Meeting Minutes – October 8, 2013; October 9, 2013; October 16, 2013; October 22, 2013; April 22, 2015 (Special Meeting and Workshop) - Commissioners
- d. Order Correcting a Scrivener's Error in the January 21, 2015 Order Approving the Transfer of Deputy Maia Mello - Counsel
- e. Stipulated Settlement Agreement - Counsel

Commissioner Smith moved to approve the Consent Calendar items a. b. d. & e. as presented, Commissioner Huxley seconded the motion; all were in favor 3-0.

Commissioner Smith moved to approve the Consent Calendar item c. as presented, Commissioner Huxley abstained, Commissioner Brown seconded; the motion passed 2-0.

5. PRESENTATIONS (*None*)

6. ADMINISTRATIVE ACTIONS

a. Promotion of Paralegal to Deputy District Attorney.

District Attorney presented an order to promote Sarah Holloway from Paralegal to Deputy District Attorney I, Salary Range E11, Step C.5, at \$4,618 per month and noted that the salary is within the budget. He announced that she will be sworn in tomorrow afternoon.

Commissioner Smith moved to approve the Order in the Matter of the Promotion of an Employee, as presented, Commissioner Huxley seconded the motion; all were in favor 3-0.

b. Resolution Adopting New Solid Waste Rates for the Unincorporated Area of Curry County.

County Counsel, Jerry Herbage, explained the need for the Public Hearing and the Resolution. The Chair opened the Public Hearing at 10:19 a.m. The proposed increase, 75% of the previous year's rate of inflation (approximately .42 cents per month), is due to inflation and changes in regulations; about 42 cents per month. The increase will only effects the unincorporated areas. The Chair opened the floor to public comment and closed the hearing when there were no requests.

Commissioner Huxley moved to approve the Resolution Adopting New Solid Waste Rates for the Unincorporated Area of Curry County as presented, Commissioner Smith seconded the motion; all were in favor 3-0.

c. Proposed Conveyance of Property Located at 29921 Airport Way, Gold Beach, Oregon to Pennies for Pooches Animal Shelter.

Commissioner Susan Brown noted a conflict of interest and abstained from the hearing. The Vice-Chair, Commissioner Huxley opened the Public Hearing at 10:30 a.m. and introduced Mark Curran, Pennies for Pouches Executive Director. Mark explained that their goal was to have the County deed the existing facility to the animal shelter, so that they can add a cat shelter to the existing building. Counsel, Jerry Herbage, explained the standards (ORS 271.310(1)) that the Board must consider and explained the purpose of the hearing. He noted that if the conveyance was approved that there would be a need for a subsequent meeting to finalize the documents. Commissioner Huxley asked the for public comment. Deborah Crouse - Agness OR, James Van Camp – Ophir OR, Eric Bryant – President, Board of Directors, Linda Edwards – Gold Beach OR, Patricia Dewall – Gold Beach OR, and Joann Curtis – Nesika Beach OR, spoke in favor of the animal shelter and support for the conveyance. Commissioner Huxley closed the public comments at 10:44.

Commissioner Smith moved to direct County Counsel to prepare documents to convey the Assessors map property 36-15-36AC Tax Lot 200 to Pennies for Pooches, to be used as an animal shelter, for the sum of \$1.00; Commissioner Huxley seconded, Commissioner Brown abstained; the motion carried 2-0.

d. Agreement No. 30414 Between County and State of Oregon re: Grant Funds to Purchase 5 Public Transit Vehicles.

JoAnn Wasbauer, Public Transit General Manager, explained the grant will purchase 5 buses; 2 diesel buses will be used on the Coastal Express, and the other three will be used for dial-a-ride. The total project cost is estimated at \$401,000.00. The State is providing up to \$332,830 in Grant funds for eligible costs and Public Transit will provide the matching funds; approximately \$68,000.

Commissioner Smith moved to approve the Agreement No. 30414 as presented, Commissioner Huxley seconded the motion; all were in favor 3-0.

e. Approval of Curry County Policy Chapter 14.100 through 14.115.

Julie Schmelzer, Director of Administration, presented an updated policy for submitting items for Board of Commissioners' meetings. Julie explained that she worked with Counsel Herbage to develop a new format for the County's policies. Commissioner Brown asked why the section for Commissioners' approval was removed and Julie explained that it had become an issue of meeting the deadline. Commissioner Huxley noted that he was not in office when it was removed but felt that Commissioners should note that they have reviewed the documents prepared for upcoming meetings. Jerry Herbage noted that policy changes will continue to come before the Board, he liked the new policy format, and he felt it was going to be more systematic. Julie Schmelzer asked about departments that don't have a liaison Commissioner and the Chair asked that the subject be placed on the next agenda.

Commissioner Huxley moved to approve the amendments to Curry County Policy Chapter 14.100 through 14.115, with the re-addition of the Commissioners' section for approval, Commissioner Smith seconded the motion; all were in favor 3-0.

f. Renaming the Public Services Department to the Department of Community Development.

Commissioner Susan Brown explained that the name change was more descriptive of the services provided and that the recommendation the Public Services Interium Director, David Pratt.

Commissioner Smith moved to approve the Order Renaming the Public Services Department the Department of Community Development, Commissioner Brown seconded; the motion carried 2-0. Commissioner Huxley was opposed.

g. Denying the Request for a Comprehensive Plan/Zone Change in File No. CP/ZC 1502 (O'Brien).

Decision to deny the subject zone change was made at the April 21, 2015. Jerry Herbage, County Counsel, - draft order denying the request for a comprehensive plan/zone change by Breet C. O'Brien and Dahlia G. O'Brien in File No. CP/ZC 1502 .

Commissioner Huxley moved to approve the draft Order as presented, Commissioner Brown seconded; the motion carried 2-0. Commissioner Smith was opposed.

h. Forming the County Real Property Task Force.

Julie Schmelzer explained the need for the short-term task force, the purpose, and noted that there will be 5 members; residents of Curry County.

Commissioner Smith moved to approve the Order Forming the County Real Property Task Force, Commissioner Huxley seconded the motion; all were in favor 3-0.

- i. Renewal of Professional Services Contract with Carleton Law Offices (Assistant County Counsel).

County Counsel, Jerry Herbage explained that the renewal will retain Assistant County Counsel Shala McKenzie Kudlac between the dates of July 1, 2015 and June 30, 2016. He noted that the rate and most of the terms remain the same.

Commissioner Smith moved to approve the Contract with Carleton Law Offices as presented, Commissioner Huxley seconded the motion; all were in favor 3-0.

- j. Airport Road Access for South Coast Lumber and Chetco Resources was tabled for the Special Meeting schedule for May 11, 2015 at 9:30 a.m.

7. OLD BUSINESS

- a. North County Service Center aka Blue Building.

Discussion concerning Curry Community Health's (CCH) offer to lease for the North County Service Center in its entirety. They proposed a one year lease (July 1, 2015 through June 30, 2016); they will assume all operational costs, utilities, and maintenance for the building. They are offering to provide property and building insurance and pay the County \$1000 monthly. Ken Dukek explain the need for exclusive use of the property to provide more services and noted that in his opinion the facility is approximately 2400 square foot facility on a 4000 square foot property. Commissioner Brown noted her opposition to giving CCH exclusive use of the property because it can provide other County departments a facility to provide services to the north county residents.

Commissioner Smith moved to directed Counsel to prepare a lease agreement according the Curry Community Health's proposal, Commissioner Huxley seconded; the motion carried 2-0. Commissioner Brown was opposed.

8. NEW BUSINESS *(None)*

9. PROCLAMATIONS/RESOLUTIONS

- a. Resolution Supporting HB 3549 As Introduced And The Aerial Application Omnibus Pesticide Reform Legislation Of The 78th Oregon Legislative Assembly.

Commissioner Smith presented a Resolution supporting House Bill 3549 and provided some history on the subject. It is relating to pesticide control; creating new provisions; amending ORS 634.006, 634.016, 634.116, 634.126, 634.172, 634.306, 634.550 and 634.900; and declaring an emergency. He noted that it is not scheduled for the Committee on Rules but hopes to have the subject Resolution approved for presentation. Commissioner Brown noted that she would like to

have the word “accidentally” removed from the first paragraph and replaced with the word “illegally”. The Chair invited James Aldridge, Curry County citizen, to speak on the subject. He noted that he has requested notification prior to spraying and they have not complied and have continued to be negligent and deceitful. Commissioner Huxley noted that there were no consequences for the violations except to the victims.

Commissioner Smith moved to approve the Resolution with the earlier noted amendment, Commissioner Huxley seconded the motion; all were in favor 3-0.

10. LEGISLATIVE ACTIONS *(None)*

11. APPOINTMENTS

a. Western Oregon Advanced Health Membership Applications Approval.

The Western Oregon Advanced Health Community Advisory Council requested approval of 4 new membership application. The Council’s nominating committee has reviewed the applications and unanimously agreed to request membership approval for the Board.

Commissioner Smith moved to approve the order of appointment for Bri Crumley, Rachel Roberts, Alice Taylor, and Dori Statton, Commissioner Huxley seconded the motion; all were in favor 3-0.

b. Appointment to the Elected Officials Compensation Board.

Commissioner Smith moved to approve the appoint order for Terry Hanscam and Kathleen Buntun as presented, Commissioner Huxley seconded the motion; all were in favor 3-0.

c. Appointment to the Public Services Financial Advisory Committee.

Commissioner Huxley noted his concern for a possible conflict of interest; Frank Smith is the father of Commissioner David Smith. Commissioner Smith noted that he could abstain from a committee recommendation directed to the Board. Jerry Herbage explained that there was no reason to believe there would be any benefit to the family. Commissioner Huxley stated that he didn’t believe the Board should appoint direct family members.

Commissioner Brown moved to approve the appointment order for Frank W. Smith as presented, Commissioner Smith abstained from the vote; the motion died due to a lack of a second.

d. Reappointment to the Ambulance Service Area Committee.

Commissioner Smith moved to approve the reappointment order for George T. Fisher as presented, Commissioner Huxley seconded the motion; all were in favor 3-0.

e. Reappointments to the CCD Business Development Corp.

Commissioner Smith moved to approve the reappointment order for Susan Brown, Julie Schmelzer, Roger Meader, Larry Ball, M. Kathleen Root-Buntun, Randy Mason, and David Johnson as presented, Commissioner Huxley seconded the motion; all were in favor 3-0.

12. CITIZEN'S CONCERNS (*None*)

13. MATTERS FROM COMMISSIONERS

Commissioner Smith explained the importance of the Board knowing and understanding the various laws and how they apply to the Conflict of Interest subject. To prevent errors, he recommended that the Board continue to rely on County Counsel's guidance.

14. ANNOUNCEMENTS

<u>Wednesday, May 6, 2015</u>	9:30 A.M.	Public Transit Service District Board Meeting
<u>Wednesday, May 6, 2015</u>	9:45 A.M.	4H & Extension Service District Board Meeting
<u>Wednesday, May 6, 2015</u>	10:00 A.M.	Board of Commissioners' General Meeting
<u>Thursday, May 7, 2015</u>	9:00 A.M.	Elected Official's Compensation Committee Meeting
<u>Thursday, May 7, 2015</u>	2:00 P.M.	Safety Committee Meeting
<u>Monday, May 11 - 15, 2015</u>	10:00 A.M.	Curry County Budget Hearings
<u>Thursday, May 14, 2015</u>	10:30 A.M.	Public Transit Special District Budget Hearing
<u>Thursday, May 14, 2015</u>	10:00 A.M.	4-H & Extension Service District Budget Hearing
<u>Wednesday, May 20, 2015</u>	10:00 A.M.	Board of Commissioners' General Meeting

The Curry County Board of Commissioners invites members of the public to apply for vacant positions on the following County Committees, Councils, and Boards: Public Services Financial Advisory Committee, Retired & Senior Volunteer Advisory Council, Coos Curry Douglas Business Development Board of Directors, Citizen Involvement Committee, and an open position on the Planning Commission. These vacancies will remain open until filled. The requirements for the positions and the application can be found on the County website.

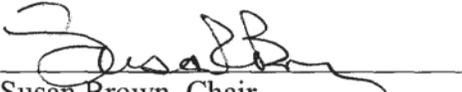
15. MISCELLANEOUS

16. ADJOURN at 12:07 P.M.

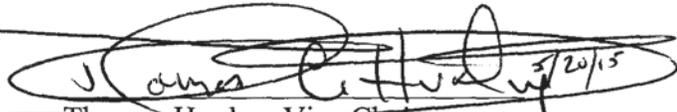
Audio and Video discs of this meeting are available to the public at a nominal charge for a period of one year from the meeting date.

These minutes from the Wednesday, May 6, 2015 Board of Commissioners' General Meeting are approved this 20th day of May, 2015.

CURRY COUNTY BOARD OF COMMISSIONERS



Susan Brown, Chair



Thomas Huxley, Vice Chair



David Brock Smith, Commissioner