



**Board of Commissioners' County Counsel Meeting
April 16, 2019 ~ 10:00am ~ Room 214**

4/16/2019 - Minutes

1. Call To Order & Those Present

10:16AM

Commissioner Boyd, Commissioner DeGroot; Mika Blain / County Counsel; Phillip Squibb / Developmental Disabilities; Jeremy Morris / Public Works; Haley Huffman / Admin Staff; Mel Ferguson and Don ; Paul Hansen / KFLS; Tess Novotny / Herald & News.

2. Approve Minutes From Last Meeting

Minutes Approved.

3. Road Vacation Request - Status Update

Jeremy Morris addresses the Board and explains a revocable permit that would allow use for loading and allow it to be signed and striped. Mel Ferguson said that would be an adequate short term solution, but they would like a road vacation and to have the easement granted for the developer as they have put in money and improved the area. Commissioner Boyd said he'd like to stripe it, put signs up and give them permission to park there. He doesn't feel it's an egress issue into the school. He feels the best solution is to make a loading zone in the short term. The developer, Don asks what kind of duration can we get with the permit? Ms. Blain said she doesn't think there's a time limit. Mr. Morris said there usually isn't a time limit as long as it's revocable. Mr. Ferguson asked for an MOU that indicates the County intends to take road vacation action within a certain amount of time. Mr. Morris requested a sketch that has the intent width, length and where signs should be placed. Commissioner DeGroot said he is good with it.

4. Nuisance Abatement Procedure

Ms. Blain said Kevin Roth and Rick Vaughn are looking for ways to deal with a house on Madison that we are having issues with. Commissioner DeGroot said, more broadly we have a specific situation with a property that could pertain to other properties. Ms. Blain said there are two ways we can handle this, Code Enforcement can cite under 401.200 in Circuit Court and then abate. Commissioner Boyd said, the problem is this takes another 3 weeks for them to come in and say that they aren't going to do anything about it, and we know they aren't because they haven't so far. Ms. Blain said Justice Court doesn't have the jurisdiction over abatement. We would have to file the cite with Circuit Court and they are looking at the one done in Justice Court and being already done. Commissioner Boyd disagrees and said he thinks we can use the ticket written into the Justice Court for the abatement process in Circuit Court. Commissioner Boyd said if we can't do the abating process then he'd like to move to condemnation. Ms. Blain said, that is through the Building Department and they can issue a violation, the Building Official would determine if correction has been made then they can enforce a civil penalty, there is a process for the

landowner and then it would go before the Circuit Court. Commissioner DeGroot discusses receivership and asks if the process that the City uses could be done. Ms. Blain will look into it. Commissioner Boyd said that would be a long process for us to get there. Commissioner Boyd said we will have them cite to Circuit Court today.

5. Public Records Policy

Commissioners Boyd and DeGroot said they don't have issues with this but feel they should wait until Commissioner Morris is here. Item tabled until the May 7th County Counsel meeting.

6. Other County Business

Ms. Blain said the Litigation update on Lance Britton was discussed during Executive Session.

Commissioner Boyd said a citizen brought it to our attention that the agreement with the City Schools cites the incorrect Statute. Ms. Blain said she is pretty sure the ORS is correct but she will double check.

Commissioner Boyd asked where we are at with the Slade Trust piece. Ms. Blain said we received the approval to proceed with the lawsuit two weeks ago and it is on our to-do list.

Lease for White Avenue with Mentor Oregon - Commissioner DeGroot said, he'd like to terminate the lease. Commissioner DeGroot said there are two issues, whether or not we should continue to allow mentor to lease the facility and the second is the ability for Mentor to provide adequate services for our folks and what our options are. Phillip Squibb said the care of the individuals is licensed with the State. Commissioner Boyd said he feels this is much broader, this is a breakdown at the The OR Department of Human Services State level. He feels there's a lot of great men and women at our local DHS level that are doing a great job but the breakdown is at the State level with ODDS and DHS. Mr. Squibb said his perception of their response is that they've closed the doors of Mentor and they are under sanctions. The Commissioners agree our people deserve better than this. Commissioner Boyd said, the taxpayers of Klamath County and Oregon are getting disrespected by State ODDS and DHS. Commissioner DeGroot said, it's our job to hold our community partners to a higher standard. Commissioner Boyd said we need to work with Mentor to terminate the lease, a mutual agreement would be best, if not we can figure out how to do it. Ms. Blain asked Ms. Squibb to speak with them. Mr. Squibb said he'd like to hold them accountable for whatever repairs we need to do. Mr. Squibb expresses concerns about managing the property and being a landlord. Commissioner DeGroot said we could hire a property manager or we could possibly move into an agreement with Klamath Housing Authority to care and maintain the property. Commissioner Boyd said we need to step up and do the right thing so our people are taken care of even if we are short term landlords. Ms. Blain recommended a 30 day deadline. Mr. Squibb discussed the revenue and what we would charge.

7. Adjournment

11:05am

Audio recordings of all proceedings are available at the County Commissioners' office. The meeting facility is handicap accessible. Persons needing materials in alternate format or communication access, should telephone this office at 541-883-5100 (voice/TDD) or the ADA Coordinator at 541-883-4296 at least 48 hours in advance of the scheduled meeting.

Klamath County Commissioners' Weekly Calendar is subject to change without notice. 305 Main Street 2nd Floor,
Klamath Falls, OR 97601

E-mail: bocc@klamathcounty.org Website: www.klamathcounty.org