



## CURRY COUNTY BOARD OF COMMISSIONERS

MINUTES – GENERAL MEETING

Wednesday, January 20, 2016 –10:00 A.M.

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

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**Commissioners Present:** Chair Thomas Huxley, Vice-Chair Susan Brown, David Brock Smith

**Staff Present:** Administrative Assistant, Shelia Megson; Planning Director, Carolyn Johnson;  
Roadmaster, Doug Robbins

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

Commissioner Huxley called the meeting to order at 10:10 a.m. The pledge was said by all. Commissioner Smith thanked the Chair for delaying the start of the meeting and Huxley asked Smith to give a summary of a recent tragedy. A Port Orford fishing vessel had crashed and sank in the evening hours the day prior. Four crewmen were on board. The captain made it to shore and the body of another crewmember had been found that morning. Two other crew members were still missing. A touching moment of silence was observed by all.

**2. AGENDA AMMENDMENTS**

**a. ADDITION: Item 11.c. NACo Form Letter in Support of Sentencing Reform and Corrections Act and Second Chance Act**

Smith said this was recent and just wanted to bring it to the attention of the Board and they could individually take action to support it.

Motion by Commissioner Brown to accept the addition, second by Smith. Motion carried unanimously.

**3. APPROVAL OF AGENDA**

No vote taken.

**4. PRESENTATIONS TO THE BOARD**

(None.)

**5. PUBLIC COMMENTS**

(None.)

**6. NEW BUSINESS**

(None.)

**7. OLD BUSINESS**

(None.)

**8. PROCLAMATIONS/RESOLUTIONS/ LEGISLATIVE ACTIONS**

**a. Ordinance 16-01 to correct Scrivener’s Errors in Ordinance 15-07 – Comm Dev.**

Johnson explained this was to make corrections to Ordinance 15-07 which was recently approved by the Board. Huxley asked what the department was called now and Johnson reminded him that it is Community Development. Huxley reminded the Board that he had recused himself during this issue and handed the topic over to Brown. Brown quickly reviewed the corrections. Smith asked if it would require a second reading and Johnson informed him that it was not required on this type of issue. Motion to approve by Brown, second by Smith. Motion carried with Brown and Smith voting “aye” and Huxley abstaining.

**9. ADMINISTRATIVE ACTIONS/ APPOINTMENTS**

**a. New Hire, Corrections Deputy 1, Jacob Howard – Sheriff**

Smith explained that this was a new hire in order to replace someone that had moved into a different position within the department. Motion by Brown to approve, second by Smith. Motion carried unanimously.

**b. Hold Harmless Agreement / City of Brookings – Roads**

Robbins explained that parcel is part of the maintenance facility in Brookings. Brookings had bought a small part of it and the County’s use had been ongoing for numerous years. Brookings representatives had requested that it finally be put into writing. Motion to approve by Smith with signature authority to the Roadmaster, second by Brown. Motion carried unanimously.

**c. Adopt a Position Description for an Existing Position of Survey Tech – Surveyor**

Huxley said that the Surveyor was in Salem renewing credentials needed for State licensing. He explained that this was just to address the description before budget talks began and not in anticipation of filling the position. Motion by Brown to approve, second by Smith. Motion carried unanimously.

**d. Appointment to Mountain Drive Special Road District V. Burton - Commissioners**

Huxley explained that this was to refill a position for a special district in which they recently had a resignation. Motion by Brown to approve with the term expiring on December 31, 2016, second by Smith. Motion carried unanimously.

**10. CONSENT CALENDAR**

(None.)

**11. COMMISSIONER UPDATES/ LIAISON & STAFF REPORTS**

**a. Staff Report – Surveyor Annual Report**

**b. Staff Report – Community Development December Activity Report**

Huxley gave positive comments about the thoroughness of the reports. Smith said he was appreciative of the reports.

**c. ADDITION: NACo Form Letter in Support of Sentencing Reform and Corrections Act and Second Chance Act**

Brown wanted to address the budget tool that had been sent to the Department Heads the day before. She said that there were errors in it that she saw and cautioned others that the Board did not yet have any ideas on how the budget would look or in which direction the Board would proceed with it. They have set up a workshop concerning the budget for February 02, 2016.

Brown expressed concern for the materials for the Executive Session. They had been marked as confidential but all of them were copies of information that she had already gotten through email. She thought that perhaps the topic should be discussed in front of the public. A document concerning another litigation had accidentally been placed in the file, which was removed the next day.

Smith said that he had asked for it to be an Executive Session because it concerned litigation, and, that the initial discussion and possible strategies should be handled inside a closed session, even though they may decide at the end to discuss it again in open session. He reminded the Board that no decisions are made until back in open session. Huxley agreed. Brown said that the public needs to be aware if the Board were to decide to move forward since this was such an important topic.

Huxley notified the room of the Board moving into Executive Session and asked nonparticipants to leave the room.

**12. EXECUTIVE SESSION**

- a. Executive Session ORS 192.660(2)(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. This concerns possible O&C related litigation.**

The Board moved back into open session at 11:31 a.m. with no decisions needing to be made.

There was consensus by the Board to openly talk about the subject addressed during the Executive Session. Smith explained that he is a board member of O&C Counties. The Federal Act concerning it was passed in 1937. Some changes had been made and during the 80's and 90's many of them had significantly declining timber receipts due to environmental concerns. An upcoming receipt referred to as a safety net payment will be the last one. A Record of Decision (ROD) will be issued in the spring or summer that will finally bring the income down to roughly ten percent of what had been paid to the County in earlier times. Litigation will be filed as it is seen as a direct violation of the O&C Act. The Counties involved need to figure out how to pay for the litigation.

Brown said that there has been a new resource management plan developing that will have the most negative effect on Coos and Curry Counties. The allowable harvest will drop significantly even over the already diminished activity. This new plan would be in place for the next twenty years and therefore of extreme importance to the County.

Smith said that it would be important that the O&C Board act quickly as to avoid other litigation decisions that would poorly affect the County and set precedence. Cutting out the use of natural resources such as fishing would be devastating to any city in the east founded on the use of those items. Western areas dependent on timber is no different.

**13. ANNOUNCEMENTS**

Huxley read the announcements.

**14. ADJOURN**

Huxley adjourned the meeting at 11:43 a.m.

Respectfully Submitted,  
Shelía M. Megson

These minutes from Wednesday, January 20, 2016 Board of Commissioners' General Meeting approved this 17 day of February, 2016.

**CURRY COUNTY BOARD OF COMMISSIONERS**

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Thomas Huxley, Chair

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Susan Brown, Vice Chair

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David Brock Smith, Commissioner