



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

9/3/2019 - Minutes

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

Commissioner Boyd, Commissioner Morris, Commissioner DeGroot; Mika Blain / County Counsel; Haley Huffman / Admin Staff.

**2. Approve Minutes From Last Meeting**

Approved.

**3. Ordinance No. 92**

Mika Blain addresses the Board and reviews the revisions in version one and two. Ms. Blain said she just needs direction on which version the Board would like put forward. Commissioner Boyd said he is more comfortable with version two, draft three. Commissioner Morris said she is fine with that. Commissioner Morris motions to accept draft three version two of the enabling ordinance for the tourism improvement area. Commissioner Boyd seconds. Unanimous vote. Approved.

**4. Bond Ordinance**

Ms. Blain said they've had questions on the bonding for the Assessor, Clerk, etc. She said the Statute states the Justice of the Peace has to have a bond alot of the elected officials have bonds. She said alot of people don't have bonds right not, they cost \$250.00 for a \$20,000.00. She is suggesting to require all the electeds and a few other positions to have a bond. She said insurance wise, it's not a lot that will come out of Risk. Commissioner Boyd asks what happens if someone is not bondable. Ms. Blain said she will look into it and bring it back next week.

**5. Pesticide Risk Management**

Ms. Blain said the issue is that nobody in the County outside of Todd and Lani have the required knowledge to know whether or not the assessments are being done. Commissioner Boyd wanted to clarify that the County doesn't spray for pests. He said are we talking herbicides here? Ms. Blain said, yes. She said she had a brief conversation with Bill Beedy to see if he would be interested in taking a look at the matrix and evaluate it. Commissioner DeGroot asks, what is the cost? Ms. Blain said, she didn't think it was a large cost. Commissioner DeGroot asked her to email him with the cost. Commissioner Morris said, she appreciates that they implemented the matrix but as she watches how it unfolds in practice, this is not a criticism, if the person who is doing the assessment is the same person whose department budget depends on getting those contracts, it might be challenging for that person to be completely objective. She feels it might be better to have an outside person evaluate and the person doesn't have to be outside the County.

Commissioner DeGroot said he'd like to know the number before they move forward. Ms. Blain said she will get that information and circle back on this next week.

#### **6. Hernandez/Wilson Animal Control Matter**

Amanda Graham addresses the Board and explains the case. Ms. Blain said, the dog owner waived her right to attend the hearing. She said, based on the Statute, since the dogs have killed before, the County shall impose a penalty of not less than \$500 and not more than \$1000 and the County shall require the dogs be put to death in a humane manner. There is also restitution to the goat owner. She said the dogs have been impounded for over two weeks due to a miscommunication and she suggests waiving some of the impound fees. Commissioner Morris asks, the \$500-\$1000 what are those supposed to pay for? Ms. Blain said, that is the sanction. Commissioner Morris confirms, that is the fine and has nothing to do with the impound fees. Commissioner DeGroot asks, is it per animal? Ms. Blain said, yes. Commissioner Morris said, the language is "shall" and it doesn't sound like we have much of a choice. Ms. Blain confirms it is not permissive language. Commissioner DeGroot asks about the process. Ms. Blain said her understanding is that the dog owner waived the right of the hearing and then we would just put an Order through. Commissioner Boyd said, he doesn't feel we're going to get paid, she has three citations that have gone to collections and he feels we should stay down at the \$1000.00 total. He asks, the penalty of \$500-\$1000 is a "shall"? Ms. Blain, confirms. Commissioner Morris agrees. She said, her thinking is along the same lines and she also feels it is already going to be heavy on the dog owner and she doesn't want to contribute extra emotional angst. Ms. Blain said the citation for the impound is where you have some latitude. Commissioner Morris said she'd err toward what do we do that follows the Statute but is on the minimal end. Commissioner DeGroot confirms \$1000 plus \$400 plus the \$30 a day. Commissioner Boyd said he understands where Commissioner Morris is coming from but he has problems waiving costs we've incurred for the animals. Commissioner DeGroot said he agrees. Ms. Graham reminds the Board we pay the cost for the livestock out of the dog control fund. Ms. Blain said, that is per Statute. The goat owner is asking \$600 restitution. Commissioner DeGroot asks about the cost of euthanization. Ms. Graham said, we do not charge for it, it is part of our contract. Commissioner DeGroot said, \$1000 for the fine, \$400 for the impound, \$420 for the daily care and \$600 for restitution so \$2420.00. Ms. Blain confirms we will prepare the order for \$1000.00 sanction, the County shall require the dogs, Peaches and Ziggy be put to death in a humane manner, restitution to the goat owner for \$600.00 and impound and daily care is \$820.00. She asks, is that correct? Commissioner DeGroot said, correct and so moved. Commissioner Morris seconds. Unanimous vote. Approved. Commissioner Boyd confirms this will come to us as a prior approved on Tuesday.

#### **7. Other County Business**

None.

#### **8. Adjournment**

10:35am

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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