



**Board of Commissioners' County Counsel Meeting
September 1, 2020 ~ 10:00am ~ Room 214**

9/1/2020 - Minutes

**1. To Watch A Live Stream Of This Meeting, Click The Link Below Or Go To
www.klamathcounty.org**

2. Call To Order & Those Present

Commissioner Morris, Commissioner DeGroot, Commissioner Boyd (phone); Marcus Henderson / County Counsel; Haley Huffman / Admin Staff; Rick Vaughn / Tax Collector/Property Sales.

3. Approve Minutes From Last Meeting

Approved.

4. Swan Lake Pump Storage-SIP Agreements

Commissioner DeGroot had concerns about language in 1.B.2 of the agreement. Board agreed for Commissioner DeGroot to work with Counsel to flesh his concerns out.

5. Biosolids Ordinance

Marcus Henderson reviews the proposed ordinance. Commissioner Boyd said, California has gotten more restrictive and moved to an ABCD classification and he feels the Oregon DEQ with also get more restrictive. He would like to change the wording to, application of biosolids for all food crops. Mr. Henderson said, the definition in the proposed ordinance is taken straight out of the federal code, chapter 40. Mr. Henderson suggests using both. Commissioner Morris suggested adding language stating that if there is a conflict we would defer to whichever one is more restrictive. Mr. Henderson will make the changes and get it back to the Board next week.

6. Nuisance Abatement-Code Amendment Regarding 500ft Requirement

Commissioner DeGroot said, this came from a Code Enforcement complaint, for weed abatement, the City is 50' and the county is 500'. He asks, is that 500' excessive in the UGB? Rick Vaughn said, we have a property right now that part of it sits in the City and part in the County so on this same property we have to have a 50' weed abatement buffer on part and a 500' weed abatement buffer on another part. He suggests an amendment to our Code for 50' within the UGB. Commissioner DeGroot said, I spoke to Mr. Vaughn about this and we had the idea of looking at the City's nuisance code and adopting something similar for the UGB and making no changes to the Code for outside the UGB. Commissioner Boyd said, properties outside the City are larger and I believe that's why the Code was originally setup as 500'. Mr. Vaughn said, I agree, but I envision that as we bump out the City into the UGB, that's where we shouldn't have a line in the sand when most of the time in the UGB we will be closer to the City than the rural areas. Commissioner DeGroot said he agrees. Commissioner Boyd said, one other thing to consider is natural vegetation and if we make property owners in the County take care of natural vegetation, does that mean that we have property owners on Old Fort Road go up

100' into the natural vegetation, I would say no. Mr. Vaughn agrees. Marcus Henderson said, we may want to speak with the Fire District to see what they are looking for. Commissioner DeGroot said he will talk with the Fire District 1 Chief later this week. The Board agreed to allow Commissioner DeGroot and Mr. Vaughn to move forward with fact finding.

7. Other County Business

1500 Esplanade - Commissioner DeGroot motions to empower the Chair to sign agreement with General Duffy's with original terms of the contract with a subordination to People's Bank, with the occupancy date of by the end of April, 2021. Commissioner Morris seconds. Commissioner Boyd said, I'm unwilling to subordinate \$89,000.00 of citizens money to People's Bank. Commissioner Morris said, I appreciate the point but after listening to the General Duffy's presentation last week, it is a risk I'm willing to take for the project. Commissioner DeGroot said, I don't have concerns, I understand the structure of the loan. Commissioner Boyd said, understand the loan too and that is why I don't believe the County should subordinate the loan to People's Bank. Commissioner Morris said, I would have more heartburn over it if the amount were double or triple, while \$89,000 is a big dollar amount, it is a risk I'm willing to take. Commissioner Morris and Commissioner DeGroot vote in favor. Commissioner Boyd votes opposed. Approved.

Main Street Gas Station - Commissioner DeGroot asks Commissioner Boyd for an update on the gas station. Commissioner Boyd said, the person that is buying it from the estate, the Executor asked them for \$15,000.00 more. It should be completed by Thursday this week. Commissioner Boyd said, we should execute on our judgement if the Executor doesn't move. Mr. Henderson asks, would the judgement be paid out of those proceeds? Commissioner Boyd said, yes. Commissioner DeGroot asks, should we start executing the judgement now? Commissioner Boyd said, I doesn't see why we can't but Marcus is working on something that it might resolve itself. The Board agreed to review this topic and vote next Tuesday, if needed.

Real Property Foreclosure. - Mr. Henderson said the Court gave us notice that they will not hold a mediation date until after the Chief of the Supreme Court of Oregon allows them to so everything is on hold until further notice.

8. Adjournment

10:44am

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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