



**Board of Commissioners' County Counsel Meeting  
June 4, 2019 ~ 10:00am ~ Room 214**

6/4/2019 - Minutes

**1. Call To Order & Those Present**

Commissioner Boyd, Commissioner DeGroot, Commissioner Morris, Mika Blain/County Counsel, Sandy Cox/Admin Staff, Amanda Graham/Animal Control, Rick Vaughn/Property Manager, Randy Swan/Sheriff

**2. Approve Minutes From Last Meeting**

Commissioner Boyd approves minutes

**3. Animal Control Matter**

Mika Blain addresses the Board regarding current procedure for how we handle dogs that attack livestock. Amanda Graham relays information pertaining to the most recent incident. Mika Blain indicates that procedure should be followed pursuant to Oregon Revised Statute and hearing needs to be held every time regardless if dog owner claims liability.

Commissioner Boyd questions if owners of dog was cited? Graham responds was waiting for the decision of this meeting. Commissioner Morris clarifies what we have been doing procedurally? Commissioner DeGroot asks what recommendation of Counsel is? Mika Blain responds that we need to be holding hearings. Commissioner DeGroot asks when this incident occurred? Graham responds last week. Blain reviews definition of livestock does include chickens which is mostly what gets attacked, might want to look at getting hearing officer to hear these types of cases. Mika Blain further clarifies statute depending on what type of attack it is chasing, wounding, killing etc. Commissioner Morris wants further clarification on chickens? Mika Blain states all chickens. Mika Blain suggests sending out notices on all of them and see if victims request a hearing. Commissioner DeGroot asks if all the animals would need to be put down? Blain explains different circumstances depending on severity and if they have killed before. Commissioner Boyd indicates that this ORS needs to be changed. Haley Huffman brings up concern regarding part of the statute that indicates if owner presents claim of damages the County must pay those and then the County would need to collect from the attacking animal owner. BOCC understands this procedure is dictated by ORS and poorly written, but we need to follow correct procedure. BOCC indicates that with this incident and forward we need to make sure we are following ORS procedure and look at a rewrite of the definition of livestock in the ORS through our legislatures. Commissioner Boyd would like to see what other Counties are doing as well. DeGroot would like to see the ORS written to allow a civil compromise between the parties as to not require County involvement. Blain further indicates we need to look at our code because our code can not supercede ORS. Blain further indicates she has brought this matter to the attention of the Sheriff as he will be taking over Animal Control operations as of July 1, 2019. Graham indicates the we have chicken attack cases weekly so we would have multiple hearings. Blain indicates we need to have meetings with DA, and Sheriff and other Law Enforcement agencies to get everyone on board regarding procedure. DeGroot/Boyd question what could happen if we

don't follow ORS? Blain will look into.

#### **4. Property Management - Mobile Home Foreclosures And Administrative Warrants**

Mika Blain speaks regarding the County foreclosing on personal property for failure to pay taxes, explain why she has issues with foreclosure on mobile homes that are on someone else's property, would it be worth it for the County to get involved. Rick Vaughn explains that there are literally hundreds of mobile homes that should be foreclosed on. Previously we have foreclosed on mobile homes in conjunction with the real property. Currently looking at a double wide manufactured home in Chiloquin. Vaughn explains that has had a lot of people step up and start paying since they started sending notification, the goal is to get people on track with paying their personal property taxes. We do take a chance on losing money with some of the ones where the people refuse to pay if we proceed with foreclosure proceedings. Commissioner Boyd questions if we have the ability to offer a compromise and work with the people? Vaughn responds yes, but some people are refusing to do anything. Vaughn further explains that we have to offer the property for sale before we can dispose of it. Blain thinks we should be doing a cost benefit analysis on these cases before we start foreclosure procedures. Commissioner Boyd believes people should not have a choice on whether they pay their taxes or not, we need to treat everyone the same. Commissioner Morris indicates she would like to move on foreclosures and in the end clean up blighted mobile homes. Commissioner Boyd talks about our homeless problem and if we are kicking people out we are creating more homeless issues. Vaughn further speaks that the several mobile home parks are working with them. Further discussion about the specific case in Chiloquin and options. Commissioner Boyd suggests putting criteria together to evaluate these cases. Commissioner Boyd would like to continue with the Chiloquin case and evaluate cases in the future. Again the goal is getting people in compliance, not kicking people out of their homes. BOCC would like to let Property Management evaluate these cases with some criteria, asks Vaughn to come up with some draft criteria for review.

Blain brings up matter of Administrative Warrants, example of using satellite photos for code enforcement issues, Vaughn further clarifies that Judge Oakes told them there is a process in getting an Admin Warrant to be able to use satellite photos, Sheriff might be willing to help out on those but would be case by case. Blain explains that Animal Control has authority under our Code to issue warrants, but not for Code Enforcement. Boyd indicates we need to get our code updated to allow Code Enforcement to get Admin warrants to do their job. Vaughn further elaborates that satellite photos would be used for structural issues, not nuisance issues. Discussion about if warrant is being sought what involvement does the Sheriff have, Randy Swan indicates that the Sheriff has not had much if any involvement in Admin Warrants in the past. Swan would not feel comfortable issuing warrants without having someone physically seeing the property. Commissioner Boyd would like Vaughn to have a meeting with Sheriff's office about how they would like to proceed, Vaughn indicates that Sheriff Kaber already stated he would look at these on case by case basis.

#### **5. T.I.D. Matter**

Blain indicates that she has made revisions to the draft enabling ordinance presented by Chadderdon, voices ongoing concerns about opening up this door. Discussion about how fees will be collected, DeGroot indicates that the group wants the County Tax Collector to collect the fees similar to the way the County collects TRT fees. Blain further explains that the BOCC agreed to put enabling ordinance out for hearing and first reading to see what if any objections are voiced. Blain indicates that once we have the meeting with the City on

Thursday 6/6/19 and everyone is on Board will get publication out and hearing would be sometime in July. Commissioner Boyd would like to have an evening meeting when this hearing is set. Commissioner Boyd would like to see the wording changed for lodging that have more than 12 rooms, would include Air B&B and VRBO etc. Blain will get publication prepped.

**6. Other County Business**

None

**7. Adjournment**

11:42 am

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,  
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