



**Board of Commissioners' County Counsel Meeting
August 6, 2019 ~ 10:00am ~ Room 214**

8/6/2019 - Minutes

1. Call To Order & Those Present

Commissioner Boyd, Commissioner Morris; Mika Blain / County Counsel; Haley Huffman / Admin Staff; Rick Vaughn / Tax Collector; Jeremy Morris, Ryan Hamilton / Public Works.

2. Approve Minutes From Last Meeting

Approved.

3. Withers-Sprague River Property

Mr. Vaughn inspected the property. Ms. Blain said she drafted a letter to Mr. Withers with Mr. Vaughn, Mr. Morris and Mr. Hamilton's assistance. Mr. Vaughn's photos show a new entrance to Sprague River Road, a road that is on our property and a new fence that was constructed on what we believe is right on the property line. Mr. Vaughn said there is no question this road did not previously exist. He said there's also a culvert that was put in. Mr. Vaughn said, we know someone trespassed onto our property to build the road, we don't know who. Commissioner Boyd said, he will be meeting with Mr. Withers this afternoon and he may hand-deliver the letter to him. The letter will also be mailed certified to all the property owners. Mr. Morris said, there were no permits issued for the road. Mr. Hamilton said, only property owners can apply for a driveway permit and we are the property owners. Mr. Morris said, the conditions of the letter are that you remove the road within 30 days or we'll remove it.

4. County Surveyor Discussion

Mr. Hamilton said he's met with a few locals and there was one interested but he has not heard back from him. Ms. Blain said she feels it's time to advertise it on the Oregon Association of County Engineers and Surveyors and get resumes to come to the Board. Commissioner Morris asks if she has checked with the Clerk and statutes. Ms. Blain said she will. Commissioner Boyd said he is in agreement with advertising. Mr. Hamilton discusses changing the position from an elected to an appointed position as a last resort. Mr. Hamilton will draft a letter and work with BOCC staff to put the vacancy on the County and OACES website. Ms. Blain asked Mr. Hamilton to send the letter to her. The Board agreed the letter should come back to the Board for review next week.

5. City-County IGA

Ms. Blain said she sent the requested changes to the City Attorney, they sent them to the airport and we are waiting to hear back.

6. IGA With Klamath County School District-Crest St. Property

Rick Vaughn addresses the Board. This is the culmination of the conversation on the potential trade for the right of way for the Crest Street expansion and access for Public

Works to maintain the 1C Drain. Mr. Vaughn said this the property on Crest Street where we did all the cleanup. There is potential that Crest Street would expand to include sidewalks and curbing and this would allow for the County move onto County School District property in exchange for the Crest Street property. Ms. Blain said she's reviewed it for legal, Jeremy Morris has reviewed it and Mr. Vaughn checked the property descriptions. Commissioner Boyd said if we are putting in sidewalks and Crest Street improvements, he doesn't feel we should have to enter into an agreement to give away a County asset. Ms. Blain said, this was requested by one Commissioner to be put in front of you. Jeremy Morris said, with the status of the size of the project, we want to be careful that the school district doesn't think that is an assurance that the project is going forward, because that is an 8 million assurance. He said, we do need right of way on Crest and no improvement can be made without it. Commissioner Morris said, she agreed with Commissioner Boyd, if we are doing something that benefits the school. Ryan Hamilton said, it benefits the citizens too. Mr. Morris said it is the last County school that doesn't have sidewalk on one side or the other, not intentionally but because it is a multi part project. He said it is a one to one trade and it is on the radar. He said they looked in to Safe Routes to School grant, but their commitment to the project would only be about \$400,000 on a total of 8 million dollars. Commissioner Boyd said he feels this agreement is premature. He said perception is reality and the School Board will believe that property is theirs. He said he doesn't want this to become a mix up like what happened with the baseball diamond at Steen Sports Park. Mr. Morris said, the County School District has started planning a building project potentially on the triangle. It is in the design phase. Commissioner Boyd said that's his point, that piece of ground belongs to the tax payers of Klamath County. Mr. Morris asks if there is an out? Ms. Blain said it is a land exchange and they would have to meet requirements and so would we. Commissioner Morris asks, would it make sense to hold off on the IGA since we don't know when the very expensive project might take place and offer then the opportunity to buy the property? Mr. Hamilton said, the road department maintains the drain for the drainage district and we would like to maintain an easement for access. Commissioner Boyd said we should get an easement put across there today, while we own it. Mr. Morris said they've held off because it messes up the property value. Commissioner Morris said she'd love to have them make us an offer. Commissioner Boyd reiterated, he feels this is a premature agreement. Mr. Morris said, in the sale we would additionally need to take 10-20' of right away along the front. Commissioner Boyd asks about the easement. Ms. Blain said, we can draft up a deed and bring it back to you. Commissioner Boyd asks about the right of way. Mr. Hamilton said, it could be a dedicated deed. Commissioner Boyd said he'd like get this hammered out before we bring the School Board into this. He would like it back on the County Counsel meeting agenda next week.

7. Public Records Policy

Mika Blain explains this was brought to the Department Heads last week. She said, we made a couple changes, mostly we exempted the Public Works Research Room. The request today is to adopt the policy. Commissioner Morris said she presented it at the Department Head meeting and there was no push back just clarification. Commissioner Morris motions to adopt the Public Records Policy as presented by Counsel. Commissioner Boyd seconds. Unanimous vote. Approved. Ms. Blain said they will do a training on the policy.

8. Ratify KCPOA CBA

Commissioner Morris motions. Commissioner Boyd seconds. Unanimous vote. Approved.

9. Other County Business

None.

10. Adjournment

11:07am

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

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