

WEEKLY BUSINESS SESSION – November 1, 2017

9:00 a.m. – Anne G. Basker Auditorium
600 N.W. Sixth Street, Grants Pass, OR 97526

Present: Simon G. Hare, Chair; Lily N. Morgan, Vice-Chair; and Daniel E. DeYoung, Commissioner; Wendy Watkins, Recorder

These are meeting minutes only. Only text enclosed in quotation marks reports a speaker's exact words.

Pursuant to notice through the media and in conformance with the Public Meeting Law, Simon G. Hare, Chair, called the meeting to order at 9:00 a.m. Due to guests present, agenda items were taken out of order.

Items discussed were as follows:

- 1. PUBLIC HEARING and First Reading of Ordinance No. 2017-002; An Ordinance Amending the Josephine County Rural Land Development Code (Ordinance 94-4, as originally adopted and subsequently amended) to Implement Certain Changes to Sections 11.030 Relating to Definitions; Amending Section 61.020.A. Eliminating Guesthouses, Correcting a Scrivener's Error, and Clarifying a Dwelling Must be Onsite in a Rural Residential Zone Prior to an Accessory Building; 61.020.B. Correcting a Scrivener's Error; Creating and Adding 61.050.E. Regarding Production Site Acreage; 61.050.F. Regarding Commercial Marijuana Producers Be the Owner of the Property Being Regulated; 61.050.G. Hours of Operation; 61.050.H. Regarding Noise; 61.050.I. Regarding Odor; 61.050.J. Requiring a Permit and Annual Compliance Certificate for Commercial Marijuana Production; Amending 61.060.B.3. Creating Setbacks for Marijuana Production Sites; 61.060.B.22. Correcting a Scrivener's Error; and Amending 76.020.E. Clarifying State and National Codes.**

Commissioner Hare opened the public hearing at 9:07 a.m.

Commissioner Morgan made a motion to have the first reading of Ordinance No. 2017-002 read by title only, seconded by Commissioner DeYoung. Upon roll call vote, motion passed 3-0; Commissioner DeYoung – yes, Commissioner Morgan – yes and Commissioner Hare – yes.

Julie Schmelzer, Community Development Director, reviewed **Marijuana Operating Standards PowerPoint (Exhibit 1)** and discussed the amendments that deal with marijuana grows on land zoned Rural Residential.

Commissioner Hare made a statement regarding his family owning Exclusive Farm Use (EFU) land and feels it would be a potential and perceived conflict of interest to make a decision on this ordinance and would recuse himself from further processes on the first and second readings.

REQUESTS/COMMENTS FROM CITIZENS: *(Each person will be given three (3) minutes to speak)*

Chris Hall, Cave Junction, spoke in opposition to Ordinance No. 2017-002.

Mark Seligman, Selma, spoke in opposition to Ordinance No. 2017-002.

Michael Shannon, Merlin, spoke in opposition to Ordinance No. 2017-002.

Gunther Ambron, Josephine County, spoke in opposition to Ordinance No. 2017-002 and submitted a **letter (Exhibit 2)**.

Christine Gardiner, Josephine County, spoke in opposition to Ordinance No. 2017-002 and submitted a **letter (Exhibit 3)**.

Gilbert Sharp, Josephine County, spoke in opposition to Ordinance No. 2017-002.

Peter Gendron, Sunny Valley, spoke in opposition to Ordinance No. 2017-002.

Jim Hemoneck, Josephine County, spoke in opposition to Ordinance No. 2017-002.

Ken Nagal, Cave Junction, spoke in opposition to Ordinance No. 2017-002.

Rick Lemon, Merlin, spoke in support of Ordinance No. 2017-002.

Tom Schwarz, Williams, read and submitted his **letter (Exhibit 4)**.

Sandi Cassanelli, Merlin, read and submitted her **letter (Exhibit 5)**.

Hameed Shakeri, Josephine County, spoke in support of Ordinance No. 2017-002.

Brenda Thomas, Josephine County, spoke in opposition to Ordinance No. 2017-002 and submitted her **letter (Exhibit 6)**.

Judy Ahrens, Josephine County, spoke in opposition to Ordinance No. 2017-002.

Joseph Rice, Josephine County, spoke in opposition to Ordinance No. 2017-002.

Diana Franklin, Murphy, spoke in support of Ordinance No. 2017-002.

Pat Shannon, Josephine County, spoke in opposition to Ordinance No. 2017-002.

Peter Delong, Murphy, spoke in opposition to Ordinance No. 2017-002.

Ingrid Nicholas, Josephine County, spoke in support of Ordinance No. 2017-002.

Robert Kendall, Josephine County, spoke in support of Ordinance No. 2017-002 and submitted his **letter (Exhibit 7)**.

Morgan Lane, Hugo, spoke in support of Ordinance No. 2017-002.

Dan Loughran, Josephine County, spoke in opposition to Ordinance No. 2017-002.

Joelle Cransler, spoke in opposition to Ordinance No. 2017-002.

Rycke Brown, Grants Pass, spoke in opposition to Ordinance No. 2017-002.

Matthew Aganathus, Josephine County, spoke in opposition to Ordinance No. 2017-002.
 Gregory Hickey, Josephine County, spoke in opposition to Ordinance No. 2017-002.
 Caroline Dean, Grants Pass, spoke in support of Ordinance No. 2017-002.
 John Gardiner, Josephine County, spoke in opposition to Ordinance No. 2017-002.
 Robert Johnston, Merlin, spoke in support of Ordinance No. 2017-002.
 Trout Costa, Josephine County, spoke in opposition to Ordinance No. 2017-002.
 Raymond Smith, Cave Junction, read and submitted his testimony **letter (Exhibit 8)**.
 Frank Hine, Merlin, spoke in opposition to Ordinance No. 2017-002.
 Kevin McCabe, Josephine County, spoke in opposition to Ordinance No. 2017-002.
 Cory Evans, Josephine County, spoke in opposition to Ordinance No. 2017-002.
 Cassy Cooper, Josephine County, spoke in opposition to Ordinance No. 2017-002.
 Scott Caso, Murphy, spoke in opposition to Ordinance No. 2017-002.
 Nikki Bocki, Josephine County, spoke in opposition to Ordinance No. 2017-002.
 Michael Wetterhauer, Josephine County, spoke in support of Ordinance No. 2017-002.

The Board took a recess at 11:30 a.m. and reconvened at 11:35 a.m.

Daniel Dalegowski, Mayor of Cave Junction, spoke in opposition to Ordinance No. 2017-002.
 Matt Turner, Merlin, spoke in opposition to Ordinance No. 2017-002.
 Carol Johnston, Merlin, spoke in support of Ordinance No. 2017-002.
 Karen Rodgers, Williams, spoke in support of Ordinance No. 2017-002.
 Larry Ford, Grants Pass, spoke in support of Ordinance No. 2017-002.
 Paul Safady, Josephine County, spoke in support of Ordinance No. 2017-002 and submitted his **letter (Exhibit 9)**.
 Jeff Hall, Josephine County, spoke in opposition to Ordinance No. 2017-002.
 Helen Scott submitted her **letter (Exhibit 10)** for the record.
 Commissioner Morgan would like **Ross Day's Letter (Exhibit 11)** entered into the record.

Commissioner Hare closed the Public Hearing at 12:46 p.m.

Commissioner Morgan made a motion to approve the first reading of Ordinance No. 2017-002; eliminating Monday through Saturday section allowing work to be done seven days a week; eliminating the reference to OLCC regulations; and schedule the second reading and adoption for November 29, 2017, seconded by Commissioner DeYoung. Upon roll call vote, motion passed 2-1; Commissioner DeYoung – yes, Commissioner Morgan – yes and Commissioner Hare – abstained.

2. PUBLIC HEARING for Transfer of Jurisdiction Over Certain County Roads Located within the City Limits of Grants Pass, Oregon, to the City of Grants Pass

Commissioner Hare opened the Public Hearing at 9:02 a.m.

Rob Brandes, Public Works Director, explained these roads are County roads located within the City of Grants Pass and this allows the roads to be transferred to the City.

REQUESTS/COMMENTS FROM CITIZENS: *(Each person will be given three (3) minutes to speak)*
 None heard.

Commissioner Hare closed the Public Hearing at 9:06 a.m.

3. ADMINISTRATIVE ACTIONS IN CONSIDERATION OF:

BOARD DECISIONS UNDER ADMINISTRATIVE ACTIONS WERE MADE AFTER PUBLIC COMMENT WAS RECEIVED

- a. **Approval of Order No. 2017-051; In the Matter of Transfer of Jurisdiction Over Certain County Roads Located within the City Limits of Grants Pass, Oregon, to the City of Grants Pass** *(One original Order filed with the County Clerk)*

Commissioner Hare mentioned this order authorizes the transfer of certain county roads located within the city limits of Grants Pass to the City of Grants Pass.

- b. **Approval of Order No. 2017-053; In the Matter of Establishing Policy for The Community Development (Planning) Department Regarding the Processing of Comprehensive Plan Map Amendment** *(One original Order filed with the County Clerk)*

Ms. Schmelzer explained there are people contracting her department wanting to rezone their property from RR5 to other zones so they can grow marijuana. She said her department is looking for guidance on how to process these nonrefundable application fees. The Board agreed to table this item until a later date.

- c. **Approval of Two Position Changes in County Legal Counsel; Paralegal and Legal Secretary** *(Two Position Requisition Forms returned to Human Resources)*

JJ Scofield, Human Resources Director, spoke about the two position changes in County Legal Counsel.

4. REQUESTS/COMMENTS FROM CITIZENS: *(Each person will be given three (3) minutes to speak)*

Bob Hart, Josephine County, spoke in opposition to Order No. 2017-053 and submitted his **letter (Exhibit 12)**.

Pat Shannon, Josephine County, spoke about time, place and manner for recreational cannabis.

Board Discussion and Action – Agenda Item 3(a)

Commissioner DeYoung made a motion to approve Order No. 2017-051; In the Matter of Transfer of Jurisdiction Over Certain County Roads Located within the City Limits of Grants Pass, Oregon, to the City of Grants Pass, seconded by Commissioner Morgan. Upon roll call vote, motion passed 3-0; Commissioner DeYoung – yes, Commissioner Morgan – yes, and Commissioner Hare – yes.

Board Discussion and Action – Agenda Item 3(c)

Commissioner Morgan made a motion to approve Two Position Changes in County Legal Counsel; Paralegal and Legal Secretary, seconded by Commissioner DeYoung. Upon roll call vote, motion passed 3-0; Commissioner DeYoung – yes, Commissioner Morgan – yes, and Commissioner Hare – yes.

5. APPROVAL OF CONSENT CALENDAR:

- a. **Rock Creek Hardwood Timber Sale Contract 2016T-9 Modification #1, Between Josephine County and Greg Liles Logging L.L.C.** *(One original Contract filed with the County Clerk and one original Contract returned to Forestry)*
- b. **Three Mill Timber Sale Contract 2013T-1 Modification #3, Between Josephine County and James M. and Clint Croff Logging** *(One original Contract filed with the County Clerk and one original Contract returned to Forestry)*
- c. **Resolution No. 2017-049; In the Matter of Extending Josephine County’s Workers’ Compensation Coverage to Volunteers of Josephine County Sheriff’s Office Reserves for Coverage Year 2017-2018** *(One original Resolution filed with the County Clerk)*
- d. **Amendment of Lease for Office Space between Josephine County and Water Resources Department** *(One original Lease filed with the County Clerk and one original Lease returned to Legal)*

Board Discussion and Action:

Commissioner DeYoung made a motion to approve the Consent Calendar Agenda Items 5(a) through 5(d) as listed, seconded by Commissioner Morgan. Upon roll call vote, motion passed 3-0; Commissioner DeYoung – yes, Commissioner Morgan – yes, and Commissioner Hare – yes.

6. OTHER: (ORS 192.640(1)) “. . . notice shall include a list of the principal subjects anticipated to be considered at the meeting, but this requirement shall not limit the ability of a governing body to consider additional subjects.”)

None reported.

7. MATTERS FROM COMMISSIONERS:

None heard.

Weekly Business Session adjourned at 1:00 p.m.

Wendy Watkins, Recorder

Entered into record:

- Exhibit 1 – Marijuana Operating Standards PowerPoint**
- Exhibit 2 – Guenter Ambron’s Letter**
- Exhibit 3 – Christine Gardiner’s Letter**
- Exhibit 4 – Tom Schwarz’s Letter**
- Exhibit 5 – Sandi Cassanelli’s Letter**
- Exhibit 6 – Brenda Thomas’ Letter**
- Exhibit 7 – Robert Kendall’s Letter**
- Exhibit 8 – Raymond Smith’s Letter**
- Exhibit 9 – Paul Safady’s Letter**
- Exhibit 10 – Helen Scott’s Letter**
- Exhibit 11 – Ross Day’s Letter**
- Exhibit 12 – Bob Hart’s Letter**