

Legal Counsel Update: September 24, 2019

2:00 p.m. – Board Conference Room

Attending: Commissioners Lily N. Morgan, Darin J. Fowler and Daniel E. DeYoung; Leah Harper and Pat Ellison, Legal Counsel; Wendy Watkins, Recorder

Chair Lily N. Morgan called the meeting to order at 2:00 p.m.

1. Ratify signed Access Agreement with Oregon DEQ for Forest Creek Rd. Dump Site

Leah Harper, Assistant County Legal Counsel, explained the County is working with DEQ to cleanup property at 113 Forest Creek Road in Selma, which used to be a meth lab and is very technical to cleanup. Initially the agreement was signed by Denise Montijo, Code Enforcement Supervisor and Thomas Peterson, Solid Waste Specialist, but the agreement needs to be ratified and signed by the Commissioners.

Commissioner DeYoung made a motion to Ratify signed Access Agreement with Oregon DEQ for Forest Creek Rd. Dump Site, seconded by Commissioner Fowler. Upon roll call vote, motion passed 3-0; Commissioner DeYoung – yes, Commissioner Fowler – yes and Commissioner Morgan – yes.

2. For WBS 10/2/19: Draft Board Order No. 2019-056; In the Matter of Authorization of Sale of County Real Property by Sheriff's Sale

Staff was directed to place the item under Administrative Actions on next week's Weekly Business Session Agenda.

3. Lost Creek Project William Jess Dam, Cole Rivers Hatchery

Ms. Harper explained Steve Beyerlin is interested in the fish conservation efforts on the Rogue River and the health of the river and its wildlife is of the utmost importance to the three counties it passes through: Curry County, Josephine County and Jackson County. He would like to address the long-term short-comings of the Lost Creek Lake Project, an undertaking of the United States Army Corps of Engineers. Mr. Beyerlin came and presented to the Board a few months ago and Wally Hicks, County Legal Counsel, is suggesting another meeting to ask what we are pursuing. The Board agreed to host the meeting here in Josephine County on October 3, 2019 and inviting Curry County and Jackson County's participation.

Chair Lily N. Morgan called for Executive Session at 2:21 p.m. Minutes filed separately.

Additional Attendees: Helene Lulich, Real Property Manager; Arthur O'Hare, Finance Director; Dave Streeter, Forestry Director; Sarah Garceau, Parks Director; Rob Brandes, Public Works Director

4. EXECUTIVE SESSION

a. County real properties for Sheriff's auction - ORS 192.660(2)(e)

b. County real property on New Hope Road - ORS 192.660(2)(e)&(h)

c. County real property on Coyote Creek Road - request for easement across county property - ORS 192.660(2)(e)

Executive Session Adjourned at 3:27 p.m.

The Board reported the following:

Agenda Item #4(a): Commissioner Fowler made a motion to approve the County Real Properties for the Sheriff's Auction, seconded by Commissioner Morgan. Upon roll call vote, motion passed 3-0; Commissioner DeYoung – yes, Commissioner Fowler – yes and Commissioner Morgan – yes.

Agenda Item #4(b): Legal Counsel will work with Public Works and respond to the complaint letter.

Agenda Item #4(c): The Board would like more background information on this property and Legal Counsel will bring this back to a future meeting.

LEGAL COUNSEL UPDATE CONT'D

5. Additional Subjects/Matters from Commissioners – ORS 192.640(1)

None heard.

Meeting adjourned at 3:29 p.m.