



# CURRY COUNTY BOARD OF COMMISSIONERS

## GENERAL MEETING

Wednesday, October 18, 2017 – 10:00 A.M.  
Commissioners' Hearing Room, Courthouse Annex  
94235 Moore Street, Gold Beach, Oregon

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

**Curry County does not discriminate against individuals with disabilities and all public meetings are held in accessible locations. Auxiliary aids will be provided upon request with 48 hours advance notification. Please call 541.247.3296 if you have questions regarding this notice.**

### AGENDA

*Items may be taken out of sequence to accommodate staff availability and the public.  
For public comment, a completed speaker's slip must be submitted prior to start of the meeting.*

- 1. CALL TO ORDER & PLEDGE OF ALLEGIANCE**
- 2. ADOPTION/AMENDMENT OF THE AGENDA** (5 minutes)
- 3. CONSENT CALENDAR** (Items in the Consent Calendar may be removed for separate discussion and/or action at the request of any Commissioner) (5 minutes)
  - A. Meeting Minutes May 3, 2017, June 28, 2017, and August 16, 2017
  - B. Approval of County Credit Card for County Administrator
  - C. AllCare Grant Resolution
  - D. Amending Resolution R2017-8 (Establishing Procedures for processing Oregon Liquor Control Commissioner Permits (OLCC))
  - E. Intergovernmental Agreement (IGA) Approval for 17-19 Biennial Community Corrections Grant in Aid Funding with the State of Oregon.
  - F. Department of Land Conservation and Development DLCD Grant Support Letter
- 4. PUBLIC COMMENTS** (3 minutes per person; 30 minute limit for all public comment)
- 5. PRESENTATIONS (10:30A)**  
Issues Concerning Marijuana Growing and Sales various County Representatives . – County Commissioner Court Boice (15 minutes)
- 6. ADMINISTRATIVE ACTIONS/APPOINTMENTS** (5 minutes)  
New Hire County Accountant Order D. Marshall (Finance Manager) – David Marshall
- 7. PUBLIC HEARING**  
None
- 8. OLD BUSINESS/PENDING ACTIONS**  
Brookings Head Start Workshop Summary Document. – John Huttli, County Counsel (20 minutes)

**9. DISCUSSION/BOARD DIRECTION/DECISION**

- A. Discussion of Disbursement of Public Records and the Policy Regarding this Issue. – Sue Gold, County Commissioner (10 minutes)
- B. Community Development Department Re-organization Discussion. - Carolyn Johnson Community Development Director (7 minutes)

**10. ANNOUNCEMENTS/MEETING SCHEDULE (5 minutes)**

- A. October 25, 2017 Board of Commissioners' Workshop at 10:00AM – Commissioners' Hearing Room
- B. November 1, 2017 Board of Commissioners' General Meeting at 10:00AM – Commissioners' Hearing Room
- C. November 8, 2017 Board of Commissioners' Workshop at 10:00AM – Commissioners' Hearing Room
- D. November 10, 2017 County Offices Closed in Observance of Veteran's Day
- E. November 15, 2017 Board of Commissioners' General Meeting at 10:00AM – Commissioners' Hearing Room

**11. INTERIM COUNTY ADMINISTRATOR ORAL REPORT (John Hitt, Interim County Administrator) (5 minutes)**

- A. Management Team Meetings
- B. 517 Railroad St Brookings
- C. Housing Studies
- D. Miscellaneous
- E. Community Development Department Activity Report (2 minutes)
- F. Surveyor's Report for September, 2017 (2 minutes)

**12. COMMISSIONER UPDATES (15 minutes)**

- A. Commissioner Boice
- B. Commissioner Gold
- C. Commissioner Huxley

**13. ADJOURN**

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 01-13-2017

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Meeting Minutes May 3, 2017, June 28, 2017 and August 16, 2017

**AGENDA DATE<sup>a</sup>:** 10-18-17 **DEPARTMENT:** Counsel **TIME NEEDED:** 2 min.

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** Admin **PHONE/EXT:** 3296 **TODAY'S DATE:** 10-10-17

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** Draft minutes for Review

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:**

**SUBMISSION TYPE:** Minutes

- (1) Minutes 05-03-17 (draft)
- (2) Minutes 06-28-17 (draft)
- (3) Minutes 08-16-17 (draft)

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other

Phone:

Due date to send:        /        /

Email:

<sup>c</sup>Note: Most signed documents are filed/recorded with the Clerk per standard process.

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A   
(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
3. If job description, Salary Committee reviewed: Yes  No  N/A
4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** Consent Calendar

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No   
(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

- Commissioner Thomas Huxley Yes  No
- Commissioner Sue Gold Yes  No
- Commissioner Court Boice Yes  No

Not applicable to Sheriff's Department since they do not have a liaison



**CURRY COUNTY BOARD OF COMMISSIONERS  
GENERAL MEETING**

Wednesday, May 3, 2017 – 10:00 A.M.  
Commissioners' Hearing Room, Courthouse Annex  
94235 Moore Street, Gold Beach, Oregon  
[www.co.curry.or.us](http://www.co.curry.or.us)

**(Additions/Corrections 10/9/2017 – Huxley)**

**AGENDA**

*Items may be taken out of sequence to accommodate staff availability and the public.  
For public comment, a completed speaker's slip must be submitted prior to start of the meeting.*

*All times are AM unless otherwise noted.*

Present: **Chair Huxley, Vice Chair Gold, Commissioner Boice, County Counsel Huttli, County Accountant Louise Kallstrom Minute Clerk Jezuit**

**1. CALL TO ORDER & 10:00 PLEDGE OF ALLEGIANCE**

10:02 **Huxley** Speaker slips? 4

**2. AGENDA AMENDMENTS**

A. Order Reappointing 8 Members to the Coos Curry Douglas (CCD) Business Development Corporation Board of Directors

10:03 **Boice** Discussion move from 6B to item 7

10:03 **Gold** 6C move to item 7

10:04 **Huttli** Late submittal CCD Appointments

10:05 **Huxley** item 2A move to consent calendar

**3. APPROVAL OF AGENDA**

10:05 Motion by **Gold**. 2nd **Boice**. Approve agenda. **Carried unanimously**

**4. ANNOUNCEMENTS**

A. Budget Committee Meetings Schedule May 15 – 19

B. General Meeting of May 17, 2017 moved to May 24, 2017

10:08 **Huxley** covered 4A & 4B

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

10:10 **Huxley** 3 public comments

10:10 -10:15 **Dave Barnes** Reported on his role with the Indian Creek fish hatchery including special needs adults and 4<sup>th</sup> graders from Gold Beach. He indicated a need to reapply for a permit from Oregon Dept. of Fish and Wildlife and would like a letter of support from the BOC.

**Curry County does not discriminate against individuals with disabilities and all public meetings are held in accessible locations. Auxiliary aids will be provided upon request with 48 hours advance notification. Please call 541.247.3296 if you have questions regarding this notice.**

10:15 **Britt Boice** Want to pass on information received from Oregon Health Sciences University (OHSU) Seminar Creating a Positive Work Environment for Safety and Health. In Wilsonville. \$30 registration for any government agency fee vs instead of \$60. Also offer Webinar only \$20.

10:18 **Community Development Director Carolyn Johnson.** Public workshop held at Floras Lake on April 27. She will share outcome of Community workshop. The purpose was to fulfill directive from last Board of Commissioners seeking community input about Floras Lake lands north and south of Boice-Cope park. More information available in coming days.

## 6. CONSENT CALENDAR

- A. Approval of the 14<sup>th</sup> and 15<sup>th</sup> Amendments to Oregon Health Authority (OHA) Agreement for Public Health Financing (5 min)
- B. Intergovernmental Agreement (IGA) with Gold Beach to Provide Tourism Administrative Services to Curry County. (5 min)
- C. Payroll Distribution change for Sheriff John Ward (10 min)
- D. Amendment to Daywireless Tower Site Management Agreement (4 min)

10:21 **Huxley** 6A & 6D Motion to approve Consent Calendar as amended. **Motion by Gold Boice 2nd Carried Unanimously**

10:22 **Huttl** has request for public comment filled out after meeting started. Need Board of Commissioners' consensus.

10:22 **Boice** Move to hear public comment

10:23 **Gold** OK

10:23 **Huxley** not OK with it. 2 commissioners are OK. Please come up.

10:23 **Bob Morrow.** Wants to thank the Board of Commissioners for letting Director **Johnson** do such an amazing job. Had 100 chairs set up. Feels 150 were there. Community really wants to take a conservation approach. Economic benefits to Langlois would be tremendous. \$50,000 annually at park, due to beauty of Floras Lake. Community encouraging Board of Commissioners to deeply consider conservation approach. Citizens are willing to help work with Board of Commissioners.

10:25 **Boice.** Wants to encourage opportunities for public comment due to long drive for many to attend meetings

10:25 **Huxley** I think we followed policy and went with majority of the Board of Commissioners.

## 7. ADMINISTRATIVE ACTIONS/APPOINTMENTS

6B (10:27 – 10:46)

**Boice** Another IGA w/Gold Beach Question, did it get on Agenda by Wednesday, April 26?

**Huxley** Scroll to page 15 for Agenda Routing Slip (AGRS) date (4/25/17 was submitted on time)

**Boice** This is a bad idea. Not appropriate for our County. Tremendous controversy between County and City of Gold Beach. No agreement with dispatch & City of Gold Beach. Sheriff has done about everything he can do.

Does not want to give up our website to anyone. Why are we giving that up? Not in our best interests. We can run our tourism promotion through Parks. He is opposed without more work involved. Need to discuss to make sure it's in the best interest of the County. (I had somebody tell me yesterday why don't we just make this the City of Gold Beach Annex? Director Johnson has had a pay raise to get all of this in order.)

**Huttl** City of Gold Beach promotes tourism through City of Gold Beach. In one sense we're competitor with City of Gold Beach. Does agreement address conflicts of interest if there are competing dollars for City of Gold Beach under tourism?

**All Commissioners' meetings are held in accessible locations. Auxiliary aids will be provided upon request with 48 hours advance notification. Please call 541.247.3296 if you have questions regarding this notice.**

**Johnson** Nothing in agreement about conflict

**Gold** ~~Has~~ **Had** concerns also. City of Gold Beach involved in many different areas. Promoting Travel Oregon. Feels comfortable with IGA after talking to **Fritts**.

**Boice** You don't think controversies that are well documented in the past raise some red flags?

**Gold** We're not talking about Sheriff's agreement.

**Huxley** Can't be jumping from one topic to another. Will not comment on website.

**Boice** Parks department can handle website. With City of Gold Beach we have a history of controversy which hasn't been repaired. Does not want to give up website.

**Gold** We're not giving up our website.

**Huttl** Under agreement **Johnson** has oversight. Actions of City of Gold Beach are for authorization of **Johnson's** site. Did not read giving up website in IGA.

**Boice** Lottery monies go to Economic Development. Wants to keep county together without competing with cities. Wants people from Reedsport down coming here. Requesting Board of Commissioners put this off, talk to Parks people. Don't give up another \$10,000.

**Huxley Huttl** – mentioned there was no conflict clause. Would you suggest adding a conflict clause?

**Huttl** Last IGA w/City of Gold Beach. Would be more comfortable if we had something to address that?

**Huxley** no problem

10:45 **Gold** Motion Approve IGA with inclusion of conflict clause **Huxley** 2<sup>nd</sup>

10:46 **Johnson** wants to talk about chronology. Not pertinent to motion.

Call for the question: **Huxley** Aye, **Gold** Aye **Boice** No **Carried 2-1**

**Johnson**. My department is split between 2 Commissioners. One Commissioner for Economic Development and another Commissioner for Building. AGRS does not have it both Commissioners.

**Huttl Johnson** has duty to work with liaison.

If **Boice** is liaison and working with **Johnson**, **Boice** should have a direct pipeline to City of Gold Beach as administrator of this contract and agreement. **Boice** will be able to oversee this.

**Gold** Contract can be terminated by either party at anytime

**Boice** Were you aware there was conflict between City of Gold Beach and County?

**Huxley** (I have intentionally not responded to Commissioner Boice but would caution not to make general accusations without backup authority proving those accusations.) You should have that documented if you're going to make that accusation.

(Boice interrupting - Show me the respect of being specific on what I provided that was not factual.)

**Boice Huttl** you've been involved with Sheriff's department. That's well documented.

Will do homework and see what he can offer to the Board of Commissioners.

Item 6C (10:55 – 11:29)

**Gold** Did some research. When someone retires from Public Employees Retirement System (PERS), they no longer have to pay their 6%. The County is currently paying their 15.98%. Checked with other counties to see what their position was on paying into the pocket of retired person. Amount would be \$1,148 per month. Other counties do not give employee PERS. Would be abdicating fiduciary responsibility. Would be close to a 22% raise.

**Boice** The Police Chief of Brookings gets paid substantially more. Will support this. **Huttl** does not see this as a concern legality wise.

**All Commissioners' meetings are held in accessible locations. Auxiliary aids will be provided upon request with 48 hours advance notification. Please call 541.247.3296 if you have questions regarding this notice.**

**Gold** There are several other employees here who are also retired. If we do it for one, we do it for others.

**Boice** Not costing county anything.

**Huxley** Don't know if Sheriff has retired or not. Read in packet compensation budgeted to include PERS. Retired from PERS on 1/1/17. Sheriff requests equitable distribution. Also will not change the base salary of Sheriff and not change the budget.

Brings back conversation w/PERS representative, Deborah Hembree in 6/10/2013. How much is 2013-2015 employer contribution rate paying for benefits for employees who are no longer working in PERS covered positions ? The answer is: on a system average basis about 40% of Tier 1 Tier 2 employee rate is to cover unfunded liability for retired and inactive members.

Contributions go into a separate account for all PERS members. 40% from active employees are used to pay retirees to keep system from not crashing.

To request 100% county contribution will result in 60% going to the particular individual. Also will increase rate for retirement purposes. Does not support this at all and certainly not for full amount.

**Sheriff Ward.** Appointed Sheriff in 2014. Term ended 12/31/16. Re-sworn in as elected. Sheriff has not had an increase. Carries more liability and responsibility than any other county employee.

**(Sheriff Ward to) Commisisoner Gold,** you mentioned if we do it for one, we do it for others.

That's not true. In law enforcement one can retire and go back to work. Last year compensation board, recommended pay \$86,000. This is different. It doesn't cost county any extra money.

County department heads got pretty good raise last year.

**Huttl** Is it legal to do or not? Yes, it's legal. We are making a contribution to PERS under Sheriff's salary. **Kallstrom** can speak on this? This is budgeted in under Sheriff's salary.

**Kallstrom** The amount an employee gets from PERS is based on their years of service. 40% is unfunded liability amount. Does not have anything to do with individual accounts. If everybody retired today, how much would not be funded? That was 40% in 2013.

**Huttl** It will be legal for Board of Commissioners to do this. But it is a Board of Commissioners decision

**Huxley** Did you retire from PERS?

**Ward** Yes

**Gold** There is a law if it is a small county, then PERS people who retire can work for county full-time. This would be double dipping.

**Ward** Chief of Brookings getting \$120,000 per year.

**Kallstrom** PERS retirement rules – if you retire, in most cases you can only work ½ time. But there is a special rule, per **Ward**, in certain circumstances, a retiree can work full time & stay on PERS retirement.

**Boice** We need to take care of people who take care of us. Look at list what Sheriff has to do, most is mandated. It is a tremendous amount of work and responsibility.

**Ward** Compensation Board recommended \$89,000, still at \$75,000. This will not cost county extra money. Wants equitable payment for what my compensation packet would be.

**Julie Swift** Doesn't see why Sheriff should not get the compensation. It's been budgeted.

**Ward** I work more than full time. Works 24/7. Wants a little bit of compensation for that.

**Boice** ~~Does Sheriff gets less than Planning Director?~~ **(Correct me if I'm wrong but the Sheriff gets less than our Planning Director? I don't understand that.)**

**Huxley** Does not have a Master Payroll. Requests payroll/personnel coordinator Swift verify the accuracy of the statement by Commissioner Boice. If I made that statement I would have the Master Payroll right here. I would know what I was saying was correct.)

**(Boice to Huxley I don't need to be corrected. I don't shoot from the hip.**

**Swift verifies and returns to the meeting saying the statement by Commissioner Boice is not correct.)**

**Kallstrom** Too much emphasis is put on the way they came up with this payroll adjustment. Sheriff is asking for increasing salary that stays within budget. Pay increase does not cost Curry any more than he has been paid. Really doesn't have anything to do with PERS.

**Ward** Doesn't care what other people get paid.

**Swift** Only 2 departments paid more than Sheriff are: Roadmaster & County Counsel

**Boice** My apologies to the Board. Where is **Johnson** in that sequence? Paid less than Sheriff?

**Swift** Yes.

**Ward** Planning Director has 2 or 3 people. Sheriff has 45 people.

**Gold** Shouldn't setting up pay raises be part of budget process?

**Huxley** We should discuss as a pay raise. We should put it on the priority list. He is concerned about 40% and how it does work. Not prepared at this meeting to deal with this. We should deal with this during the budget process. Not prepared to approve at this meeting.

**Gold** Look at whole thing

**Huxley** And Social Security, too. 7.65%

**Ward** This will not cost county anything.

11:29 **Boice** Motion to approve the payroll distribution change for Sheriff Ward as discussed **Boice**.  
2<sup>nd</sup> None. Motion dies.

11:29 **Huxley** Dies for lack of 2nd. Encourages to be discussed during budget meetings.

## 8. OLD BUSINESS

A. Ordinance Establishing Office and Authority of County Administrator (11:30 – 12:17)

**Huttl** Board of Commissioners directed **Huttl** to re-format job description. After last discussion, 2 questions for Board of Commissioners: Powers and Duties of County Administrator. Neither County Counsel nor elected officials subject to County Administrator hiring/ firing. If one of the concepts is to streamline government, there would still be one big one hanging out there. There is an advantage to Board of Commissioners to put County Counsel under County Administrator. The disadvantage to Board is my rules require answering to highest authority in County. If County Administrator is placed over County Council, BOC access would likely be changed.

County employee's boss would be County Administrator. Commissioners **Gold** and **Boice** can hire Interim County Administrator. That person can get started on addressing county issues.

Could make ordinance effective at a future date. Believes can do an Interim Acting County Administrator who would have no powers to terminate employee except by order of the Board. [Empl The issues are County Administrator authority over other employees, (and elected officials, and Counsel, if any)] **(Don't understand above as written beginning with Empl)**

**Huxley Dave Barnes** Want to comment now or later?

**Barnes** Two of the Board of Commissioners just finished 4 months in office. Highly disagree about what you're talking about. You were all elected to run this county, not handing it off to a County Administrator. Voters should pick who County Administrator should be. Has seen some horrors.

Looking at \$125,000 to \$150,000 to get a decent administrator. If less, will get what they pay for. You were hired to handle administration. Thinks that you're changing the entire way this government is run in Curry County.

**All Commissioners' meetings are held in accessible locations. Auxiliary aids will be provided upon request with 48 hours advance notification. Please call 541.247.3296 if you have questions regarding this notice.**



**Gold** Talked to many, many voters who think County Administrator would be more efficient. Board of Commissioners would not be figureheads. Working on policies to lead and guide the County and the Administrator.

**Barnes** Disagrees with **Gold**.

**Boice** Clackamas County has 9 different County Administrators in 15 years. Concerned when position summary says he/she shall have control and supervision of all county departments. My vote will be this position, County Administrator, does not compromise Counsel. Have not found any lazy employees around here. There are not any. Who's left to manage here?

Do not have to hire someone. I Will be in office every day. We have a skeleton staff. With Brenda Starbird, John Jezuit, and department heads all have risen to challenge. Job description not ready. Don't have budget for it. Don't know how much staff will be needed. **Gold** Thinks we need more continuity. Commissioners come and go. Been doing this way – isn't effective.

**Huxley** Asked for organizational chart. Always started with organizational chart. Current structure is absolute dysfunctional from a Commissioner's perspective. 3 elected are technically the boss of department heads. 3 does not work. Great part to put under 1 person. Example: 6 months ago, **Huttl** has oversight over Board of Commissioners. He has 3 bosses. Not picking on **Huttl**. Just giving example to **Barnes**. We have run into issues w/subjects of grants from 2 years, 3 years 6 months ago, 5 years ago. There are 4 or 5 grants we are aware of. Things not done properly. It's this dysfunctional system that creates these things. People are not held accountable. The order of magnitude – mentioned previously the Brookings Airport grants --is now minor at \$60,000 compared to some other surprises we've run into.

We need someone to be held accountable. 1 person. Too many fires. These fires are huge liability.

**Huttl** is up to his eyeballs in these up to this point.

**Huttl** And **Kallstrom**, too

**Huxley** Commissioners will make policy decisions budget wise, and have time to do that. That what Commissioner elected to do—to make good policy decisions. Hire good people; good leaders.

**Barnes** You're abdicating most of your responsibility you have agreed to when you were elected to office. Have only been in office 4 months. Have not tried to see if it works. Believes it should be put out to voters.

**Huxley** Have had 2 unsuccessful home rule charter ballot measures that went out to the people.

**Huttl** This is a not a vote to approve the position, but to bring back for a future date. If Board can give

**Huttl** direction on questions to be addressed for a future version of this.

**Barnes** It's important question. Should really be put to people.

**Boice** Back to **Barnes**. This has come up a lot. Reminded by people that will definitely hold me accountable. We need to bring to voters to see if they want a County Administrator.

**Huxley** This is a much better job description than previously. Had removed **Huttl** from falling under County Administrator, but under Board of Commissioners. Would like to see a cleaned up version and bring this back to the Board for further discussion in a workshop. Thinks some of the dialogue very good.

**Huttl** Not interested in doing another workshop. Time to fish or cut bait. Needs to bring back for adoption.

**Boice** Disagree strongly w/ **Huttl**. **Barnes** represents a good portion of population. So County Administrator has not political transparency to public like we do. **Huxley**, you want Counsel to be under County Administrator as well.

**Huxley** That's correct.

**Boice** **Huttl** did you say you would change #7. Would County Administrator have joint authority with Department heads?

**Boice** Who would not be subordinate to a County Administrator?

**Huttl** Board of Commissioners.

**Huttl** Would really be delegation not usurpation.

12:11P **Huttl** When I had a city manager there was 1 go to person for decisions. There is some streamlining with County Administrator. Grant situation is an example. Feels there is a benefit to having 1 person decision maker. We may have been able to avoid issues with grants we are seeing.

12:13P **Gold** Managing something with 3 people who cannot talk except in a meeting is not working. Has previously [experience](#) as a Commissioner and a Board member working with a manager, and it works very well. As far as **Huttl** being under County Administrator, can see pros and cons. Thinks there needs to be a go to person. Board of Commissioners would deal with that person

12:15P **Huttl** Will bring back an ordinance. This draft would have County Administrator have hiring/firing authority over other county department heads. Decision would be May 24. Wants to conclude this for today.

12:17P **Boice** For another workshop

12:17P **Gold** OK without another workshop.

## 9. PRESENTATIONS TO THE BOARD

A. Air Service Proposals - Crescent City, CA (12:18 – 12:30)

**Huxley** Crescent City Del Norte County. Was a liaison to Brookings Airport. Was made board member to Del Norte county. Major expansion to Del Norte airport \$15,000,000. Put out bids for contract for air service.

2 proposals from Peninsula Airways (Pen Air) 2 flights per day to Portland & Boutique Air. 6 possible scenarios. Flights to Oakland airport. Pen Air 3 flights to Portland and 2 flights to Oakland in 2 different directions. Flight statistics.-Magic number for airports in rural communities is 10,000, then can receive a \$1,000,000 grant. Did not make it in 2016. If they do not make it, drops grant from \$1,000,000 to \$150,000.

Boutique Air felt very comfortable if chosen, they would be able to reach 10,000 passengers.

**Huttl** Provided hand- out from newspaper

**Huxley** Asked how does public notice work? That's how the handout ended up in The Pilot.

**Huttl** Need motion to continue meeting.

**Gold** Are you looking for us to endorse?

**Huxley** No. Is one of 7 votes.

**Gold** Did get concerns from people because costs and luggage about Boutique no luggage charge.

12:30P **Boice** Motion to extend meeting 7.5 minutes **Gold** 2nd **Carried Unanimously**

## 10. COMMISSIONER UPDATES/LIAISON & DEPARTMENT ACTIVITY REPORTS

12:31P **Boice** 3 bills in State House. House Bill (HB) 2363 2% tax to back to assessor. Counties can opt out. HB 3435. Secure road fund loans narrowed down to Klamath, Curry, and Yamhill Counties HB 3374 doing pretty well. Will talk on that later. Also feels it's important to get an appraisal of 500 acres Floras Lake land if we do swap with State..

12:32P **Boice** Talked about fire school in Portland. Don Kendall believes we can update out fire plan. Concerned about fire on May 31. On May 31<sup>st</sup> working with **Huttl** to get Darrin Neavoll, ODOT, from Roseburg at [to](#) workshop. ~~It's about~~ Brookings to Port Orford condition of Hwy 101.

**11. EXECUTIVE SESSION**

**12. ADJOURN 12:36P**

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**Curry County Board of Commissioners**

\_\_\_\_\_  
Thomas Huxley, Chair

\_\_\_\_\_  
Sue Gold, Vice Chair

\_\_\_\_\_  
Court Boice, Commissioner

Approved as to Form:

\_\_\_\_\_  
John Huttel, County Counsel



## **CURRY COUNTY BOARD OF COMMISSIONERS**

### **GENERAL MEETING**

Wednesday, June 28, 2017 – 10:00 A.M.  
Commissioners' Hearing Room, Courthouse Annex  
94235 Moore Street, Gold Beach, Oregon  
[www.co.curry.or.us](http://www.co.curry.or.us)

Present: **Chair Huxley, Vice Chair Gold, Commissioner Boice, County Counsel Huttli, Minute Clerk Jezuit**

Absent: None

### **AGENDA**

*Items may be taken out of sequence to accommodate staff availability and the public.  
For public comment, a completed speaker's slip must be submitted prior to start of the meeting.*

**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE Huxley 10:00A**

**2. AGENDA AMENDMENTS (5 Minutes)**

A. Brookings Airport Pavement Management Grant Agreement (5 min)

10:02A **Huxley** Either Commissioners – background on why being late?

10:02A **Huttli** State monies, not federal. Grant calls out matching funds through Oregon Department of Aviation (ODA). State will do all the contracting. We are sponsoring this grant for the airport. Our responsibility is to maintain airport operation. Late due to one of those things. Needed by end of the month.

10:04A Move by **Gold** second **Boice** add to agenda, Consent Calendar Carried **unanimously**

10:04A **Huxley** Where to move? OK with consent? Yes

10:04A **Boice** That would item 7Q?

10:05A **Huxley** Yes

B. Retain Prothman to Recruit County Accountant (10 min)

10:05A **Huxley** This was on 6/7 meeting to be heard. Last minute, second candidate applicant came in, so it was pulled.

10:07A **Boice** This is in addition to the \$10,000 allocated

10:07A **Huxley** This is a whole separate item. Not to exceed \$7,500.

10:07A Move by **Gold** second **Boice** add to agenda to discuss further. **Carried unanimously**

10:07A **Huxley** Make it 12B

10:08A **Huttli** Anything for labor negotiations **Payroll and Personnel Coordinator Swift?**

10:08A **Swift** No

10:09A **Huxley** New business on Intergovernmental Agreement (IGA) Dispatch -- move up as Gold Beach attorney on the clock.

**All Commissioners' meetings are held in accessible locations. Auxiliary aids will be provided upon request with 48 hours advance notification. Please call 541.247.3296 if you have questions regarding this notice.**

- 10:09A **Gold** Move to right after 4?  
10:10A **Boice** Do we want to do IGA and Sheriff's office?  
10:11A **Huttl** Hangar leases called are renewals, not amendments  
10:11A **Gold** That's 7D – 7G, not amendments  
10:11A **Boice** 7H Has a couple questions. Shouldn't take long?  
10:12A **Huttl** Recommends administrative action appointments Section 8  
10:12A **Huxley** Move 7H to 8H  
10:13A **Boice** 70 Recognize Rick Warren for volunteer work and donation of several \$1,000 of equipment.  
10:14A **Huxley** Questions on 7K. Move 7K to 8I  
10:15A **Huxley** Move 7M to 8J

### 3. APPROVAL OF AGENDA

10:15A Motion by **Gold** Second by **Boice** to approve agenda amendments as discussed. **Carried Unanimously**

### 4. ANNOUNCEMENTS (5 Minutes) 10:16A **Huxley**

- A. July 1, 2017 Vets Day at McVay Rock State Park at 10A -- Harbor, OR
- B. July 4, 2017 County offices closed
- C. July 5, 2017 Board of Commissioners' Meeting at 10A – Commissioners' Hearing Room
- D. July 12, 2017 Board of Commissioners' Workshop at 10A – Commissioners' Hearing Room  
10:18A **Huxley** Will be changed to a day in the future.
- E. July 19, 2017 Board of Commissioners' Meeting at 10A – Commissioners' Hearing Room

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

- 11:58A **Lauren Paulson**. Handout has an executive summary of Re-Home project. Will come back after you have read and discuss further.  
11:58A **Huxley** We will have this entered into record has a supplemental.  
11:59A **Paulson** Will come back  
11:59A **Huxley Connie Hunter** on Veteran's and Allcare  
11:59A **Hunter** Wants to talk on behalf of veterans. 26.7% of Curry population are veterans. Thanks for Jane Stebbins on today's article on page 3A.  
12:01 **Hunter** we talked about grant money that's available. We talk about Veteran about Outreach. The Allcare grant can provide housing. This year are members are older and have some health problems. If Allcare could give \$20,000, would keep a lot of veteran's off the street.  
12:03 **Hunter** Additional wrap around services. \$5,000 from Allcare will make a huge difference. Active duty military sometimes have to use food stamps. Advocating for Curry County veteran's service office budget. \$10,000 grant All care for County support part time staff for County vet service office.  
12:04P **Hunter** We have huge issues in veterans community. Could use about \$5,000 to unify that. Had former Commissioner Brown come out.  
12:05 **Huxley Hunter** will you try to wrap it up please  
12:06 **Hunter** Veterans groups do not always feel included. Wild Rivers community. Radio. Community booth. We need extra funding for outlying areas especially in area of native American community.  
12:07P **Huxley Lea Sevey**  
12:07P **Seavey** Oasis Shelter Home. Presented document to Board. Former **Commissioner Brown** promised Oasis \$18,000 to \$20,000 Today asking for kind enough to allow Oasis \$25,000 to rent a house. Supportive housing.

12:09P **Seavey** Help person make transition from shelter to a permanent location. Funding may be lost to victim services, not housing. Hoping Board of Commissioners bequeaths \$25,000K to Oasis.

12:10 **Boice** You'd hold the money in reserve until find a suitable location? Could be anyone of the 3 communities?

12:10P **Gold** Grant has very specific purpose. Given to the County to do study.

12:10P **Seavey Brown** went to Allcare in Medford as asked Allcare. Yes it can be used for housing.

12:11P **Boice** Sam Engel and Josh Balloch, both have made it clear, Allcare is very flexible.

12:11P **Huxley** Will take lunch break.

12:12 P **Boice** Break for 45 minutes

12:12P **Gold** 1PM?

12:13P <b>Huxley</b> We will recess until 1:15P
---

## 6. PUBLIC HEARING

### 7. CONSENT CALENDAR 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7I, 7J, 7L, 7N, 7O, 7P Added Item 2A

A. Recommended pay decrease effective July 1, 2017 – Surveyor (5 min)

1:15P **Huxley**

1:21P **Huxley** Surveyor volunteered for a \$9 per hour per decrease

B. Western Oregon Advanced Health (WOAH) Coordinated Care Organization's (CCO) Curry County Advisory Committee (CAC) membership application (5 min)

C. Brookings Airport Hangar 3B Amendment to Lease (5 min)

D. Brookings Airport Hangar 8 Amendment to Lease (5 min)

E. Brookings Airport Hangar 1D Amendment to Lease (5 min)

F. Brookings Airport Hangar 1A Amendment to Lease (5 min)

G. Brookings Airport Hangar 5 Amendment to Lease (5 min)

1:19P **Huxley** This is a lease renewal on the 5 hangars.

H. Renew Contract with Carleton Law Office for Assistant County Counsel for fiscal year 17-18 (5 min)

1:26P **Huxley** Did not see contract extension was not attached to the agenda.

1:27P **Huttl** When preparing packet, trying to reduce number of pages in packet. Rate works out to \$25/hour.

1:28P **Huttl** It was hard to reduce this agenda with content that's in there.

I. IGA with Oregon Youth Authority (OYA) for individualized services (5 min)

J. IGA with OYA for Juvenile Crime Prevention (JCP) basic services and Diversion services (5 min)

- K. OYA Lease #2133 with Juvenile Department (3 min)  
1:23P **Huxley** Reference to square footage \$280/month for 64 rental able sq ft. previously had higher rate for 150 sq ft. Seems very very expensive to normal leases. Had signed some lease for \$.25/sq ft
- L. Adoption of an Existing Position Description - Corrections Deputy (5 min)
- M. Public Transit Agreements No. 31916, 31999, and 32185 (State of Oregon and Curry County) (10 min)  
1:24P **Huxley** Text in documents almost unreadable. They were not legible. **Huttl**?  
1:24P **Huttl** They were difficult to read. If you put document at 100%, it's readable.  
1:25P **Huxley** Isn't it extremely light?  
1:25P **Huttl** don't think there is a legal problem here.  
1:26P **Gold** They're under a time deadline here.
- N. New Hire / Summer Work Crew (5 min)
- O. Boice Cope camp caretaker agreement (5 min)
- P. Agreement with Wild Rivers Mountain Bike Association (WRCMBA) and Curry County (5 min)

1:19P Motion by **Gold** Second by **Boice** to approve consent calendar items 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7I, 7J, 7L, 7N, 7O, 7P and item 2A. **Carried Unanimously**

1:29P Motion by **Gold** Second by **Boice** to approve 7K, 7J, & 7H as written. **Carried Unanimously**

## 8. AMINISTRATIVE ACTIONS/APPOINTMENTS

- A. Abel - Insurance Proposals for SAIF Workmen's Compensation coverage (15 min)  
1:29P **Huxley** Work comp coverage  
1:29P **Huttl** Agent of Record  
1:30P **Wendy Abel-Hatzel**, Abel Insurance Wanted to give you different options  
1:31P **Amy Timeus** You should have the Workmen's Comp proposal. It's kind of a summary of what you have now. Payroll audited at the end of every year. For 2016 -2017 payroll estimated at \$5,614,7000. At end of June, 2017, there will be an audit.  
1:31P **Timeus** 2 options –Increasing payroll \$5,854,030. If go w/option 2 premium will decrease about \$6,100 due to experience modification going from .98 to .79. Recommending option 2.  
Any questions?  
1:33P **Boice** Experience rating – how do we compare to other counties?

1:34P Motion by **Gold** Second by **Boice** to go with option 2 as recommended by Abel Insurance and we are paying upfront to get 3.5% discount. **Carried Unanimously**

- B. Abel - Insurance Proposals for Airport Liability Insurance (15 min)  
1:35P **Timeus** currently at \$10,000,000 of coverage. Recommend you maintain. \$3,019 per year.

1:34P Motion by **Boice** Second by **Gold** to accept option 1 as presented. **Carried Unanimously**

C. Abel - Insurance Proposals for CIS Liability, Property & Crime Insurance (30 min)

1:36P **Huxley**

1:37P **Abel-Hatzel** County currently has with CIS \$7,000,000 per occurrence. Look at Tort limits in ORS 30.271 to 30.272. County is under \$2,000,000 for all claims, injury and property damage, for any 1 time. Take that into consideration when look at options. Presented 10 different options. Recommends go with \$5,000,000 limit. Based on County experience and what others are going through. Also included excess cyber security liability. Nondeductible. Looking at annual premium of \$207,910. Proposing aggregate deductible or a retro plan. Recommendation is to go with 60/130. So you're paying 60% of the premium of front, capped off at 130%. With a \$5,000,000 per occurrence limits.

1:40P **Abel-Hatzel** Questions on hand outs in packet? We did meet with each commissioner individually. You're not having unlimited exposure out there.

1:41P **Huttl** You also took time to present to me. With options going forward, is there a look back? Claims in pipe line will not affect ratio.

1:42P **Abel-Hatzel** effective July 1, 2017.

1:42P **Huxley** The cap of \$130,000?

1:43P **Abel-Hatzel** doesn't have to do with number of claims, just maximum pay out.

1:44P **Huttl** Reason for \$5,000,000 plan – ties into tort claim act.

1:44P **Abel-Hatzel** Yes local level is \$2,000,000. Tort cap limit is dependent on jurisdiction where loss occurs. You have carried a much higher limit than other Oregon counties & municipalities.

1:44P **Boice** Which one of these 4 options would be closest to 16-17?

1:46P **Abel-Hatzel** The basic option.

1:47P **Huxley** Recommended is \$121.

1:47P **Abel-Hatzel** Recommendation is to go with 60/130 retro plan.

1:47P **Huttl** The \$277,532 max premium does the premium paid front counts toward losses already paid.

1:47P **Abel-Hatzel** Look at base premiums – \$213,046 CIS liability costs. Then credits applied.

1:48P **Huttl** 60/130 plan. If we just keep doing what we have been doing, we will likely recognize saving. We're looking at \$80,000 in savings.

1:48P **Gold** \$86,612

1:49P **Huxley** It's a risk. Statistically it's prudent.

1:50P **Abel-Hatzel** The brand new deductible will apply if there's a jail claim due to lack of medical care.

1:50P **Gold** The savings should be put into a special fund for the deductible. Big proponent of bigger deductible.

1:51P Motion by **Gold** Second by **Boice** Re: CIS Liability to go with option 10 60/130 retro plan presented for a total of \$121,298.84 for \$5,000,000 option. **Carried Unanimously**

1:52P **Abel-Hatzel** presented 2 options to renew. Current premium is \$57,194 with a \$1,000 deductible. This includes insured values of \$46,319,766. Looking at past 15 years claims history, recommendation to go with \$25,000 deductible for premium of \$36,994. This is for County property. Nothing to do with property damage due to liability.

1:54P **Gold** It's a little less than \$12,000 in savings. For high deductibles.

1:54P **Abel-Hatzel** The County has several years of no claims.



1:54P Motion by **Gold** Second by **Boice** Accept option 3 with \$25,000 deductible. **Carried Unanimously**

D. Order adopting Elected Official Travel Policy (15 min) **POSTPONE TO JULY 19**

1:56P **Huttl** Let's get through travel policy. This will take a lot of time.

1:56P **Huxley** Spent a couple of hours going through travel policy. Only 4 pages, but looking at one back in March, 2017, have a lot of questions and suggestions. Could spent a hour talking about this

1:57P **Gold** Postpone to Jul 5<sup>th</sup>?

1:58P **Huxley** Not necessarily July 5<sup>th</sup>, waiting for a County Administrator to interface with this, too.

1:58P **Boice** Agree with both **Gold & Huxley**

1:58P **Huttl** Middle of the month? July 19<sup>th</sup>?

1:59P **Huxley** Postpone to July 19<sup>th</sup>.

2:00P **Huttl** Will pop out to discuss with City of Gold Beach attorney **Monson** Dispatch IGA.

2:00P **Gold** Get it done.

E. Order directing return of Grant Funds to Allcare (10 min)

2:01P **Huxley** I put this on agenda. Agenda Routing Slip (AGRS) drafted by **Huttl**. Read AGRS.

2:02P **Huxley** What was incorrect in the proposed order was returning \$100,000. Actually \$99,172. At this point it's prudent and timely and expeditious to return this money to Allcare to disburse as they see fit. My proposal and request.

2:04P **Gold** More expertise in this area. Received a call from homeless advocate feels it's best to give money back to Allcare.

2:05P **Boice** Here the term local control. **Connie Hunter** does not have a specific project. She left AZ early to be here today. **Lauren Paulson** gave a 15 page proposal. **Lea Sevey** waiting patiently. The reason this money went to Curry County was because Allcare does believe we have knowledge and foresight to bring our communities together.

2:06P **Boice** Original grant was for learning about housing. If monies go back to Allcare, will not be end of the world. Letter from Umpqua Neighbor recommending a long term study.

2:07P **Boice** What is homeless population? What is inventory of buildable lands? Zoning changes on these lands?

2:08P **Boice** Example of London apt complex that burned down. Horrible.

2:08P **Boice** We have opportunity for local control. Roseburg is funding a similar project.

2:09P **Boice** We have responsibility to take a lead on this not just pass it. There are a couple more. Jim Johnson like Connie Hunter and Mary Rowe has spent time helping people. Beth Barker Hildago, ORCCA, has a good project. This is a way for us as a board to give Allcare specific comprehensive project plans to make this.

2:10P **Gold** Who wrote letter?

2:10P **Boice** Arthur Chaput NeighborWorks Umpqua.

2:11P **Gold** Main concern original purpose of grant was to do a study. Number of entities are wanting monies for projects.

2:11P **Boice** If we take \$20,000 of that \$100,000 and teamed up with Roseburg, it would be much more affordable. A letter from Sam Engel, we understand since this grant was approved and offered that housing needs have gotten worse. They said if you bring responsible, good project, Allcare will at least, for now, waive the requirement \$100,000 was in particular for a housing study for Curry County.

- 2:12P **Gold** The only way I would not send money back, if we did get direction from Allcare.  
2:12P **Gold** Let's come up with a specific project and run it by Allcare. So give it say 2 months.  
2:13P **Huxley** We haven't done anything in 18 months. Asking for motion to return the money and to let Allcare take care of need.

2:15P Motion by **Gold** Second by **Boice** To postpone it for 60 days, come up with projects here in Curry County that are worthy of the money. **Carried Gold Y, Boice Y, Huxley Nay Carried 2-1**

2:15P **Huxley** Who will take lead?

2:15P **Boice** I will gladly take on that lead. **Huxley**, you didn't answer if you were willing to let me take that lead.

2:15P **Huxley** You had something down on commissioner liaison changes under Item 13. Can do whatever there.

F. Association of O & C Counties dues for 2017-18 & 2018-19 (15 min)

2:16P **Huxley** Put here by **Hutt**? Bill from AO CC

2:16P Motion by **Boice** Second by **Gold** Re: to pay \$18,000 for 1 year (17-18 FY) to get dues up to date as it was budgeted for. **WITHDRAWN** 2:20P

2:18P **Huxley** Was it budgeted?

2:18P **Boice** It was. With AOC and not connected with Association of O & C. Tremendous benefit for all counties. Not sure this was budgeted. Let's confirm and withdraw motion.

2:20P **Gold** Will withdraw motion. Will take it upon herself to review.

G. Master Payroll Fiscal Year 2017-18 (5 min)

2:20P **Huxley Julie Swift**

2:21P **Swift** Salary and wage schedules for next year. Includes range 19 for County Administrator.

2:22P Motion by **Gold** Second by **Boice** to approve master payroll as presented **Question not called.**

2:22P **Huxley** Has some questions. On page 271 of the proposed order it shows the Sheriff receiving an increase of about \$14,000. What is that?

2:23P **Swift** It was in budget. It was to move his former PERS contributions into his salary.

2:24P **Gold** That was voted down.

2:24P **Swift** That was for 16-17 FY year. Not 17-18 FY. It was budgeted at that rate.

2:25P **Huxley** This is lacking transparency. On May 3<sup>rd</sup>, it was Item 6C Payroll distribution change.

2:25P **Swift** My memory: It was discussed retro to January, 2017 and to put into budget for next year.

2:25P **Huxley** I do not remember that. I would not have approved.

2:26P **Gold** It was not to go to Sheriff because it would set a precedent for individuals who were retired to get their PERS benefits.

2:26P **Ward** No increase to Sheriff's salary for over 10 years.

2:26P **Gold** You're asking for an increase of \$14,000. Nothing to do with PERS. Budgeted, approved and adopted.

2:27P **Gold** This is kind of through the back door here.

2:28P **Boice** Has some resentment here. To come to ask for a pay raise. I hope you'll withdraw your motion. It shows a real lack of respect for the Sheriff.  
2:30P **Gold** The only reason total cost is higher, **Community Development Director Johnson** is getting PERS. The Sheriff is not. **Johnson** base salary is \$2,000 less than Sheriff.  
2:30P **Boice** Do **Huxley** and **Gold** think it's equitable for **Johnson** to get that when Sheriff has 40 people. He's on call 24/7. **Johnson** response works 4 days a week and 3 people and outsources a considerable amount of her work. It's mind boggling it's not in some way prejudice.  
2:31P **Gold** Adamantly oppose giving PERS money as an increase. Kinda of a back door thing. Not brought before the Boards.  
2:31P **Swift** I will amend that.

2:31P Motion by **Gold** Second by **Huxley** Motion to amend this to not include this. **Huxley** Y; **Boice, Nay; Gold** Y Carried 2-1.

## 9. PRESENTATIONS

## 10. PROCLAMATIONS/RESOLUTIONS/LEGISLATIVE ACTIONS

## 11. NEW BUSINESS

### A. Dispatch IGA Gold Beach and Curry County (15 min)

10:18A **Huxley Hutt** Any comments?

10:18A **Hutt** Genesis of this agreement is Sheriff's office putting out dispatch service. Previous work place had agreements. Idea to put in writing to do what had been doing prior years. Sheriff submitted 9 IGA's. Every jurisdiction signed, except City of Gold Beach declined to sign. Now, renewals went out in April, 2017, all agreements approved except City of Gold Beach. Since last July there have been some meetings about this agreement. City of Gold Beach came to Board of Commissioners to put City of Gold Beach authored agreement on the June 21 General Meeting agenda.

10:21A **Hutt** Put both Board of Commissioners agreement and City of Gold Beach Agreement on the June 28 General Meeting agenda. Would like Sheriff to come up and discuss, too.

10:23A **Hutt** You might recall our Roads Department has standard IGA for services. The genesis followed some level of industry standards. My analysis is that is legal & reasonable.

10:24A **Hutt** Did not see any good basis for using City of Gold Beach agreement. Sheriff not interested in providing IGA dispatch services to City of Gold Beach under terms of their agreement.

10:25A **Hutt** Just handed out. Sheriff runs his office, responsible for all citizens

10:26A **Hutt** Reads State ordinance. Sheriff has authority to enter into agreements. If the Board of Commissioners adopts City of Gold Beach agreement, and Sheriff decides not, there could be a conflict, then **Hutt** cannot represent either. If there are questions, would prefer Sheriff to answer.

10:27A **Huxley** Sheriff?

10:27A **Tamie Kaufman City Council** Here to forge stronger partnership with County. Last year added 1% lodging for Event Center. We are partners with County. **Hutt** has said that on July 1 the County is considering interrupting or ceasing dispatch service. Please do not stop services on a holiday weekend.

10:29A **Jodi Fritts**, City Manager, City of Gold Beach. Will be brief. City of Gold Beach is here, we are about public safety. Wants to ensure police and fire personnel are safe. IGA presented in April , 2016, 2 parties work together. That has not occurred with this IGA at all. Did not sign, but will continue to pay. Have presented 4 minor changes to the IGA. Offered to pay 17% more than annual \$35,000 has been paid since 2012. Each version has been rejected outright. We have continued for 14 months to keep lines of communications open. We find County saying only this agreement is acceptable is both childish and irrelevant. What other entities say does not apply to City of Gold Beach as City of Gold Beach is not the same as other dispatch users. Not a fair comparison for what other were offered.

10:33A **Fritts** Atrocities of war have nothing to do with peace discussion. Our agencies can come to a mutual agreement. Mutual agreement cannot be reached if we threaten each. I know we can work together to get to yes. We want to be good neighbors, we want to partners in public safety to get to a yes.

10:34A **Christine Monson** City of Gold Beach attorney.

10:35A **Huttl** City of Gold Beach version of IGA can be found on page 386 of packet.

10:35A **Monson** City of Gold Beach have some other concessions that may work. Will discuss later. In August, 2016, we had provided a pretty standard for 911 dispatch services, but did not match counties form. We ditched that and went with County's standard form. Also asked for comment – trying to open dialogue. Changes made found in Section 2. The term by County was 1 year. City of Gold Beach wants 3 years. City of Gold Beach not opposed to shorter term. Since longer term, what if someone wants out, County can you provide can provide a year's notice, if City of Gold Beach wants out 120 day notice. What could be done here would be both parties giving 1 year notice. City of Gold Beach proposed would need more time than 90 days for City of Gold Beach to find service.

10:38A **Monson** Other change is in section 3. The County has said will provide 24/7 dispatch services to include A-M. City of Gold Beach wants to added to more detail – defining dispatch services. Police, fire and after hours.

10:39A **Monson** Re: A-M City of Gold Beach believes clarification necessary. If County does not want to change, City of Gold Beach OK with A-M.

10:39A **Monson** Next change, page 4, last paragraph similar & related services may be provided by both parties. System upgrades.

10:40A **Monson** Update services – City of Gold Beach would be responsibility for own equipment, added necessary to maintain compatibility. Added if County is seeking none subscriber owned, not owned by City of Gold Beach, City of Gold Beach will help pay for that. But first check with us, we need to plan out budget. We have to reasonable.

10:41A **Monson** Other change 4E how to make changes for non-mandated changes. City of Gold Beach does not want to meddle with County system. City of Gold Beach shall pay a pro rata share divided among users by percentage of use for County upgrades. City of Gold Beach wants to make sure they are paying a fair share and not paying for all of it.

10:43A **Monson** Section 8 Re: Prior agreements. In 1990 had IGA for manage and oversee for dispatch services. Looks like that IGA not acted on fully. This agreement supersedes and nullifies all prior agreements. City of Gold Beach position to let 1990 agreement lie. On Section 8 a compromise. City of Gold Beach could strike Section 8 as a compromise.

10:44A **Monson** Section 10 Proposed outside resolution language after talk, could meet with a mediator. We designated parties to meet and talk, City of Gold Beach open to whatever parties County wants to designate.

10:45A **Monson** City of Gold Beach willing to pay more than what County is requesting. City of Gold Beach proposed flat fee of \$41,000 and 2% escalator every year if County went with a multi-year contract.

10:47A **Monson** Those are proposals – any questions?

10:47A **Gold** Real concerned about getting some kind sort of an agreement. Listened to both sides, want to do what's in best interests of all citizens. **Fritts** unable to budget with Sheriff's proposal. Another concern was no definition of what constitutes a call. Will put in Exhibit B.

10:48A **Gold** Very concerned 911 would be cut off over July 4<sup>th</sup> weekend. The dispatch services would be cut off. Not totally aware of dispatch and 911 are. If dispatch cut off, that could cause problems.

10:49A **Gold** No itemized billing. Sheriff said they can address that.

10:49A **Gold** Let's come together and get this done. Sounds like you're willing to negotiate.

10:49A **Monson Gold** you're spot on what is dispatch and what is 911. It's important whatever definition is so everyone is on same page. Re: What is a call? Proposed flat fee to stop haggling over it. City of Gold Beach wants to pay for services using, if they go over.

10:51A **Huttl** Page 385 of Board packet. Agenda Routing Slip (AGRS) process dated June 14 Surprised to see this filled out. Legal part – to avoid potential litigation with City of Gold Beach.

10:52A **Monson** Thinks it was filled out to avoid any escalation into litigation or other adversarial process.

10:53A **Huttl** Re: Mediation. There is a process in State statue for mediation. Sheriff's department has declined to adopt City of Gold Beach language changes. City of Gold Beach agreement did not include (page 391) Sheriff being involved in mediation.

10:54A **Huttl** there were flaws in June 14 submitted agreement.

10:55A **Monson** Oversight not to include the Sheriff as part of mediation. City of Gold Beach willing to accommodate negotiation

10:55A **Monson** State statues require Oregon Emergency Management (OEM) to serve as a mediator if there's a disagreement. OEM has never done it. If triggered and doesn't work, it goes start to binding arbitration. City of Gold Beach wants softer wording that what's in County agreement.

10:56A **Boice** Would OEM be free?

10:56A **Monson** OEM needs to run it by Department Of Justice (DOJ).

10:57A **Monson** OEM admittedly has never used the statue.

10:57A **Huttl** Page 398 subscriber can request. There is a provision if there is disagreement. Any customers can bring to Board of Commissioners to discuss their costs. There is no provision.

10:58A **Monson** City of Gold Beach has a slightly different interpretation. **Huttl** please read.

10:59A **Huttl** Page 4 of City of Gold Beach authored agreement.

10:59A **Monson** City of Gold Beach concerned about only cost allocations which can be mediated. It's complex with dispatch, emergency respondents. Need a provision for other than money issues. That's why City of Gold Beach needs a broader provision.

11:00A **Huxley** Listening to the back and forth on this – I was an earlier member of that Board. The original agreement was a template. Each agreement was different in that it addressed who the subscriber was. **Huxley** would agree to sign template, and then sign a document, only if he could read document first.

11:02A **Huxley** It was a template. It had been signed. Had it been a template that was fixed and nonnegotiable, then it would be signed. My expectation is it as template subject to negotiation.

11:04A **Huxley** As you acknowledged **Monson**, Sheriff should have been included. Reviewed E-Mail communication. Believes **Boice** originated this E-Mail sent to **Fritts**, sent to Sheriff, **Espinoza**, Port Orford Police Chief Hank Hobart, and Sgt Tracy Wood.

11:05 **Huttl** Are you reading that E-Mail into record?

11:06A **Huxley** Yes.

11:06A **Huttl** Who sent it to you **Huxley**?

11:07P **Huxley** Given by **Fritts**. **Huttl** wrote, “Disregard everything **Fritts** says.” Unfortunate it was put into writing.

11:08A **Monson** City of Gold Beach cannot allow 911 services before July 4 weekend to be stopped. City of Gold Beach may file an injunction or some type of restraining order if July 4<sup>th</sup> dispatch services are stopped.

11:08A **Huxley** Noticed math errors on the cost formula page of 8 or 9 of the 12 agreements. A very large error on Port Orford ambulance. They were charged \$6,510 instead of half that amount.

11:09A **Monson** City of Gold Beach remains interested in coordinator user group meetings to discuss issues and how things are working. Usually there is an IGA creating an user group. City of Gold Beach very interested in that.

11:10A **Huxley** Agree to a large degree with City of Gold Beach proposal. The one thing would help would be items under section 3 definition of radio dispatch. Etc.

11:11A **Boice** You decided to not identify what that E-Mail was about. It was to bring all parties involved. The lack of agreement is what you see in Curry County perceived around the State. If was a long shot to try to bring all parties together, Boice did not take sides. If anyone wants this E-Mail, I’ll send it to them. We don’t get any more law suits for this County.

11:13A **Huxley** Just a comment. Protocol and procedure, I passed, as we normally do, to the Clerk the copy. It’s not to be taken back by anyone at that time.

11:14A **Gold** Point of order -- Let’s just bury the axe, OK?

11:14A **Monson** The City of Gold Beach’s position is threefold: (1) Would like Board of Commissioners to vote today to direct staff not to alter 911 dispatch services to the City of Gold Beach (2) Would like County Commissioners to approve City of Gold Beach proposed agreement. (3) If not, then (1) direct staff to work with **Monson** to amend agreement or (2) direct staff to jointly work to appoint a mediator to get both sides to come together. City of Gold Beach just wants an agreement and to forge a strong relationship.

11:16A **Huxley** Sheriff Ward?

11:16A **Ward** We’ve been working on this for over a year. 2015-2016 FY looking for all contracts for budget process asked for all contracts. Noticed there weren’t any for dispatch services. Found out it was a handshake deal between past Sheriff and past City of Gold Beach City Administrator. City of Gold Beach paid that every year. That put County in a liability situation hole. Met with **Huttl** and **Espinoza**, need a standard dispatch agreement. **Huttl** did that. Hand delivered that to **Fritts**. Any issues, come see me. Never heard a word. Finally got City of Gold Beach to come to meeting at Sheriff in August, 2016. Explained dispatch services, justice systems. We told by all 3 they were satisfied. ½ hour later got a call from Chief Dixson who said they we’re going to sign. Nothing got back. In November, 2016, started getting public info requests. Directed **Espinoza** to comply. **Fritts** wrote an E-Mail saying you guys have done everything we City of Gold Beach has asked. Didn’t hear anything until April, 2017, when standard form dispatch agreements sent out to all subscribers. Does not recall it being a template. All signed except City of Gold Beach.

11:21A **Ward** told he couldn’t talk to City of Gold Beach. **Ward** let **Huttl** handle all communication.

11:22A **Ward** We’re not shutting off 911 services to City of Gold Beach. We get money from State to provide 911 services. If City of Gold Beach can handle call, Sheriff will. Fire will be uninterrupted. Dispatch services – non emergency calls get forwarded to City of Gold Beach. Does not get anything from City of Gold Beach. Haven’t had a chance to view anything.

11:24A **Ward** City of Gold Beach asked what is a call? Any work we provide in any form.

11:24 **Huttl** Those calls, there is a justice server and a program.

11:24A **Ward** County owns a justice server. We own system. City of Gold Beach piggybacks on that. City of Gold Beach can get any information we have access to.

11:25**Ward** all agencies tagged by what they produce. There is a whole history. Trying to provide service and do it legally.

11:26A**Ward Huxley** E-Mail comment – a lot of comment from **Fritts** that wasn't accurate. Blown up on social media. It was ridiculous.

11:27A**Ward** 3 topics (1) Not offer change to City of Gold Beach dispatch services (2) what is a call, (3) being able to budget for dispatch. Everything is based on usage. Use more, get charged more. Nothing done on a flat rate basis.

11:28A **Boice** Is there a way. Can we live with **Monson** changes proposed?

11:28A **Huttl** The agreement City of Gold Beach wants us to enter is different than one in the agenda.

11:29A **Boice** Is it more conciliatory?

11:29A **Huttl** It's interesting. We talked about their Exhibit B what a call is. Since then it has been dropped. They were expecting to see a list of all their calls. They have access to our justice system. They have a VPN to our server -- they can see all their calls.

11:30A **Huttl** Re: Budget – Sheriff has moved off his initial point -- will do it not exceed \$41,000. Having a hard time

11:31A **Huttl** City of Gold Beach is requesting adopt their agreement. When you ask what is easy solution? Adopt this. Change Exhibit B to include not to exceed \$41,000 and include definition of a call. Let city Council decide. The County agreement will give City of Gold Beach all they want.

11:32A **Ward** we can make charges in upcoming year. Will not have different contracts with different entities. If City of Gold Beach wants to change something, have no problem looking at it. But, not to decide at the 11<sup>th</sup> hour.

11:33A **Huxley** did you say you hasn't seen their proposal until this morning?

11:33A**Ward** correct. Saw it this morning about 2 hours ago. Their agreement does not have sign line for Sheriff

11:34A **Gold** Would you be willing, for 1 month, to give them dispatch services while you work it out?

11:35A**Ward** OEM said they have no issue with what we are doing. They do not want to deal with dispatch. OEM does not want to get into dispatch.

11:35A**Ward** We've been doing this since April, what's going to solve it now.

11:36A **Gold** They want to use what we have -- for just 1 month.

11:36A**Ward** We are at an impasse here.

11:37P **Huttl Ward** is saying there are a lot of different ways to say things. The real key is to say Sheriff's Department understands it. If City of Gold Beach doesn't want to change what we're doing, sign document – it wouldn't change anything.

11:38A **Huxley Boice** and **Monson**?

11:38A **Huttl** 3 year agreement will not work.

11:39A**Ward** We were told by road department tower maintenance fees, which are not spread out over the users, will go from \$11,000 to in excess of \$50,000.

11:39A **Gold** City of Gold Beach had already agreed to 1 year.

11:39A **Captain Espinoza**. This has been a long process. The genesis to have an agreement. You pay us, \$35K, what do you get. Tried to configure a way to get a formula for their budget. Noticed volunteered fire department did not use service as much. If we want to a flat, then would like at % usage. Spent a lot of time on this contract and other similar contracts. Worked with Justice. Wanted to make sure they were capturing as accurately as possible. 911 call starts with address. That starts tabulation. Want to make sure that is accurate. Try to do the best we could.

Good community partners. Provide 24/7 staff. We do not want dispute resolution come before Board of Commissioners. That is my job.

11:43A **Espinoza** Get calls from City of Gold Beach about what dispatchers do. We work it out. Have presented to City of Gold Beach. Things were going well. Tried to be transparent thru this whole thing. Want to be good citizens.

11:44A **Huttl** can we go for a month? **Huxley** is City of Gold Beach agreement more clear to you? Wondering if we want to continue this item to later today, take a hard look at section 3. We have **Monson** here And command staff here. We should pick one or the other.

11:46A **Huxley Monson?**

11:46A **Boice** Heard County willing to move any aspect of this.

11:47A **Huttl** We have moved. Everything is negotiations.

11:47A **Monson** City of Gold Beach remains willing to negotiate, but not just for section 3. If we can get a vote or direction from Board of Commissioners that dispatch services will not get interrupted during the interim. City of Gold Beach has provided over 6 proposals. Remain open to reasonable small changes that would help City of Gold Beach.

11:48A **Boice** Wants to offer, leave the past where it is. Let's keep that completely off the table.

11:49A **Monson** Has been in contact with our insurance agent which is also County insurance agent. They strongly support contract & mediation.

11:49A **Huxley** Using example of Section 3 was not just limiting that to it.

11:49A **Huttl** Other than section 3, there were not many changes. Hoping to get agreement in place without controversial items

11:50A **Monson** Draft as written now would require City of Gold Beach to pay for all system upgrades with no discretion on the City of Gold Beach's part.

11:51A **Huttl** Everyone is here today, so we can negotiate terms. If Board of Commissioners not ready to vote, then keep that same.

11:51A **Monson** Need Board of Commissioners to say dispatch and page 11 services not be involved. For the good of the public.

11:52A **Huttl** Sheriff's agreement. Citizens would not be put out. Would not provide dispatch services, but will provide 911 services.

11:53A **Monson** attempt to answer, if City of Gold Beach does not respond, then Sheriff would respond.

11:54A **Monson** Dispatcher do not know if a 911 call is an emergency until arrive on the scene. City of Gold Beach will happily re-negotiate with County.

11:54A **Huxley** We are almost at lunch time. It's worth at least for **Huttl** and **Monson** to come together. I would not vote to put someone's life in danger.

11:55A **Huttl** Do you see approving Sheriff's agreement as putting someone's life in danger?

11:56A **Huxley** Board of Commissioners has option to approve 1 or the other. Would vote a certain way.

11:57A **Boice** We have 3 speakers.

11:57A **Huxley** More than willing to hear 3 speakers. We will continue this discussion. We will go to Public Comments item 5

3:23P **Huxley** IGA Between city of Gold Beach and Curry County

3:24P **Fritts** Worked out IGA with Sheriff and City of Gold Beach. City of Gold Beach Agrees with all documents **Huttl** presented.

3:25P **Huttl** Document reflects a lot of changes for City of Gold Beach. City of Gold Beach showed a lot of spirit of cooperation on this.

3:26P **Ward** and **Fritts** signed document.

3:26P **Huxley** 2?



- 3:27P **Gold** Really glad you were able to compromise  
3:27P **Huttl** They want duplicate original agreements.  
3:27P **Huxley** Separate agreement for fire?  
3:27P **Huttl** 1 agreement with 2 copies.  
3:28P **Kaufman** Just wants to thank everyone for working so hard on this today.  
3:28P **Huxley** Dave Barnes?  
3:28P **Barnes** Will pass. Hold comments for next meeting.

- B. Dispatch IGA for the City of Gold Beach Police Department and Fire Department (15 min)

## 12. OLD BUSINESS

- Overcharging of south Curry County citizens by Sutter Coast Hospital (2 min)

- 2:33P **Gold** Read letter **To see letter please go to**  
2:36P **Gold** Would like permission for Commissioners to sign this letter and send it off.  
2:37P **Boice** It's well written. My allegiance is to Curry Health Network and Curry General Hospital.  
2:38P **Gold** Proposal to have a collaborative workshop on potential expanded healthcare.  
2:38P **Huxley** Would like to see some data, proof, before I'd ever sign my name to something.  
2:39P **Huxley** Sutter Coast is charging up to 10 times more than other. Wants to see some data before signing.  
2:39P **Boice** Sutter Care Hospital Administrator is here. Let's let him present.  
2:40P **Huxley** 2<sup>nd</sup> paragraph, 2nd sentence. I do not enough data to sign this.  
2:40P **Gold** 97415 only 15 rooms.  
2:41P **Gold** Would you be more comfortable with actual sources for the bills?  
2:42P **Huxley** Yes  
2:42P **Boice** Let's let Sutter Administrator address Board of Commissioners now.  
2:43P **Huxley** Sutter Coast?  
2:43P **Carlos Priestly**. Sutter Coast Hospital Administrator. Wants to know more about this topic. If you want to go into specifics of letter at a future point. I'm available to do so. The letter sounds very similar to a letter drafted in Del Norte County. It was responded to by Mitch Hanna. We have given M Care notice they need to contract with in network providers in Crescent City and Curry County area, or we will terminate their contract. Does not recall precisely how much time.  
2:45P **Gold** Biggest problem is with M Care. Sounds like you are addressing it. **I will withdraw this letter at this time.**  
2:45P **Priestly** Within past couple of months. We made a conscience decision to purchase a 3D mammo unit and install it in Brookings. By installing in Brookings, we can charge less for it. 3D mammography is 40% more effective than 2D. Means number of false positives are less. Number of call backs are less. Not having woman return to get an additional mammogram.  
2:47P **Gold** Advised individual to get quotes to find out what a MRI costs. Cost ½ less in Medford.  
2:48P **Priestly** Sutter has a charity care program. Sutter Coast has offered over \$38,000,000 in discounted care over past 10 years between Brookings and Crescent City for discounted or free care.  
2:49P **Gold** These individuals were not indigents. Had o pay out of their pocket.  
2:49P **Boice** Brookings is the big wild card here. Invited you to do a tour of Curry General Hospital and meet Ginny Razo and her staff. Brookings, south of Pistol River, has 65% of our

population. We do not have OB right now. Only have about 120 babies born a year in the County.

250P **Priestly** Let's talk. Data point: We do collaborate. All our beds were occupied. We called Curry and came to an agreement for about an 8 hour period of time, we would direct to Curry.

2:51P **Gold** During prison riots?

2:52P **Priestly** No. It's great there is an openness and understanding we help each other out.

2:53P **Gold** This is an opportunity for us to pull together. Last Friday, 6/23, met w/**Alex Campbell (handout)**. South Curry Health Care Alliance. (SCHA). Alex recommends collaborative Board of Commissioners, City Manager, Board of Directors to help Curry Health District and south Curry residents. **Campbell** recommendation is an evening workshop or Saturday on the SWOCC campus. And discuss cooperative strategies for win-win for county, constituents, and Curry Health Network.

2:55P **Boice** Absolutely

2:55P **Huxley** I'll table that.

2:55P **Boice** Had tour of Curry General. Learned a lot that day.

2:56P **Gold** There are other options available in south Curry County. Think it could be a win-win situation. Population center of this County is in Brookings area. I will get something together and let you know.

2:58P **Huxley Dave Barnes** – want to speak now or wait?

### 13. COMMISSIONER UPDATES/LIAISON & DEPARTMENT ACTIVITY REPORTS

A. Commissioner Liaison Changes (5 min)

3:18P **Boice** Make 2 other changes. Lost Economic Development. Would like to ask Board of Commissioners to assign Brookings Airport and Allcare Council. Would Board of Commissioners entertain a motion to switch those over to me?

3:20P **Huxley Huttl** Any problem with changing liaison for Brookings Airport right at this time?

3:20P **Huttl** We are in middle of negotiations right now.

3:20P **Boice** Will keep **Huttl** in loop.

3:21P **Huttl** due to my conservative nature, like to keep things the same. If things don't work out, no problem making change in liaison. Once get past this, then no problem

3:22P **Huxley** Agree w/**Huttl** on KBOK. OK with Allcare.

3:22P **Gold**. I agree

3:22P Motion by Vice Chair <b>Gold</b> Second by Commissioner <b>Boice</b> . Commissioner <b>Boice</b> to be new liaison for Allcare. <b>Carried Unanimously</b>
--

2:58P **Huxley** Agenda Item 13 Commissioner **Updates?**

2:59P **Gold** (1) Negotiate w/CTR rates (2) Very interested in getting an interim County Administrator. Will bring it up at next meeting. Would go to AOC and Association of Oregon cities. Just to get thing started. Had interim superintendent in school district. Interim came in and got everything organized. Resulted in a very smooth transition for when permanent administrator came in.

3:01P **Boice** Do you have someone in mind?

- 3:01P **Gold** No
- 3:02P **Swift** Item 2b Retaining Prothman?
- 3:03P **Huxley** Item 2b This is same recommendation submitted June 7<sup>th</sup>. They have a short version of a search. We are nowhere now. We need to use some other options. That's my recommendation today.
- 3:04P **Gold Swift?** Any other apps for County accountant. Not real interested in spending \$7,500 at this time for a search now. We have **Kallstrom** as irregular. You were going to advertise in some other areas as well.
- 3:05P **Swift** Yes. Advertising in League of Cities, AOC, Local Government Personnel Institute (LGPI), OGSOA
- 3:05P **Gold** Some agencies – won't look here in Curry County. Due to difficulty getting here.
- 3:06P **Swift Huttli** addressed this.
- 3:06P **Gold** Do we have 3 viable candidates?
- 3:06P **Swift** Potentially
- 3:06P **Huxley** We had ran 2 of those by the auditors – they said no to one. Have we sent the 3<sup>rd</sup> one to auditors?
- 3:07P **Swift** Not yet.
- 3:07P **Boice** We have 3<sup>rd</sup> candidate we could interview now. Let's put it on the next agenda.
- 3:08P **Huxley** That means it goes to next budget fiscal year.
- 3:08P **Swift** Funds are not budgeted in 17-18 FY for this.
- 3:09P **Huxley** Unless there's an additional candidate come in? **Boice?** Item 13A
- 3:09P **Boice** 6 month report. (1) Trident 32 at Cape Blanco. One priority for a new County emergency preparedness individual. Spent 45 minutes with Justin Wilson 2<sup>nd</sup> in command in ODA. Cape Blanco is one of the top 3 airports in the state for emergency preparedness.
- 3:11P **Boice** (2) HB 3345. **Representative Smith** bill Passed house unanimously. Please contact senate majority office to recommending passing that. Would give road funds 3%. That bill has a chance. (3) working with Mike Robinson Coos Forest Patrol and Jim Watson Fire Chief in Brookings. Very concerned about fire danger this year. We still have 4 ½ months to go. Will be getting every fire department together July 7 6P – 8P to discuss what our plans will be.
- 3:13P **Huxley** had one thing. E-Mail from **Surveyor Reily Smith** rec'd on June 20<sup>th</sup>. Has some very old GPS equipment. Looked into selling it on E-Bay. Thinks Curry paid \$32,000 about 12 years ago.
- 3:15P **Gold** Need a motion?
- 3:15P **Huxley** Just consensus.
- 3:15P **Boice** and **Gold** OK.
- 3:16P **Boice** Would be glad to visit with you about travel. Gave packet to **Gold**. Info is helpful for you to know what I'm doing and how it can benefit the County.
- 3:17P **Huxley** Thinks **Boice** you may have gone over the limits what **Huttli** put together on travel policy.
- 3:17P **Fritts** 2 Attorneys are actually typing the document right now.

#### 14. ADJOURN 3:29P **Huxley**

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**Curry County Board of Commissioners**

---

Thomas Huxley, Chair

---

Sue Gold, Vice Chair

---

Court Boice, Commissioner

Approved as to Form:

---

John Huttel, County Counsel

DRAFT



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

**(Additions/Corrections 10/9/2017 – Huxley)**

### Meeting Minutes

**(Very Good 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 Huttl about the Public Hearing re All Care Grant. Counsel Huttl said he put this on as a public hearing only to free any speakers from the (3-minute time period) **(Counsel was corrected – Speaker slips were not required and the 30 minute maximum time for all public comments was waived – not the 3 minute time)** 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.~~ **(See comments above)**

### **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 Huttl 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 Huttl 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 Huttl said this would be clarified in the agreement as well. Counsel Huttl 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 Huttl 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. **(Counsel Huttl asked Huxley if an email was good enough for a writing to which Huxley responded; absolutely.)**

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 14<sup>th</sup>. 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 2<sup>nd</sup> (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 Huttli. Commissioner Boice asked if Counsel Huttli 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 Huttli 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 \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**Curry County Board of Commissioners**

\_\_\_\_\_  
Thomas Huxley, Chair

\_\_\_\_\_  
Sue Gold, Vice Chair

\_\_\_\_\_  
Court Boice, Commissioner

Approved as to Form:

\_\_\_\_\_  
John Huttli, County Counsel

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 01-13-2017

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Approval of County Credit Card for County Administrator

**AGENDA DATE<sup>a</sup>:** 10/18 **DEPARTMENT:** Admin **TIME NEEDED:** CC

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** John Hitt **PHONE/EXT:** 3287 **TODAY'S DATE:** 10/11/17

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** The County Administrator has an occassional need for a credit card when acquiring needed equipment and supplies or out of town

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:**

**SUBMISSION TYPE:** Memorandum

(1)Memo

(2)

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other

Phone:

Due date to send:        /        /

Email:

<sup>c</sup>Note: Most signed documents are filed/recorded with the Clerk per standard process.

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A   
(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
3. If job description, Salary Committee reviewed: Yes  No  N/A
4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** Consent Calendar

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No   
(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Thomas Huxley Yes  No

Commissioner Sue Gold Yes  No

Commissioner Court Boice Yes  No

Not applicable to Sheriff's Department since they do not have a liaison



## MEMO

**To:** County Accountant/Treasurer  
**From:** John Hitt, Interim County Administrator  
**Date:** October 18, 2017  
**Subject:** Request for Mastercard credit card – John Hitt

---

This communication is to approve the issuance of a County Credit Card to the Interim County Administrator, John Hitt. This credit card is needed in order to perform the job requirements, which may include and are not limited to: obtaining materials, conferences & trainings and official business. A credit card limit of \$1,000 total is requested.

Thank you for your assistance.

### CURRY COUNTY BOARD OF COMMISSIONERS

---

Thomas Huxley, Chair

---

Sue Gold, Vice Chair

---

Court Boice, Commissioner

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 01-13-2017

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC\\_OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** AllCare Grant

**AGENDA DATE<sup>a</sup>:** 10/18/17 **DEPARTMENT:** Admin. **TIME NEEDED:** CC

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** John Hitt **PHONE/EXT:** 3287 **TODAY'S DATE:** 10/10/17

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** The AllCare Grant program is best implemented and administered by the AllCare organization. The attached resolution thanks AllCare for their programs and commends the various grant proposals to Allcare for consideration of awarding and administering the grant proposals previously reviewed and discussed by the BOC. Included in the Resolution is a request for AllCare to set aside at least \$15000 to help fund a future housing study as may be requested by the cities of Gold Beach and Port Orford

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:**

**SUBMISSION TYPE:** Resolution

- (1)Resolution
- (2)

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

- File with County Clerk
- Send Printed Copy to:
- Email a Digital Copy to:
- Other

Name:  
Address:  
City/State/Zip:

Phone:

Due date to send:        /        /

Email:

<sup>c</sup>Note: Most signed documents are filed/recorded with the Clerk per standard process.

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A   
(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
3. If job description, Salary Committee reviewed: Yes  No  N/A
4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** Consent Calendar

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No   
(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Thomas Huxley Yes  No   
Commissioner Sue Gold Yes  No

Commissioner Court Boice

Yes  No

Not applicable to Sheriff's Department since they do not have a liaison

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
IN AND FOR THE COUNTY OF CURRY, OREGON

In the Matter of a Resolution )  
Relinquishing the AllCare )  
Health Grant Funding back to )  
All Care Health )

RESOLUTION NO. \_\_\_\_\_

**WHEREAS**, ON December 4, 2015, AllCare Health provided Curry County a check in the amount of \$100,000 to assist the Curry County Commissioners with the development of a proposed Housing Needs Assessment and Housing Plan; and

**WHEREAS**, recently the County expressed the desire to use the funds for different purposes than was initially intended; and

**WHEREAS**, AllCare Health had agreed to work with the County to allow it to utilize the funds in a different manner; and

**WHEREAS**, the County advertised and reached out to various social services groups to apply for dedicated funds; and

**WHEREAS**, the County since that time, and at the request of AllCare Health on October 3, 2017, has submitted via electronically all known applications submitted by fund requestors to date to AllCare Health; and

**WHEREAS**, the County has appreciated working with AllCare Health, and thanks AllCare Health for their programs and desires to relinquish the grant and grant funding back to AllCare Health where the program will be best implemented and administered by the AllCare Health Organization; but also requesting that AllCare reserve at least \$15,000, of the original \$100,000 grant, as matching funds for a possible Curry County Housing Study that would encompass all county areas needing a housing study.

**NOW, THEREFORE IT IS HEREBY RESOLVED** that the Board of Curry County Commissioners relinquishes the AllCare Grant and Funding of \$100,000 back to AllCare Health.

**DATED** this 18<sup>th</sup> day of October, 2017.

**BOARD OF CURRY COUNTY COMMISSIONERS**

\_\_\_\_\_  
Thomas Huxley, Chair

---

Sue Gold, Vice Chair

---

Court Boice, Commissioner

Approved as to Form:

---

John HuttI  
County Legal Counsel

DRAFT

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 01-13-2017

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Order and Resolution amending Resolution R2017-8 (Establishing Procedures for processing Oregon Liquor Control Commissioner Permits)

**AGENDA DATE<sup>a</sup>:** 10-18-17 **DEPARTMENT:** Counsel **TIME NEEDED:** 5 min.

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** John Huttl **PHONE/EXT:** 3218 **TODAY'S DATE:** 10-6-17

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** This amended resolution adds only one sentence to language in R2017-8 page 2, Section 4a)

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:**

**SUBMISSION TYPE:** Resolution

- (1)Order
- (2)Resolution

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other

Phone:

Due date to send:        /        /

Email:

**\*Note: Most signed documents are filed/recorded with the Clerk per standard process.**

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A

(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses        Yes  No   
Comment:
2. Confirmed Submitting Department's personnel-related materials        Yes  No  N/A   
Comment:
3. If job description, Salary Committee reviewed:        Yes  No  N/A
4. If hire order requires an UA, is it approved?        Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** (Select)

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact?        Yes  No

(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Thomas Huxley        Yes  No

Commissioner Sue Gold        Yes  No

Commissioner Court Boice        Yes  No

Not applicable to Sheriff's Department since they do not have a liaison



BEFORE THE BOARD OF CURRY COUNTY COMMISSIONERS  
IN AND FOR THE COUNTY OF CURRY

In the Matter of an Order )  
To Amend Resolution )  
R2017-8 Establishing Procedures )  
For Processing Oregon ) Order No. \_\_\_\_\_  
Liquor Control Commission )  
Permits New, Renew, Temporary )  
And Change and "Other" )

**WHEREAS**, Resolution R2017-8 establishes procedures for processing Oregon Liquor Control Commission (OLCC) Permits and was approved on April 19, 2017; and

**WHEREAS**, on page 2 of that resolution, "Now Therefore"... No.4a) states "applications can be presented to any Commissioner available for signature" and under 4b) states "The available Commissioner may sign"...; and

**WHEREAS**, the Board would like to add to the above language 4a) to include "The application can also be presented to the County Administrator or designee for signature" and add to section 4b) "or County Administrator or designee"; and

**NOW, THEREFORE**, the Board of Commissioners for Curry County hereby resolves that Resolution R2017-8 is amended with a new Resolution, attached as Exhibit "A" to contain the same language, but add language in No. 4a) to include "The County Administrator or designee as a signor on OLCC applications" and 4b) "or County Administrator or designee".

DATED this \_\_\_\_\_ day of October, 2017.

Curry County Board of Commissioners

\_\_\_\_\_  
Thomas Huxley, Chair

\_\_\_\_\_  
Sue Gold, Vice Chair

Approved as to Form:

\_\_\_\_\_  
John Huttli, Curry County Counsel

\_\_\_\_\_  
Court Boice, Commissioner

BEFORE THE BOARD OF CURRY COUNTY COMMISSIONERS

IN AND FOR THE COUNTY OF CURRY

In the Matter of a Resolution Amending )  
Resolution R2017-8 - Establishing )  
Procedures for Processing Oregon )  
Liquor Control Commission Permits )  
New, Renew, Temporary and Change )  
and "Other" )  
\_\_\_\_\_ )

Resolution No. \_\_\_\_\_

**WHEREAS**, ORS 471.166 explains that the Oregon Liquor Control commission (OLCC ), before granting or denying a license application, may take into consideration a written recommendation from a local government County on the application; and

**WHEREAS**, OAR 845 005 0304 explains that the OLCC "may" take into consideration a local government's recommendations; and

**WHEREAS**, OLCC's practice is that if the County did not respond with an unfavorable recommendation, then OLCC would consider the County having made a favorable recommendation; and

**WHEREAS**, in the past, the Sheriff reviewed criminal background and other adverse impacts from licensees and applicants; and when unfavorable recommendations were made, the OLCC did not act in accordance with the County's unfavorable recommendations; and

**WHEREAS**, per Resolution R20149, the Board adopted a policy that the liaison commissioner to the Sheriff's Office or any remaining commissioner in that liaison's absence could sign OLCC Temporary Sales Permit applications, but not other types of OLCC permits, and whereas the Sheriff Office does not have a liaison commissioner; and

**WHEREAS**, on June 24, 2011, the Board adopted a Resolution establishing fees for review of OLCC new applications, renewal applications, change applications and temporary applications; and

**WHEREAS**, the County believes that performing a criminal background check on OLCC applicants would have little value to the County because OLCC is not required to follow County recommendations; and,

**WHEREAS**, the County does not want to be seen as giving a "favorable" recommendation if it fails to respond to the OLCC correspondence on applications and renewals; and

**WHEREAS**, the County lacks sufficient information to provide an unfavorable recommendation and the County desires to develop an intermediate option for responding to the OLCC inquiries; and

**WHEREAS**, the County will be performing less tasks on its local review and administration of applications for OLCC permits, so that the County review of each application is the same and the County feels it should revise downward its permit costs accordingly;

**NOW THEREFORE,** The Board of Commissioners for Curry County hereby Resolves that

1. Resolution R2149 is rescinded and replaced in its entirety.
2. Fees adopted in 2011 are changed to \$25 for all OLCC permit applications.
3. The Board shall process all OLCC applications – including but not limited to: New, Renewal, Temporary, and Change – through the Board of Commissioners’ Office Staff.
4. BOC Office staff shall process all OLCC applications in the same fashion, as follows:
  - a. Applications can be presented to any Commissioner available for signature. Applications can also be presented to the County Administrator, or designee for signature.
  - b. The available Commissioner, or the County Administrator or designee may sign the attached “No Recommendation” letter to OLCC on the given application(s), or indicate “acknowledged” on OLCC forms.
    - i. Any other action will require full Board consideration at a duly noticed public meeting.
    - ii. The above functions under (3)(b)(i)&(ii) may be delegated to staff by further Board resolution.
  - c. Copies of the correspondence shall be sent the Sheriff for information;
    - i. The Sheriff may conduct further background as warranted in his discretion;
    - ii. The Sheriff may communicate results of background to the Board or OLCC in his discretion
5. For special events, this resolution only applies to the OLCC application portion of a special event. If a special event requires additional non-OLCC permitting, such permitting will be handled under the County’s special event or outdoor mass gathering permits process.

**Dated** this \_\_\_\_th day of \_\_\_\_\_, 2017.

**CURRY COUNTY BOARD OF COMMISSIONERS**

\_\_\_\_\_  
Thomas Huxley, Chair

\_\_\_\_\_  
Sue Gold, Vice Chair

\_\_\_\_\_  
Court Boice, Commissioner

Approved as to form:

\_\_\_\_\_  
John HuttI, Curry County Counsel

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 01-13-2017

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** IGA approval for 17-19 biennial community corrections grant in aid funding with the State of Oregon.

**AGENDA DATE<sup>a</sup>:** 10/18/17 **DEPARTMENT:** Sheriff **TIME NEEDED:** 10 min

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** Sgt.Denney **PHONE/EXT:** 3381 **TODAY'S DATE:** 9/26/17

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** IGA for the 2017-2019 biennium, Community Corrections Grant. This grant in aid funding supports Curry County Parole and Probations budget, allowing them to supervise and monitor adult offenders. The funds provided and approved go towards supervision of adult offenders, programs, and lodging those who are non-compliant.

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:** **SUBMISSION TYPE:** Agreement

(1)IGA State of Oregon and Curry County

(2)

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No

(If Yes, brief detail)

2. Does this agenda item impact any other County department? Yes  No

(If Yes, brief detail)

3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other Send signed original to Sgt. Denney via Curry County Sheriff's office to be forwarded for original signatures to the State of Oregon.

Phone:

Due date to send:        /        /

Email:

**Note: Most signed documents are filed/recorded with the Clerk per standard process.**

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A

(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses Yes  No

Comment:

2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A

Comment:

3. If job description, Salary Committee reviewed: Yes  No  N/A

4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** (Select)

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No

(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Thomas Huxley Yes  No

Commissioner Sue Gold Yes  No

Commissioner Court Boice

Yes  No

Not applicable to Sheriff's Department since they do not have a liaison

**INTERGOVERNMENTAL AGREEMENT #5456  
BETWEEN THE STATE OF OREGON AND CURRY COUNTY**

This Intergovernmental Agreement #5456 (Agreement) is between the State of Oregon acting by and through its Department of Corrections, hereafter called DEPARTMENT, and Curry County, hereafter called COUNTY.

Whereas, DEPARTMENT is an agency of the State of Oregon and COUNTY is a unit of local government of the State of Oregon and both parties desire to cooperate by agreement to provide correctional services in COUNTY within the requirements as authorized by ORS 423.475 to 423.565;

Whereas, the Legislative Assembly of Oregon enacted legislation establishing shared responsibility between county corrections programs and the Department on a continuing basis (ORS 423.475 to 423.565);

Whereas, ORS 144.106 provides "the supervisory authority shall use a continuum of administrative sanctions for violations of post-prison supervision";

Whereas, ORS 144.334 provides that the Board of Parole and Post-Prison Supervision may authorize issuance of citations by supervising officers;

Whereas, ORS 144.343 provides that the Board of Parole and Post-Prison Supervision may delegate the authority to impose sanctions as provided in ORS 144.106 and to continue a violator on parole or post-prison supervision with the same or modified conditions;

Whereas, ORS 423.478(2)(a) - (f) assigns responsibility for all offenders on probation, parole, post-prison supervision and those offenders sentenced or revoked for periods of one year or less, and on conditional release to COUNTY;

Whereas, ORS 137.545 and 137.595 provide that courts may delegate the authority to parole/probation officers to impose sanctions for probationers through a system of Structured Sanctions; and

Whereas, ORS 423.555 requires DEPARTMENT, with cooperation from COUNTY, to establish and operate a Statewide Evaluation and Information System and to monitor effectiveness of corrections services provided to criminal offenders under ORS 423.500 to 423.560.

Now, therefore, THE PARTIES HERETO, in consideration of the mutual promises, terms and conditions hereinafter provided, agree to the following:

## I. DEFINITIONS

- A. Amendment: Any change to this Agreement that alters the terms and conditions of the Agreement, effective only after all parties have signed and all approvals have been obtained. Plan Modifications are **NOT** Amendments.
- B. Budget Summary: The part of the County Corrections Plan that reflects the amount of County Corrections Grant funds granted by DEPARTMENT to COUNTY to implement the programs in the Plan. The Budget Summary is attached to this Agreement as Exhibit A.
- C. Community Corrections Manager: Individual designated by COUNTY pursuant to ORS 423.525 as responsible for administration of the community corrections programs as set forth by the Plan.
- D. County Corrections: All County agencies and officials who carry out the responsibilities in ORS 423.478(2)(a)-(f) and the activities of carrying out those responsibilities.
- E. County Community Corrections Plan or Plan: A document developed by the Local Public Safety Coordinating Councils and adopted by COUNTY's governing body pursuant to ORS 423.525 and 423.535 and received by DEPARTMENT's director or designee.
- F. County Community Corrections Plan Modification: A written change or alteration to the County Corrections Plan promulgated by COUNTY modifying the Plan subject to ORS 423.525, effective upon the date the written change or alteration has been submitted to the DEPARTMENT representative under this Agreement.
- G. County Community Corrections Grant: Grant(s) made by DEPARTMENT to assist COUNTY in the implementation and operation of county corrections programs including, but not limited to, preventive or diversionary correctional programs, probation, parole, post-prison supervision work release and local correctional facilities and programs for offenders.
- H. Offender: Any person under supervision who is on parole, post-prison supervision, transitional leave, work release, local control, and/or probation status.
- I. Sanctions or Structured Sanctions: A response to Offender violations of conditions of supervision that uses custody units.

- J. Statewide Evaluation and Information System: The Corrections Information Systems (CIS) including the Offender Profile System (OPS), the Integrated Supervision Information System (ISIS), Case Management for Institutions (CMI), Offender Management System (OMS), Offender Information System (OIS), Interstate Compact Offender Tracking System (ICOTS), and related case management modules.
- K. Supervisory Authority: The local corrections official or officials designated in each COUNTY by that COUNTY's Board of County Commissioners or county court to operate corrections supervision services, custodial facilities or both.

## II. AUTHORITY AND DURATION

### A. Authority

This Agreement is entered into pursuant to the provisions of ORS 423.520.

### B. Duration

This Agreement will become effective on **July 1, 2017** and will remain in effect until **June 30, 2019** or until terminated according to Section X, captioned TERMINATION.

## III. PLAN; PLAN MODIFICATIONS

- A. County Community Corrections Plan: COUNTY will create a County Community Corrections Plan meeting the requirements of ORS 423.525 outlining the basic structure of supervision, services, and local sanctions to be applied to Offenders sentenced or convicted of felonies and on supervision in the county. The Plan consists of program descriptions and budget allocations and is included by this reference as part of this Agreement. The Plan must be received and approved by DEPARTMENT before disbursements can be made by COUNTY.
- B. Plan Modifications: COUNTY and DEPARTMENT agree that the Plan must remain a flexible instrument capable of responding to unforeseen needs and requirements. COUNTY may modify the Plan according to ORS 423.525 and the administrative rules thereunder governing the support and development of County Corrections Programs. A copy of all Plan Modifications will be marked in sequence beginning with the designation "Plan Modification 1" and attached to the above-mentioned Plan. DEPARTMENT will notify COUNTY of any concerns about the modification or the need for an amendment within a 30 calendar day period after DEPARTMENT receives the Plan Modification.



- C. Notice of Modification: No Plan Modifications shall take effect until COUNTY gives written notice to DEPARTMENT, in a form approved by DEPARTMENT. DEPARTMENT shall provide to COUNTY an approved form for modifications as soon as practicable after execution of this Agreement.

#### **IV. AMENDMENTS GENERALLY**

The terms of this Agreement shall not be waived, altered, modified, supplemented or amended, in any manner whatsoever, except by written Amendment signed by the parties.

#### **V. DUTIES AND RESPONSIBILITIES OF COUNTY**

- A. COUNTY shall assume administrative responsibility for correctional supervision and services within its jurisdiction, as outlined in the Plan.
- B. COUNTY shall designate a Community Corrections Manager.
- C. COUNTY will meet the goals for community corrections in Oregon described below:
  - 1. Reduce Criminal Behavior
    - a. Indicator: recidivism, as measured by arrest, conviction, or incarceration for a new crime within three years from initial admission to probation.
    - b. Indicator: recidivism, as measured by arrest, conviction, or incarceration for a new crime within three years from first release to parole/post-prison supervision.
  - 2. Enforce Court, Board of Parole and Post-Prison Supervision, and Local Supervisory Authority Orders:
    - a. Indicator: the percentage of positive case closures for Offenders on parole/post-prison supervision.
    - b. Indicator: the percentage of positive case closures for Offenders on probation.
  - 3. Assist Offenders to Change:
    - a. Indicator: employment rates for Offenders.
    - b. Indicator: substantial compliance with treatment requirements.
  - 4. Provide Reparation to Victims and Community
    - a. Indicator: the percentage of restitution and compensatory fines collected, owed to victims.

- b. Indicator: the percentage of community service hours provided by Offenders.
  
- D. Except as otherwise provided by the DEPARTMENT's rules or orders, COUNTY will adopt and implement a continuum of administrative sanctions used by DEPARTMENT and the Board of Parole and Post-Prison Supervision for violators of conditions of probation, parole and post-prison supervision as authorized by ORS 144.106, 144.334, 144.343 and 137.540 and the rules thereunder. COUNTY will manage local control post-prison supervision in accordance with the rules and practices of the Board of Parole and Post-Prison supervision.
  
- E. COUNTY will follow the Oregon Administrative Rules (OAR's) applicable to community corrections, including but not limited to the following:
  1. Computerized Information System Access and Security OAR 291-005-0005 through 291-005-0075.
  2. Case Transfer, OAR 291-019-0100 through OAR 291-019-0160.
  3. Searches, OAR 291-028-0100 through OAR 291-028-0115.
  4. Community Corrections Programs, OAR 291-031-0005 through OAR 291-031-0360.
  5. Pre-sentence Investigation, OAR 291-038-0005 through 291-038-0060.
  6. Structured, Intermediate Sanctions OAR 291-058-0010 through OAR 291-058-0070.
  7. Short-term Transitional Leave, OAR 291-063-005 through 291-063-0060.
  8. Records Management, OAR 291-070-0100 through OAR 291-070-0140.
  9. Community Case Management, OAR 291-078-0005 through OAR 291-078-0031.
  10. Admission, Sentence Computation and Release, OAR 291-100-0005 through OAR 291-100-0160.
  11. Interstate Compact, OAR 291-180-0106 through OAR 291-180-0275.
  12. Sex Offenders, Special Provisions, OAR 291-202-0010 through 291-202-0130.
  13. Active and Inactive Probation, OAR 291-206-005 through 291-206-0030.
  14. Earned Discharge, OAR 291-209-0010 through 291-209-0070.
  15. Dangerous Offenders, OAR Chapter 255, Divisions 36 and 37.
  16. Release to Post-Prison Supervision or Parole and Exit Interviews, OAR Chapter 255, Division 60.
  17. Conditions of Parole and Post-Prison Supervision, OAR Chapter 255, Division 70.

18. Procedures for Response to Parole and Post-Prison Supervision Condition Violations for Offenders Under the Jurisdiction of the Board of Parole and Post-Prison Supervision or Local Supervisory Authority, OAR Chapter 255, Division 75.
  19. Active and Inactive Parole and Post-Prison Supervision, OAR Chapter 255, Division 94.
  20. Archiving, OAR Chapter 166.
- F. COUNTY will follow all applicable Federal and State civil rights laws including, but not limited to:
1. Federal Code, Title 5 USCA 7201 et seq. - Anti-discrimination in Employment.
  2. Oregon Statutes, Enforcement of Civil Rights: ORS 659A.009, 659A.006, and 659A.030.
  3. Americans with Disabilities Act.
- G. COUNTY will prepare and furnish such data, descriptive information and reports as may be requested by DEPARTMENT as needed to comply with ORS 423.520, which states in part, "The department shall require recipients of the grants to cooperate [ . . . ] in the collection and sharing of data necessary to evaluate the effect of community corrections programs on future criminal conduct." COUNTY will enter data into the Statewide Evaluation and Information Systems in a complete, accurate, and timely manner. COUNTY agrees to, and does hereby grant DEPARTMENT the right to reproduce, use and disclose all or any part of such reports, data and technical information furnished under this Agreement.
- H. COUNTY will permit authorized representatives of DEPARTMENT to make such review of records of COUNTY as may be necessary to satisfy audit or program review purposes. A copy of any audit or monitoring report will be made available to COUNTY.
- I. COUNTY will follow DEPARTMENT prescribed allotment and expenditure reporting system and shall provide this information on each discrete program in the COUNTY Corrections Plan. This system will be used for controlling County Corrections Grant funds by DEPARTMENT and to provide suitable records for an audit. COUNTY will make available to the DEPARTMENT copies of its annual audit report required by ORS 297.425.
- J. If funding from DEPARTMENT is reduced or discontinued by legislative action, COUNTY will not be required to increase use of COUNTY revenue for continuing or maintaining corrections services as set out in this

Agreement. If funding is reduced below the amount set out in ORS 423.483, the County may elect to terminate pursuant to Section X, below.

- K. COUNTY will participate in all of the systems that comprise the Statewide Evaluation and Information Systems. COUNTY will enter and keep current information on offenders under supervision in the Law Enforcement Data System (LEDS) Enter Probation Record (EPR) System.
- L. COUNTY will retain responsibility for cases transferred to and accepted by another state under the terms of the Interstate Compact for Adult Offender Supervision, an agreement among states to provide supervision services for parole, post-prison, and probation Offenders that relocate to other states per ORS 144.610 and OAR 291-180-0106 through 291-180-0275.
- M. COUNTY will comply with ORS 182.515-182.525. Programs identified by the Community Corrections Commission and receiving any state grant funds shall be evidence based. Evidence based programs are delivered consistent with the findings in research about what works best to reduce recidivism.

## **VI. DEPARTMENT RESPONSIBILITIES**

- A. DEPARTMENT will furnish to COUNTY, in a timely manner, those procedures, directives, records, documents and forms required for COUNTY to meet its obligations.
- B. Subject to system capacity and data processing capabilities, DEPARTMENT will furnish data, descriptive information and reports, available to DEPARTMENT and requested by COUNTY that will assist COUNTY in complying with DEPARTMENT requirements. This data includes, but is not limited to details regarding outcomes noted in Subsection V(C). DEPARTMENT hereby grants to COUNTY the right to reproduce, use, and disclose all or part of such reports, data, and technical information furnished under this Agreement.
- C. DEPARTMENT agrees to provide COUNTY an opportunity to review and comment on all new or revised administrative rules that have fiscal or programmatic impact on COUNTY.
- D. If by legislative action, funding from DEPARTMENT is reduced to COUNTY, DEPARTMENT agrees to provide reasonable notice and transition opportunity to COUNTY of changes that may significantly alter approved appropriations and programs.

Agreement. If funding is reduced below the amount set out in ORS 423.483, the County may elect to terminate pursuant to Section X, below.

- K. COUNTY will participate in all of the systems that comprise the Statewide Evaluation and Information Systems. COUNTY will enter and keep current information on offenders under supervision in the Law Enforcement Data System (LEDS) Enter Probation Record (EPR) System.
- L. COUNTY will retain responsibility for cases transferred to and accepted by another state under the terms of the Interstate Compact for Adult Offender Supervision, an agreement among states to provide supervision services for parole, post-prison, and probation Offenders that relocate to other states per ORS 144.610 and OAR 291-180-0106 through 291-180-0275.
- M. COUNTY will comply with ORS 182.515-182.525. Programs identified by the Community Corrections Commission and receiving any state grant funds shall be evidence based. Evidence based programs are delivered consistent with the findings in research about what works best to reduce recidivism.

## **VI. DEPARTMENT RESPONSIBILITIES**

- A. DEPARTMENT will furnish to COUNTY, in a timely manner, those procedures, directives, records, documents and forms required for COUNTY to meet its obligations.
- B. Subject to system capacity and data processing capabilities, DEPARTMENT will furnish data, descriptive information and reports, available to DEPARTMENT and requested by COUNTY that will assist COUNTY in complying with DEPARTMENT requirements. This data includes, but is not limited to details regarding outcomes noted in Subsection V(C). DEPARTMENT hereby grants to COUNTY the right to reproduce, use, and disclose all or part of such reports, data, and technical information furnished under this Agreement.
- C. DEPARTMENT agrees to provide COUNTY an opportunity to review and comment on all new or revised administrative rules that have fiscal or programmatic impact on COUNTY.
- D. If by legislative action, funding from DEPARTMENT is reduced to COUNTY, DEPARTMENT agrees to provide reasonable notice and transition opportunity to COUNTY of changes that may significantly alter approved appropriations and programs.

- E. If COUNTY ceases to participate in County Corrections programs as described in ORS Chapter 423, DEPARTMENT may recover title and possession to property previously transferred to COUNTY or purchased by COUNTY with County Corrections Grant funds.
- F. DEPARTMENT grants to COUNTY continual access to the DEPARTMENT's computer system at no charge to COUNTY. All costs (including but not limited to any equipment or software upgrades) to ensure this access however, is the responsibility of COUNTY. If DEPARTMENT's computer is used in any way other than for pass-through of COUNTY data to the DEPARTMENT's system, COUNTY will provide support for additional activities. DEPARTMENT will provide timely notification and technical assistance when changes are made that impact applicable restrictions on the software, if any. If COUNTY uses DEPARTMENT's data circuits or network connections to access a third party jail management system, the terms of the attached Exhibit B apply. If DEPARTMENT determines that COUNTY has not complied with the terms of Exhibit B, DEPARTMENT may immediately suspend COUNTY access to DEPARTMENT's computer system.
- G. DEPARTMENT's Community Corrections Division will administer the provisions of the Interstate Compact for Adult Offender Supervision, an agreement among states to provide supervision services for parole, post-prison, and probation Offenders that relocate to other states per ORS 144.610 and OAR 291-180-0106 through 291-180-0275.
- H. DEPARTMENT will provide technical assistance to COUNTY in implementing and evaluating COUNTY's Plan.
- I. DEPARTMENT will provide technical assistance to COUNTY on changes in Oregon Statutes and Oregon Administrative Rules.

## **VII. FUNDS**

- A. The Budget Summary, Exhibit A, lists the County Corrections Grant funds authorized under this Agreement for the implementation of the Plan during the term of this Agreement.
- B. The Plan and Intergovernmental agreement (IGA) must be received by the DEPARTMENT from the COUNTY. After receipt of both the Plan and IGA, DEPARTMENT will authorize payments to the COUNTY as scheduled in this Section VII.

- C. The first payment to COUNTY will occur as soon as possible after the DEPARTMENT's budget is legislatively approved and implemented and quarterly thereafter.
- D. The DEPARTMENT will disburse to COUNTY one eighth of the County Correction Grant Funds authorized under this Agreement within 15 days of each of the following dates; 7/1/17, 10/1/17, 1/1/18, 4/1/18, 7/1/18, 10/1/18, 1/1/19, and 4/1/19.

DEPARTMENT's obligation to disburse County Correction Grant Funds is subject to satisfaction, on the date of each disbursement, of each of the following conditions:

1. COUNTY is in compliance with all terms and conditions of this Agreement;
  2. This Agreement has not been terminated; and
  3. DEPARTMENT has received funding, appropriations, limitations, allotments, or other expenditure authority sufficient to allow Agency, in the exercise of its reasonable administrative discretion, to make the disbursement.
- E. Both parties agree that all reallocations of funds between or within programs shall require a County Community Corrections Plan Modification, except that COUNTY may reallocate up to ten percent of funds in any budget category in the approved Plan between or within programs without a County Community Corrections Plan Modification. COUNTY shall notify DEPARTMENT in writing of such reallocation within 30 days after making the reallocation.
  - F. Unexpended Funds: Fund balances remaining at the termination of this agreement may be retained by the COUNTY, upon approval by the DEPARTMENT, for the provision of on-going supervision, correctional services, and sanctions in accordance with the Plan.
  - G. Supervision fees collected by COUNTY will be used to offset costs of supervising the probation, parole, post-prison supervision or other supervised release pursuant to ORS 423.570 and its administrative rules, as amended from time to time.
  - H. Unauthorized Expenditures: Any County Corrections Grant Funds expended for unauthorized purposes will be deducted by DEPARTMENT from payment or refunded to DEPARTMENT upon request.

- I. For purposes of the delivery of field corrections services, DEPARTMENT recognizes COUNTY as an ongoing partner for all County Corrections appropriations provided by the State of Oregon Legislature according to ORS 423.475 to 423.565.
- J. Funding for Sexually Violent Dangerous Offenders: Funding for the intensive supervision of Offenders designated as sexually violent dangerous offenders by the Court or Board of Parole and Post-Prison Supervision is limited to the amount appropriated for this specific program.
- K. In the event that the COUNTY retains funds to spend in the next biennium under Subsection VII(F), then Subsections VII (D)-(G) and (I)-(J) will survive termination or expiration of this Agreement.

## **VIII NONCOMPLIANCE**

- A. The Assistant Director of Community Corrections or the Assistant Director's designee shall annually review COUNTY's compliance with this Agreement under ORS 423.500 to 423.560. COUNTY must substantially comply with the provisions of the Plan received by DEPARTMENT and this Agreement.
- B. If, upon review, DEPARTMENT determines that there are reasonable grounds to believe that COUNTY is not in substantial compliance with this Agreement or Plan, DEPARTMENT shall contact COUNTY regarding the alleged noncompliance and offer technical assistance to reach compliance. If COUNTY does not resolve the alleged noncompliance, DEPARTMENT shall, after giving COUNTY not less than 30 calendar days' notice, conduct a hearing to ascertain whether there is substantial compliance or satisfactory progress being made toward compliance. After technical assistance, which may include peer review or other assistance, is provided and the hearing occurs, DEPARTMENT may suspend any portion of the funding made available to COUNTY under ORS 423.500 to 423.560 until County complies as required.
- C. In the event that a dispute arises, COUNTY may appeal to the Director of the Department of Corrections.

## **IX INDEMNIFICATION See Exhibit C**

## **X TERMINATION**

- A. It is understood and agreed by the parties hereto that this Agreement will remain in force only during its term and will not continue in force after its term. There will be no automatic extension, but this Agreement may be extended only by written Amendment.



- B. It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement, including any part, term or provision of any appended material, is held by a court to be illegal or in conflict with any law of the State of Oregon or applicable administrative rule, that element of this Agreement including relevant appended materials will be void and without effect and will be treated by the parties as having been terminated as of the date of determination of the voidness.
- C. If COUNTY chooses to discontinue participation in the Plan as described in this Agreement and ORS 423.483(2), COUNTY may terminate participation at the end of any month by delivery of a resolution of the Board of Commissioners to the DEPARTMENT's Director or the Director's designee not less than 180 calendar days before the date on which COUNTY intends to discontinue its participation. Termination of COUNTY participation may occur only at the end of a month. This Agreement will terminate on the same date that COUNTY discontinues its participation in the Plan.
- D. If COUNTY terminates participation, the following will apply:
1. The responsibility for correctional services transferred to COUNTY and any unused County Corrections Grant funds will revert to DEPARTMENT.
  2. In no case does responsibility for supervision and provision of correctional services to misdemeanor Offenders revert to DEPARTMENT.
- E. It is understood and agreed by the parties hereto that this Agreement will automatically terminate if the State of Oregon fails to provide any funding. If there is reduced state funding as described in ORS 423.483, County may terminate the Agreement as described herein.

## **XI COMPLIANCE WITH APPLICABLE LAW**

Both Parties shall comply with all federal, state and local laws, regulations, executive orders, and ordinances to which each is subject and which is applicable to this Agreement. Without limiting the generality of the foregoing, the parties expressly agree to comply with: (i) Title VI of the Civil Rights Act of 1964; (ii) Section V of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659A.142; (iv) all regulations and administrative rules established pursuant to those laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations. DEPARTMENT's performance under this Agreement is conditioned upon COUNTY's compliance with the provisions of ORS 279B.220, 279B.230,

279B.235 and 279B.270, as amended from time to time, which are made applicable to this Agreement and incorporated herein by this reference. All employers, including COUNTY, that employ subject workers who work under this Agreement in the State of Oregon shall comply with ORS 656.017 and provide the required Workers' Compensation coverage unless such employers are exempt under ORS 656.126. COUNTY shall ensure that each of its subcontractors complies with these requirements.

Nothing in this Agreement shall require County or Department to act in violation of state or federal law or the Constitution of the State of Oregon.

## **XII ACCESS TO RECORDS**

For not less than six (6) years after Agreement expiration or termination, DEPARTMENT, the Secretary of State's Office of the State of Oregon, the federal government, and their duly authorized representatives shall have access to the books, documents, papers and records of COUNTY which are directly pertinent to this Agreement for the purpose of making audit, examination, excerpts, and transcripts. COUNTY shall retain all pertinent records until the later of: (i) the date that is not less than three years following the Agreement expiration or termination date or (ii) the date on which all litigation regarding this Agreement is resolved. COUNTY agrees that full access to DEPARTMENT will be provided in preparation for and during litigation and that copies of applicable records shall be made available upon request and payment by DEPARTMENT for the COUNTY's cost to produce the copies.

## **XIII SURVIVAL**

All rights and obligations shall cease upon termination or expiration of this Agreement, except for the rights and obligations set forth in Sections IV, IX, X, XI, XII, XIII, and XIV.

## **XIV GOVERNING LAW; JURISDICTION; VENUE**

The laws of the State of Oregon (without giving effect to its conflicts of law principles) govern all matters arising out of or relating to this Agreement, including, without limitation, its validity, interpretation, construction, performance, and enforcement. Any party bringing a legal action or proceeding against any other party arising out of or relating to this Agreement shall bring the legal action or proceeding in the Circuit Court of the State of Oregon for Marion County. Each party hereby consents to the exclusive jurisdiction of such court, waives any objection to venue, and waives any claim that such forum is an inconvenient forum.

**XV WAIVER**

The failure of either party to enforce any provision of this Agreement will not constitute a waiver by that party of that or any other provision.

**XVI EXECUTION AND COUNTERPARTS**

This Agreement may be executed in several counterparts, each of which will be an original, all of which will constitute but one and the same instrument.

**XVII MERGER; INTEGRATION**

This instrument contains the entire agreement between the parties and no statement made by any party hereto, or agent thereof, not contained or attached with reference thereto in this written agreement will be valid or binding. This Agreement will supersede all previous communications, representations, wither verbal or written, between the parties hereto. This Agreement may not be enlarged, modified or altered except in writing, signed by the parties, and attached.

STATE OF OREGON  
DEPT. OF CORRECTIONS

CURRY COUNTY  
BOARD OF COMMISSIONERS

\_\_\_\_\_  
Jeremiah Stromberg, Asst. Director

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Approved for Legal Sufficiency  
Oregon Attorney General's Office:

/s/ Cynthia Byrnes per email dated 6/7/17  
Assistant Attorney General

**EXHIBIT A**  
**BUDGET SUMMARY**  
**CURRY COUNTY**  
**(to be added by DEPARTMENT after**  
**COUNTY submission of the County Corrections Plan)**

## EXHIBIT B

### **CURRY COUNTY NETWORK ACCESS BY COUNTY**

1. COUNTY jail users will be permitted to use existing DEPARTMENT data circuits to access third party systems. Access is permitted for jail management system application users only. COUNTY jail users will not be permitted to use DEPARTMENT circuits for video conferencing, Real Audio, Internet access, applications that require large amounts of bandwidth, or other jail management software online service or system unless approved by DEPARTMENT. COUNTY jail users will be permitted to use DEPARTMENT's data circuits for video image transmissions using a NIST standard (available from DEPARTMENT upon request).
  - A. All network traffic covered by this agreement will employ TCP/IP network protocols.
  - B. DEPARTMENT will continue its policy of only providing one router to each county. This means that if COUNTY's jail and the parole and probation office are located in separate buildings, COUNTY will be responsible for providing a connection between the two buildings.
2. COUNTY understands and acknowledges that DEPARTMENT is subject to the public records provision of ORS 192.410 through 192.505 and other applicable laws and administrative rules which establish uniform guidelines and procedures for the release of information from DEPARTMENT's computer system.

## EXHIBIT B

### **CURRY COUNTY NETWORK ACCESS BY COUNTY**

1. COUNTY jail users will be permitted to use existing DEPARTMENT data circuits to access third party systems. Access is permitted for jail management system application users only. COUNTY jail users will not be permitted to use DEPARTMENT circuits for video conferencing, Real Audio, Internet access, applications that require large amounts of bandwidth, or other jail management software online service or system unless approved by DEPARTMENT. COUNTY jail users will be permitted to use DEPARTMENT's data circuits for video image transmissions using a NIST standard (available from DEPARTMENT upon request).
  - A. All network traffic covered by this agreement will employ TCP/IP network protocols.
  - B. DEPARTMENT will continue its policy of only providing one router to each county. This means that if COUNTY's jail and the parole and probation office are located in separate buildings, COUNTY will be responsible for providing a connection between the two buildings.
2. COUNTY understands and acknowledges that DEPARTMENT is subject to the public records provision of ORS 192.410 through 192.505 and other applicable laws and administrative rules which establish uniform guidelines and procedures for the release of information from DEPARTMENT's computer system.

**EXHIBIT C  
INDEMNIFICATION  
CURRY COUNTY**

**Contribution**

If any third party makes any claim or brings any action, suit or proceeding alleging a tort as now or hereafter defined in ORS 30.260 ("Third Party Claim") against a party (the "Notified Party") with respect to which the other party ("Other Party") may have liability, the Notified Party must promptly notify the Other Party in writing of the Third Party Claim and deliver to the Other Party a copy of the claim, process, and all legal pleadings with respect to the Third Party Claim. Either party is entitled to participate in the defense of a Third Party Claim, and to defend a Third Party Claim with counsel of its own choosing. Receipt by the Other Party of the notice and copies required in this paragraph and meaningful opportunity for the Other Party to participate in the investigation, defense and settlement of the Third Party Claim with counsel of its own choosing are conditions precedent to the Other Party's liability with respect to the Third Party Claim.

With respect to a Third Party Claim for which the Department is jointly liable with the County (or would be if joined in the Third Party Claim ), the Department shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by the County in such proportion as is appropriate to reflect the relative fault of the Department on the one hand and of the County on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of the Department on the one hand and of the County on the other hand shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. The Department's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law if the Department had sole liability in the proceeding.

With respect to a Third Party Claim for which the County is jointly liable with the Department (or would be if joined in the Third Party Claim), the County shall contribute to the amount of expenses (including attorneys' fees), judgments, fines and amounts paid in settlement actually and reasonably incurred and paid or payable by the Department in such proportion as is appropriate to reflect the relative fault of the County on the one hand and of the Department on the other hand in connection with the events which resulted in such expenses, judgments, fines or settlement amounts, as well as any other relevant equitable considerations. The relative fault of the County on the one hand and of the Department on the other hand shall be determined by reference to, among other things, the parties' relative intent, knowledge, access to information and opportunity to correct or prevent the circumstances resulting in such expenses, judgments, fines or settlement amounts. The County's contribution amount in any instance is capped to the same extent it would have been capped under Oregon law if it had sole liability in the proceeding.

## **Alternative Dispute Resolution**

The parties should attempt in good faith to resolve any dispute arising out of this agreement. This may be done at any management level, including at a level higher than persons directly responsible for administration of the agreement. In addition, the parties may agree to utilize a jointly selected mediator or arbitrator (for non-binding arbitration) to resolve the dispute short of litigation.

## **Indemnification by Subcontractors**

County shall take all reasonable steps to cause its contractor(s) that are not units of local government as defined in ORS 190.003, if any, to indemnify, defend, save and hold harmless the State of Oregon and its officers, employees and agents ("Indemnatee") from and against any and all claims, actions, liabilities, damages, losses, or expenses (including attorneys' fees) arising from a tort (as now or hereafter defined in ORS 30.260) caused, or alleged to be caused, in whole or in part, by the negligent or willful acts or omissions of County's contractor or any of the officers, agents, employees or subcontractors of the contractor ("Claims"). It is the specific intention of the parties that the Indemnatee shall, in all instances, except for Claims arising solely from the negligent or willful acts or omissions of the Indemnatee, be indemnified by the contractor from and against any and all Claims.

## **Subcontractor Insurance Requirements**

### **GENERAL**

County shall require its first tier contractor(s) that are not units of local government as defined in ORS 190.003, if any, to: i) obtain insurance specified under TYPES AND AMOUNTS and meeting the requirements under, "TAIL" COVERAGE, NOTICE OF CANCELLATION OR CHANGE, and CERTIFICATES OF INSURANCE before the contractors perform under contracts between County and the contractors (the "Subcontracts"), and ii) maintain the insurance in full force throughout the duration of the Subcontracts. The insurance must be provided by insurance companies or entities that are authorized to transact the business of insurance and issue coverage in the State of Oregon and that are acceptable to County. County shall not authorize contractors to begin work under the Subcontracts until the insurance is in full force. Thereafter, County shall monitor continued compliance with the insurance requirements on an annual or more frequent basis. County shall incorporate appropriate provisions in the Subcontracts permitting it to enforce contractor compliance with the insurance requirements and shall take all reasonable steps to enforce such compliance. Examples of "reasonable steps" include issuing stop work orders (or the equivalent) until the insurance is in full force or terminating the Subcontracts as permitted by the Subcontracts, or pursuing legal action to enforce the insurance requirements. In no event shall County permit a



contractor to work under a Subcontract when the County is aware that the contractor is not in compliance with the insurance requirements. As used in this section, a "first tier" contractor is a contractor with which the county directly enters into a contract. It does not include a subcontractor with which the contractor enters into a contract.

## **TYPES AND AMOUNTS**

### **PROFESSIONAL LIABILITY**

Professional Liability Insurance covering any damages caused by an error, omission or negligent act related to the services to be provided under the Subcontract, with limits not less than \$2,000,000, as determined by the Department:

**"TAIL" COVERAGE** If any of the required insurance policies is on a "claims made" basis, such as professional liability insurance, the contractor shall maintain either "tail" coverage or continuous "claims made" liability coverage, provided the effective date of the continuous "claims made" coverage is on or before the effective date of the Subcontract, for a minimum of 24 months following the later of : (i) the contractor's completion and County 's acceptance of all Services required under the Subcontract or, (ii) the expiration of all warranty periods provided under the Subcontract. Notwithstanding the foregoing 24-month requirement, if the contractor elects to maintain "tail" coverage and if the maximum time period "tail" coverage reasonably available in the marketplace is less than the 24-month period described above, then the contractor may request and the Department may grant approval of the maximum "tail " coverage period reasonably available in the marketplace. If Department approval is granted, the contractor shall maintain "tail" coverage for the maximum time period that "tail" coverage is reasonably available in the marketplace.

**NOTICE OF CANCELLATION OR CHANGE** The contractor or its insurer must provide 30 days' written notice to County before cancellation of, material change to, potential exhaustion of aggregate limits of, or non-renewal of the required insurance coverage(s).

**CERTIFICATE(S) OF INSURANCE** County shall obtain from the contractor a certificate(s) of insurance for all required insurance before the contractor performs under the Subcontract. The certificate(s) or an attached endorsement must specify: i) all entities and individuals who are endorsed on the policy as Additional Insured and ii) for insurance on a "claims made" basis, the extended reporting period applicable to "tail" or continuous "claims made" coverage.

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 01-13-2017

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Board of Commissioners letter of support for a 2017/2019 Department of Land Conservation and Development \$75,000 Technical Assistance Grant for the Recreation and Park Lands Economic Action project.

**AGENDA DATE<sup>a</sup>:** October 18, 2017 **DEPARTMENT:** John Hitt, County Administrator  
**TIME NEEDED:** 10 minutes

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** John Hitt **PHONE/EXT:** 3287 **TODAY'S DATE:** 10.10.2017

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** This project is for the County update of the 2009 Comprehensive Plan Recreation Element and creation of a robust Recreation and Parks Master Plan. This project will identify opportunities and strategies for County economic growth through improvements and expansion of recreation and parks opportunities and facilities.

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:** **SUBMISSION TYPE:** Letter

- (1)letter
- (2)

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

- File with County Clerk
- Send Printed Copy to:
- Email a Digital Copy to:
- Other

Name:  
Address:  
City/State/Zip:

Phone:

Due date to send:     /     /

Email:

<sup>c</sup>Note: Most signed documents are filed/recorded with the Clerk per standard process.

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A   
(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
3. If job description, Salary Committee reviewed: Yes  No  N/A
4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** (Select)

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No   
(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Thomas Huxley	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Commissioner Sue Gold	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Commissioner Court Boice	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Not applicable to Sheriff's Department since they do not have a liaison <input type="checkbox"/>				



**94235 Moore Street #113  
Gold Beach Oregon 97444**

October 12, 2017

Oregon Department of Land, Conservation and Development  
635 Capitol Street NE, Suite 150  
Salem, Oregon 97301-2540

**Subject:** 2017-2019 Technical Assistance Grant application for the Curry County Recreation and Park Lands Economic Action project.

The Curry County Board of Commissioners is pleased to authorize the 2017-2019 Technical Assistance Grant application request for the Curry County Recreation and Park Lands Economic Action project. The purpose of this Project is two fold- 1) to establish a policy and action framework to expand Curry County's outdoor recreation business sector to grow the Curry County economy with an update the Curry County Comprehensive Plan Recreation Element and 2) a means to implement the Recreation Element Update with the preparation of a Parks and Recreation Lands Master Plan. We believe the Project meets the 2017-2019 Technical Assistance Grant application's number one criteria to promote economic development.

The County's economic landscape has endured the loss of timber jobs, recessions, and natural disasters like the Biscuit and Chetco Bar Fires. The County's property tax rate is the second lowest in the state, constrained by state law limiting property tax increases. The County's unemployment rate is well above the state average, and Curry County lost 8.3% of its jobs from 2008 – 2012, compared to 1.9% for the State of Oregon.

Despite these gloomy statistics, outdoor recreation is one of the top four industries in the County where there has been economic growth. Outdoor recreation is a cornerstone of the Curry County economy with more than one in four Curry County jobs relying on tourism. The Board believes the Project would lay the groundwork for the County's vision for economic expansion with policies and implementation directives to determine economic potential, distinguish and prioritize expansion of existing recreation lands, amenities and facilities and identify future new facilities and improvements and funding sources.

Affirmative consideration of this 2017-2019 Technical Assistance Grant application for the Curry County Recreation and Park Lands Economic Action project is respectfully requested.

Sincerely,

---

Tom Huxley, Chair

---

Sue Gold, Vice Chair

---

Court Boice, Commissioner

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 01-13-2017

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Special Presentation

**AGENDA DATE<sup>a</sup>:** 10/18/17 **DEPARTMENT:** BOC **TIME NEEDED:** 15 Minutes

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** Court Boice **PHONE/EXT:** 3229 **TODAY'S DATE:** 10/12/17

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** Issues concerning Marijuana growing and sales are cropping up in some Oregon Counties. Discussion has begun as to the best way(s) to address these problems. I have asked for a representative of Jackson County to come and share their thinking on these matters

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:** **SUBMISSION TYPE:** Notice

(1)None

(2)

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other

Phone:

Due date to send:        /        /

Email:

**\*Note: Most signed documents are filed/recorded with the Clerk per standard process.**

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A

(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
3. If job description, Salary Committee reviewed: Yes  No  N/A
4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** Presentations

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No

(If Yes, brief detail) No direct legal impact. But there may be an interest on part of the BOC to pursue future additional regulation of marijuana related activities.

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Thomas Huxley Yes  No

Commissioner Sue Gold Yes  No

Commissioner Court Boice Yes  No

Not applicable to Sheriff's Department since they do not have a liaison

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 01-13-2017

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** New Hire County Accountant D. Marshall

**AGENDA DATE<sup>a</sup>:** 10/18/17 **DEPARTMENT:** Administrator **TIME NEEDED:** 5 min

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** John Hitt **PHONE/EXT:** 3233 **TODAY'S DATE:** 10/11/17

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** This would hire David Marshall to fill the vacant position of full time County Accountant

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:**

**SUBMISSION TYPE:** Order

- (1) Order
- (2) Job Description

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail) Finance Department
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other

Phone:

Due date to send:        /        /

Email:

<sup>c</sup>Note: Most signed documents are filed/recorded with the Clerk per standard process.

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A   
(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
3. If job description, Salary Committee reviewed: Yes  No  N/A
4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** Administrative Actions

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No   
(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Thomas Huxley Yes  No

Commissioner Sue Gold Yes  No

Commissioner Court Boice Yes  No

Not applicable to Sheriff's Department since they do not have a liaison

**BEFORE THE BOARD OF CURRY COUNTY COMMISSIONERS  
IN AND FOR THE COUNTY OF CURRY, OREGON**

**IN THE MATTER OF THE HIRING OF )  
A NEW EMPLOYEE )**

**ORDER NO: \_\_\_\_\_**

**WHEREAS**, it is the recommendation of John Hitt, Interim County Administrator, that the following person be hired to fill the position identified below at the specified salary range, step, rate of pay, and status:

<b>Name</b>	<b>Position</b>	<b>Salary Range/Step</b>	<b>Rate</b>	<b>Status</b>
David Marshall	Finance Director	E13-E	\$5613/mo	FT

The job description for this position is attached hereto and incorporated by reference.

**WHEREAS**, the Board of Commissioners of Curry County, a political subdivision of the State of Oregon, is in agreement with the above stated recommendation;

**NOW, THEREFORE, IT IS HEREBY ORDERED** that the above stated recommendation be in effect as of November 1, 2017.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CURRY COUNTY BOARD OF COMMISSIONERS

Approved as to form:

\_\_\_\_\_  
Thomas Huxley, Chair

\_\_\_\_\_  
John Hutt  
Curry County Legal Counsel

\_\_\_\_\_  
Sue Gold, Vice Chair

\_\_\_\_\_  
Court Boice, Commissioner

**CURRY COUNTY  
JOB DESCRIPTION**

**JOB TITLE: County Accountant (Finance Director)**

---

<b>EXEMPT:</b>	Yes	
<b>SALARY LEVEL:</b>	E-13	
<b>SUPERVISOR:</b>	Board of Commissioners	
<b>PREPARED BY:</b>	Finance Department	January 2016

---

**POSITION SUMMARY:**

Employee in this class is responsible for the fiscal operations of the County. This position acts as the department head for the Finance Department. Work is performed under the direction of the County Board of Commissioners, who outline general departmental goals and policies and review work for effectiveness through periodic meetings and analysis of reports. This position provides accounting support to all departments.

Areas of responsibility include, but are not limited to, financial planning and reporting, accounts payable, accounts receivable, payroll, human resources and budgeting. This position is responsible for enforcing and assuring compliance with County financial policies/procedures and other government standards. Performs all obligations by ORS 210. This position is designated as the County Budget Officer as required by ORS 294.331.

Individual in this position serves at the pleasure of the Curry County Board of Commissioners.

**ESSENTIAL DUTIES AND RESPONSIBILITIES:**

May include, but are not limited to the following; other duties may be assigned as required.

*BUDGETARY*

1. Compiles preliminary annual County budget documentation from departmental requests and acts as County Budget Officer at all budget workshops, meetings, and hearings.
2. Sets budget workshop, committee meeting and hearing schedules with liaison commissioner for BOC approval.
3. Prepares an estimate of projected revenues and expenditures; computes the needed tax levy for publication in the newspaper of record prior to the Budget Hearing in which the annual budget is adopted.
4. Meets with the department heads and commissioners as requested to assist in formulation of budget documentation.
5. Prepares and publishes all required legal notices for Budget Committee Meetings and the Budget Hearing for the Board of Commissioners.



**JOB DESCRIPTION**  
**JOB TITLE: County Accountant (Finance Director) - Page 2**

**ESSENTIAL DUTIES AND RESPONSIBILITIES:** (cont.)

6. Prepares the final budget and resolution for formal adoption of the annual budget reflecting all final changes that may have been made at the Budget Hearing.
7. Monitors department budgets by maintaining a system of control to ensure that expenditures are compared to appropriations (budgets).

**ACCOUNTING**

1. Directs the operation of the central accounting system for the County and its agencies in a manner consistent with established accounting principles and practices (GASB, ORS, etc.). Reviews reports prior to distribution for accuracy and reasonability.
2. Prepares financial, cost and statistical data and reports for management purposes and to meet statutory requirements. Develop/create new approaches to monitor the County's operations.
3. Oversees all payroll bookkeeping that affects the County general ledger.
4. Directs the auditing and approval of documentation of all claims for payment.
5. Develops/approves recommendations for improvement and oversees the implementation of those revisions to the accounting system.
6. Reconciles all subsidiary ledgers for County departments to County General Ledger.
7. Maintains reporting and depreciation for fixed assets to include recordation of all acquisitions and dispositions as well as periodic physical inventory.
8. Reviews usage of departmental checking accounts to insure compliance with policies established for their use by the Finance Department and the Board of County Commissioners
9. Maintains grant and contract accounting for year end audit reports.
10. Prepares annual financial statements and needed documentation for the audit. Coordinates information required for annual independent audit and provides support as needed.
11. Provides financial counsel to the County staff on all aspects of County finance.
12. Serves at the pleasure of the BOC on special projects to provide financial counsel.

**SUPERVISION RESPONSIBILITIES:**

Supervises all positions in the Finance Department. Reviews the performance of each staff member on an annual basis. Monitors the development of each staffer according to the development plan agreed to during the annual review.

**JOB DESCRIPTION**  
**JOB TITLE: County Accountant (Finance Director) - Page 3**

**QUALIFICATION REQUIREMENTS:**

*Thorough Knowledge of -*

The principles and practices of governmental accounting and budgeting and their application in a County setting

Application of data processing in governmental finance and accounting

The application and use of an automated data processing/ accounting software package in a complex government setting

The application and use of computer applications such as Excel and Microsoft Word.

*Considerable Knowledge of -*

Oregon Revised Statutes and federal regulations pertaining to accounting, budget preparation and maintenance, audit requirements and documentation preparation

*Ability to -*

Efficiently plan, organize and direct work schedules to meet mandatory deadlines on a daily, weekly, monthly and annual basis

Interpret and implement new regulations pertaining to accounting and budgeting

Communicate effectively both verbally and in writing to include the composition of clear and concise reports and presentation of same.

Operate 10-key adding machine by touch with speed and accuracy; personal computer and other business machines as needed for the job

Maintain effective working relationships with other employees and County Departments, officials, and community leaders

Plan, implement, monitor, and modify standardized and specialized accounting methods, procedures, forms and records to meet the needs and requirements of the County.

Be bonded.

## **JOB DESCRIPTION**

### **JOB TITLE: County Accountant (Finance Director) - Page 4**

#### **EDUCATION AND/OR EXPERIENCE:**

Bachelor's degree with major course work in accounting or finance; five years of progressively responsible work in governmental budgeting and accounting (two in a supervisory position); or any satisfactory equivalent of experience and training. Masters in accounting, finance, or public administration preferred.

Valid Oregon Driver License.

#### **PHYSICAL DEMANDS:**

Position requires reading reports for extended periods. Manual dexterity is required for the operation of office equipment including, but not limited to, 10-key adding machine and computer. Hearing is required sufficient to use a telephone and to communicate with others. Stress is a factor in this position. Ability to work long hours when required; often on weekends to complete assigned duties on schedule.

Reasonable accommodations may be made to enable individuals with disabilities to perform these essential functions.

#### **WORK ENVIRONMENT:**

Position generally works in an office environment with minimum to moderate noise levels. Occasional need to travel over night for meetings or conferences.

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 01-13-2017

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Brookings Head Start Workshop Summary Document

**AGENDA DATE<sup>a</sup>:** 101817 **DEPARTMENT:** BOC **TIME NEEDED:** 20 mins

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** JHuttI**PHONE/EXT:** 3218 **TODAY'S DATE:** 10/11/2017

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** Continued from October 4, 2017. Attached are two different versions of a "one-page" document the Board directed staff to prepare. The idea is that the concepts in both documents are the same, but the format is different. The Board may select either version or both versions. Staff requests Board direction regarding the options presented in the documents. Because CCD has been paid in full to date, reference to payment of outstanding CCD invoices has been deleted.

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:**

**SUBMISSION TYPE:** Discussion/Decision

- (1)Staff Summary Document
- (2)Tom Huxley Comment Documents

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other

Phone:

Due date to send:        /        /

Email:

**\*Note: Most signed documents are filed/recorded with the Clerk per standard process.**

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A

(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses        Yes  No   
  Comment:
2. Confirmed Submitting Department's personnel-related materials        Yes  No  N/A   
  Comment:
3. If job description, Salary Committee reviewed:        Yes  No  N/A
4. If hire order requires an UA, is it approved?        Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:**    **Old Business**

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact?        Yes  No

(If Yes, brief detail) non binding summary of workshop direction going forward

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

- Commissioner Thomas Huxley        Yes  No
- Commissioner Sue Gold        Yes  No
- Commissioner Court Boice        Yes  No

Not applicable to Sheriff's Department since they do not have a liaison

BROOKINGS HEAD START OPTIONS IDENTIFIED  
AS OF SEPTEMBER 13, 2017

Option to Stop Now	Option to Stop Later
<p>If the Board elects to terminate activity on the Brookings Headstart CDBG grant project now, then the IFA (Infrastructure Finance Authority) will re-classify the grant as a “planning” grant and all grant monies paid to date would be considered appropriately spent on the planning of this project.</p> <p>The IFA would not exercise any grant option of reclaiming or recapturing disbursed grant funds (repayment of expended funds) from the County.</p> <p>The project, as it was originally awarded, would not be completed. The County would complete the administrative closeout requirements for the grant.</p> <p>The County would have to resolve on its own at its own expense any issues remaining with the prior architect. The County would look to ORCCA for payment of any costs of the project not covered by grant funds.</p> <p>The grant contract will be amended to reflect a Planning Only Grant and close out process would need to be accomplished in accordance with CDBG process.</p> <p>No adverse consequences to County regarding future CDBG grants through IFA.</p>	<p>If the Board elects to continue activity now and stop later, then two possibilities were identified.</p> <p><u>Possibility A: (not subject to repayment of expended funds)</u></p> <p>The County obtain a whole-hazard building inspection paid from CDBG grant funds.</p> <p>The county will obtain a federal standard “yellow book” appraisal. IFA will contribute \$3000 to this from non-grant funds. A review appraisal will also need to be completed as required by federal regulations, which is reimbursable with the CDBG grant.</p> <p>CCD will assist the County with the procurement of the building inspector, appraiser and review appraiser. The County would enter into a contract with the vendors. <b>All contracts must be reviewed by IFA and CCD, and approval by IFA.</b> County would advise CCD on applicable state and county processes and forms. CCD would continue to perform normal duties, such as processing invoices, in accordance to the terms and conditions of the contract between CCD and the County.</p> <p>After the county has obtained building inspection, appraisal and review appraisal, the county may decide to stop the project.</p> <p>If so, the IFA will re-classify the grant as a planning grant and all grant monies drawn to this future date would be considered appropriately spent on the planning of the project.</p> <p>The County would pay all the outstanding invoices to date from CCD for grant administration/ environmental review and complete the administrative closeout requirements for the grant.</p> <p>The IFA would not exercise any grant option of</p>

reclaiming drawn CDBG grant funds from the County.

The County would have to resolve on its own at its own expense any issues remaining with the prior architect. The County would look to ORCCA for payment of any costs of the project not covered by grant funds.

No adverse consequences to County regarding future CDBG grants through IFA.

Possibility B: (subject to repayment of expended funds)

The county proceeds with the project post-inspection, appraisal and review appraisal.

If the County proceeded, IFA would grant an extension of time, not to exceed one year, subject to the development and approval of a scheduled work plan.

The County and ORCCA would enter a cost-sharing agreement for payment of substitute architect.

The plan would identify what tasks were to be performed by the County and CCD, and could also include designating a County official as the approving authority for County performance under the Grant. ORCCA at its own expense would provide an on-site construction manager, who would not have any authority to authorize changes to the project. All changes would have to go through the County/Architect, with review by IFA and CCD, and approval by the IFA.

Under this option, if the project did not go forward, then the IFA would reserve the right to require repayment of expended funds.

The County would have to resolve on its own at its own expense any issues remaining with the prior architect. The County would look to ORCCA for payment of any costs of the project not covered by grant funds.

## Brookings Head Start (IFA Project #C14044) **Option A:** September 13, 2017 WS

### Stop Now or After Inspection & Appraisal of Property

#### **Guests Present:**

Chris Cummings – Assistant Director Economic Development – Business Oregon (Also known as) Oregon Business Development Dept. & Infrastructure Finance Authority (IFA)

Tawni Bean – Regional Project Manager – Business Oregon (Community Development Block Grant (CDBG))

Tracy Loomis – Community Development Director – CCD Business Development Corp

Michael Lehman – Oregon Coast Community Action (ORCCA)

### Stop Now – Before Inspection & Appraisal

- County may return grant Project C14014 to IFA at no cost to county
- IFA will not exercise grant contract options of reclaiming/recapturing disbursed funds
- IFA will reclassify grant Project C14014 as a “Planning Project”
- All grant monies paid to date (9/13/2017) will be considered appropriately spent
- No negative impact will be reflected in future Curry County IFA/CDBG grant applications
- Close out process will be required according to CDBG requirements
- County at its expense will resolve any issues with the prior architect
- County will look to ORCCA for payment of any project costs not covered by grant funds

Note: Effective May 2017 Grant ‘Draws’ received \$117,054.00

### Inspection & Appraisal of Property

- County obtain a ‘whole-hazard’ building inspection – paid from CDGB grant funds
- CCD to assist county in procurement of building inspection – paid from CDBG grant funds
- County to obtain federal standard ‘yellow book’ appraisal – IFA will contribute \$3,000
- Costs for ‘yellow book’ appraisal exceeding \$3,000 paid from CDBG grant funds
- CCD to assist county in procurement of ‘yellow book’ appraisal – paid from CDBG grant
- CCD to receive compensation for inspection & appraisal assistance from CDBG grant funds

Same scenario above “Stop Now – Before Inspection & Appraisal” would apply should county elect to Stop Now - After Inspection & Appraisal of Property



## Brookings Head Start (IFA Project #C14044) **Option B:** September 13, 2017 WS

### Continue After Inspection & Appraisal of Property

#### **Guests Present:**

Chris Cummings – Assistant Director Economic Development – Business Oregon (Also known as) Oregon Business Development Dept. & Infrastructure Finance Authority (IFA)

Tawni Bean – Regional Project Manager – Business Oregon (Community Development Block Grant (CDBG))

Tracy Loomis – Community Development Director – CCD Business Development Corp

Michael Lehman – Oregon Coast Community Action (ORCCA)

### All Concessions from IFA (Option A) Are Off the Table

- All existing IFA Project #C14014 terms remain in place
- Grant 'Draws' are the responsibility of the County and do not increase the grant amount
- County effectively begins the project having already used approximately \$117,000
- County will be required at its expense to submit a detailed work plan to IFA for approval
- Upon approval of the detailed work plan IFA will grant a one year extension of time
- County will not be reimbursed for county project management or in house legal services
- County will be reimbursed for 'outside counsel' within limitations of the grant scope
- ORCCA will provide an onsite project construction manager for the duration of the project
- Agreement between County and ORCCA – compliance with IFA Exhibit A. 8. a. (1) use:
- County at its expense will resolve any issues with the prior architect
- County will look to ORCCA for payment of any project costs not covered by grant funds
- CCD will provide project oversight as the 'grant administrator' per the existing agreement

Note: Effective May 2017 Grant 'Draws' received \$117,054.00

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 01-13-2017

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Discussion of disbursement of Public Records and the Policy Regarding this Issue

**AGENDA DATE<sup>a</sup>:** 10-18-17 **DEPARTMENT:** BOC **TIME NEEDED:** 10 minutes

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** Comm Gold **PHONE/EXT:** 3260 **TODAY'S DATE:** 10-11-17

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:**

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:**

**SUBMISSION TYPE:** Discussion/Decision

- (1)
- (2)

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other

Phone:

Due date to send:        /        /

Email:

<sup>c</sup>Note: Most signed documents are filed/recorded with the Clerk per standard process.

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A   
(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses        Yes  No   
Comment:
2. Confirmed Submitting Department's personnel-related materials        Yes  No  N/A   
Comment:
3. If job description, Salary Committee reviewed:        Yes  No  N/A
4. If hire order requires an UA, is it approved?        Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:**    New Business

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact?        Yes  No   
(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Thomas Huxley        Yes  No

Commissioner Sue Gold        Yes  No

Commissioner Court Boice        Yes  No

Not applicable to Sheriff's Department since they do not have a liaison

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 01-13-2017

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC\\_OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Community Development Department Re-organization  
**AGENDA DATE<sup>a</sup>:** October 18, 2017 **DEPARTMENT:** John Hitt, County Administrator  
**TIME NEEDED:** 7 minutes

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** John Hitt **PHONE/EXT:** 3287 **TODAY’S DATE:** 10.10.2017

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** See attached memo

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:** **SUBMISSION TYPE: Memorandum**

- (1)Memo
- (2)

Are there originals in route (paper copies with pre-existing signatures) **Yes**  **No**

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? **Yes**  **No**   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? **Yes**  **No**   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? **Yes**  **No**  **N/A**

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

- File with County Clerk
- Send Printed Copy to:
- Email a Digital Copy to:
- Other

Name:  
Address:  
City/State/Zip:

Phone:

Due date to send:        /        /

Email:

<sup>c</sup>Note: Most signed documents are filed/recorded with the Clerk per standard process.

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? **Yes**  **No**  **N/A**   
(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department’s finance-related responses **Yes**  **No**   
Comment:
2. Confirmed Submitting Department’s personnel-related materials **Yes**  **No**  **N/A**   
Comment:
3. If job description, Salary Committee reviewed: **Yes**  **No**  **N/A**
4. If hire order requires an UA, is it approved? **Yes**  **No**  **Pending**  **N/A**

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE: Administrative Actions**

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? **Yes**  **No**   
(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

- Commissioner Thomas Huxley **Yes**  **No**
- Commissioner Sue Gold **Yes**  **No**
- Commissioner Court Boice **Yes**  **No**

Not applicable to Sheriff’s Department since they do not have a liaison



## BOARD OF COMMISSIONERS MEMORANDUM

**Meeting Date:** October 18, 2017  
**Prepared by:** John Hitt, Interim County Administrator  
**Subject:** Update to the Board - reorganization of the Community Development Department.

My review of the structure and organization of non-elected County departments is underway. The Community Development Department is the first department to be examined, and I have completed my assessment.

A reorganization of the Department will include:

- Adding the responsibility of Code enforcement to the Community Development Department. The Board has authorized some funding for Code enforcement in the Community Development Department.
- Removing the responsibility of the Economic Development management from the Community Development Director. The County's Economic Development function is referenced in the County Administrator job description. The Administrator, at his/her discretion, may require assistance from the Director on varying Economic Development related projects.
- Remove the responsibility of rental advertisement and oversight of rental agreements for County offices from the Community Development Director.

In the near future I'll be approaching the Board to fund and advertise a position to be under the management of the Director to handle Code enforcement.

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 01-13-2017

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Community Development Department Activity Report  
**AGENDA DATE<sup>a</sup>:** October 18, 2017 **DEPARTMENT:** Community Development Department  
**TIME NEEDED:** 2 minutes  
<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)  
**CONTACT PERSON:** Carolyn Johnson **PHONE/EXT:** 3228 **TODAY'S DATE:** 10.10.2017  
**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** See attached activity report

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:** **SUBMISSION TYPE:** Lease

- (1) Activity report
- (2)

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

- 1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
- 2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
- 3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

- File with County Clerk
- Send Printed Copy to:
- Email a Digital Copy to:
- Other

Name:  
Address:  
City/State/Zip:

Phone:

Due date to send:        /        /

Email:

**\*Note: Most signed documents are filed/recorded with the Clerk per standard process.**

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A   
(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

- 1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
- 2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
- 3. If job description, Salary Committee reviewed: Yes  No  N/A
- 4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** (Select)

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No   
(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

- Commissioner Thomas Huxley Yes  No
- Commissioner Sue Gold Yes  No
- Commissioner Court Boice Yes  No

Not applicable to Sheriff's Department since they do not have a liaison



## Community Development Department September 2017 Activity Report Building, Economic Development, Planning

### Department Administration and funding

August revenue - \$32,109.18

- Preparation of August 2017 activity report
- Notification of Grant Young Planning grant
- Conferral and contract work with Lane County Council of Governments related to Elk River Development Corporation application for utility lines.
- Interface with Department of Environmental Quality regarding code enforcement processes used in Douglas and Coos County
- Review of REVIZE information regarding new web site -
- Job description research for assistance in building division.
- Discussions with city of Brookings about potential grant funding to assess loss of city and county revenue due to Chetco fire.

### Building Division

- Building Permits: 42 Permits issued                      Building Inspections: 129 completed
- Phone calls and walk in visits - 400 served              Presentation to Board requesting authorization of new vehicle.
- Work on larger building projects continue with continuance of Curry Library expansion, near completion of new bar in Port Orford, and near completion of roof and seismic improvements at Port Orford and Gold Beach Schools Applications for three new single family homes received.
- Continued communication with State Building Division regarding permit tracking and work with Curry County

### Economic Development Division

- Continued work on the Floras Lake Forest Lands project, preparation for September 27 Board meeting, accepting and acknowledging incoming letters from the public, accepting phone calls on the project and presenting to the Board.
- Work with CCD regarding Enterprise Zone for Curry County. Potential addition of Pacific Gales Golf Course to the Enterprise zone area and expansion.
- Meeting with SCDC staff to go over agreement scope of work, loop in new County Administrator John Hitt.
- South Coast Development Council (SCDC) work, this included:
  - Meetings with the Wild Rivers Coast Alliance to discuss possible funding options for a variety of projects
  - Attendance at BOC meetings and conferral with staff on a number of projects.
  - Work on proposal for potential new projects in Curry County.
  - Meetings with County administrators regarding potential projects
  - Assistance proofing power point presentation for Floras Lake Board 9.27 workshop
  - Continued work on commercial site data for both Curry County owned properties and possible private sites for
    - Development.
- Research on county property and mapping upgrading for multiple properties.
- Sign up for OCVA October 2017 Tourism summit in Gold Beach.
- Conferral with Brookings and Gold Beach regarding Travel / Tourism Trade show.
- Preparation of Lottery fund report.

**Community Development Department  
September 2017 Activity Report Page 2**

**Planning Division**

- Permit activity: 3 Land Use Compatibility Statements, 1 new addresses, 15 Planning Clearance reviews, 1 Conditional Use Permits – staff, 1 CUP renewal - staff , 1 replacement address – staff, 1 Final Plat review
- Preparation for September 21 Planning Commission for review of alternatives for utility line locations - Elk River Development Corporation LLC – applicant. Conferral with LCOG, staff report preparation, presentation to Planning Commission, Planning Commission meeting follow-up.
- September 5 and 21 Planning Commission meeting preparation and presentations
- E-mail, phone and meeting with north county individuals interested in developing a pickleball court
- Communication with Harbor Sanitary District and relocating of lot lines
- Phone Communication with Floras Lake area residents regarding County 500 acre parcel
- Contact and interface with DLCD and DOGAMI regarding Natural Hazards information related to liquefaction and landslides.
- Reviewed site plans and applications for multiple projects.
- Responses to phone calls and e-mails regarding Natural Hazards; presentation to the Board on August 2. Multiple follow up meetings with individuals.
- Continued discussion with State Court to implement Code enforcement program.
- Two new complaints received.
- Research and commencement of work on Technical assistance grant for Recreation element update and preparation of a Parks Master Plan
-

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 03-02-2016

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC\\_OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Surveyor's Report for September, 2017  
**AGENDA DATE<sup>a</sup>:** When convenient **DEPARTMENT:** County Surveyor **TIME NEEDED:** Whenever

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** Reily Smith **PHONE/EXT:** 3225 **TODAY'S DATE:** October, 2017

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** Monthly Department Report

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:** **SUBMISSION TYPE:** Letter

- (1) Report
- (2)

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

- 1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
- 2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
- 3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

- File with County Clerk
- Send Printed Copy to:
- Email a Digital Copy to:
- Other

Name:  
Address:  
City/State/Zip:

Phone:

Due date to send:        /        /

Email:

<sup>c</sup>Note: Most signed documents are filed/recorded with the Clerk per standard process.

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A   
(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

- 1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
- 2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
- 3. If job description, Salary Committee reviewed: Yes  No  N/A
- 4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** (Select)

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No   
(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

- Commissioner Court Boice Yes  No
- Commissioner Thomas Huxley Yes  No
- Commissioner Susan Gold Yes  No

Not applicable to Sheriff's Department since they do not have a liaison



**CURRY COUNTY SURVEYOR MONTHLY ACTIVITY REPORT**  
**FOR SEPTEMBER, 2017**

We always try to remember the 90-10 rule when dealing with the public. That is, 90% of the people we deal with rarely have interaction with government and particularly surveyors. Consequently, we can't assume they know what they are looking for, what they need, or where to find it. 10% of people we have contact with probably don't even need us to help them find what they are looking for on file in the Surveyor's Office.

We see an interesting phenomena in today's changing business world. Traditional business is rapidly changing and technology is forcing many businesses to learn new methods and purchase equipment to do things easier, faster and oftentimes with fewer people. If the businesses continue to deal in "buggy whips" they go broke pretty fast these days. With technology and particularly the internet, the government has the opportunity to utilize these same tools to better serve the public, increase its value to society and become more cost efficient. Your Surveyor's Department is always looking for ways to become more efficient in our delivery of services to the public.

**County Surveyor Activities during September:**

During the month Reily was able to help County Counsel and the Assessor. That was good because they are very helpful to him whenever he has a question or needs help.

We had the same few missed phone calls each week that do not leave a message or bother to call the County Surveyor on his cell phone. That is unfortunate because Reily is happy to take the call on his cell phone or return the call as soon as possible.

We had the usual customer service questions relating to property issues, records available for the public and other miscellaneous inquiries over the phone or by visitors to the office. Helping the public with these issues is our primary job. Since our office hours are limited, we are trying to make everything available online. Due to the old record keeping methods and our limited office hours, setting the links up in a manner that they can be easily accessed is usually difficult. Consequently, we provide a detailed guide (7 pages) to help use these links.

Other activities involved:

- 4 Maps of Survey were reviewed and suggestions/corrections sent to the preparing land surveyor for their consideration prior to filing the Mylar map.
- We were finally able to wrap up the Century Plaza Condominium project in Brookings (currently gathering final signatures).
- The only problem job remaining is the proper recording of the partition plat for the Harbor Water District, but it is nearly complete. Apparently, their engineer tried to sidestep the partition process a couple of years ago.

- Barbara Colton, the Department Specialist, has continued to help Community Services on Wednesdays and Thursdays, but is looking forward to returning to her regular position when additional part-time help is hired for Community Services.
- We have a lot of additional information to put on line for the public when we get the new website. Barbara will be doing most of this work.
- There is still quite a bit of work organizing, scanning and making available many more old maps/other records. Barbara is doing 99% of this work. This activity is important because many of these records potentially have direct impact on property location and title. These old records have been squirreled away in this office with little provision made to be able to access them. In addition, this is the primary activity we are doing to maintain the Public Land Survey System, which is the reason for the County Monument Fund. This \$10 tax collected on every deed recorded by the County Clerk is a major portion of the office's funding.

**New Maps of Survey, Property Line Adjustments or Plats filed, scanned, copied and filed (all soon to be online): Plats include Partitions, Subdivisions, Condominiums, etc.**

- 1 Survey was completed in the north part of Curry County.
- 1 Survey was completed near Gold Beach.
- 1 Survey was completed near Brookings.
- 1 New Partition Map was completed near Gold Beach.

**Deposits for June:** = \$2,340.00

Reily Smith worked 34 hours in September.

Barbara Colton worked 30.75 hours in September.

Respectfully submitted,

Reily Smith, County Surveyor

Barbara Colton, Department Specialist