BOARD OF COMMISSIONERS MEETING MINUTES
October 5, 2016

BEFORE THE BOARD OF COMMISSIONERS
County of Lake County
State of Oregon

REGULAR SESSION

The Lake County Board of Commissioners met in Regular Session on Wednesday, October 5, 2016 at 10:00 a.m. The following members were present: Chair Ken Kestner, Vice-Chair Dan Shoun and Commissioner Bradley J. Winters. Also present: Administrative Assistant Denise Thorsted, Legal Counsel Jim Bailey, Road Superintendent Kevin Hock, Sheriff Mike Taylor, Undersheriff Paul Havel, Assistant Building Official Jennifer Stephens, Planning Director Darwin Johnson, Business Manager Jay Collins and Member of the Press Jimmy Hall.

Number of Public present: 8.

Additions: Meeting Minutes
Resolution 16-10-05/Appointment of Road Superintendent

Deletions: None

The Regular Session was called to order by Chair Kestner and the Pledge of Allegiance was recited.

10:00 am – Public Comment
No public comment was received during today’s session.

Other Business:

WCCF Agreement #515 Amend #3/Road Department Ratification, Action/Consideration:
Commissioner Winters confirmed this item had been time sensitive in nature and had been signed prior to today’s session requiring ratification.

Commissioner Winters moved to approve the ratification of Amendment #3 to the State of Oregon Department of Corrections Warner Creek Correctional Facility Master Agreement #515 as presented. Commissioner Shoun second. Motion carried.

AccTech Solutions/Helion & Server Upgrade Agreement, Action/Consideration:
Confirmation was given by IT Manager Denise Thorsted that approval for the Helion and server upgrade had been given during the budget process. The proposal presented was to confirm the estimated project cost in the amount of $8,055 for software upgrade related to the Clerk’s Office.

Commissioner Shoun moved to approve the AccTech Solutions Helion & Server Upgrade proposal as presented. Commissioner Winters second. Motion carried.
Addition:

Resolution 16-10-05/Appointment of Road Superintendent, Action/Consideration:

Kevin Hock was introduced to those in attendance to serve as the Lake County Road/Landfill Superintendent.

Commissioner Winters moved to approve Resolution 16-10-05 in the matter of Lake County Road/Landfill Official Designation as Kevin Hock as presented. Commissioner Shoun second. Motion carried.

Meeting Minutes, Action/Consideration:

Commissioner Winters moved to approve the September 7, 2016 Meeting Minutes as presented. Commissioner Kestner second. Commissioner Shoun abstained. Motion carried.

Commissioner Winters moved to approve the September 19, 2016 Special Session Meeting Minutes as presented. Commissioner Kestner second. Motion carried.

Commissioner Winters moved to approve the September 21, 2016 Regular Session Meeting Minutes as presented. Commissioner Kestner second. Motion carried.

Other Business cont.:
Code/Ordinance Enforcement Position (preliminary discussion), Board of Commissioners:

Confirmation was given that during budget process for the current year, funding had been set aside for the potential hire of a Code/Ordinance (and possibly animal control) position. Today’s conversation was meant to determine departmental placement for this proposed position. The Board acknowledged the need and concerns related to nuisance and possible code enforcement issues and stated the County’s commitment to addressing those concerns.

Discussion occurred on current processes for addressing citizen concerns and noted these duties at this time fell under the management of the Planning Director. In terms of future position development, Commissioner Winters felt this to be a “good fit” under Building/Planning (rather than the Sheriff) as a new position.

Public input on this matter included for a code enforcement complaint form such as the one used for nuisance complaints be put into use and for public education on code and nuisance regulations. Information was provided on the tour that had been taken in late June in North Lake to view concerns.

The Board was asked if it would be possible to go through process requesting for enforcement issues to be addressed. If after a designated time improvements were not noted, could the County address these items and have cost added to tax bills. Legal Counsel confirmed that this process could occur with exception to attaching cost to the property tax bills.

Clarification regarding building code requirements was provided by Assistant Building Official Jennifer Stephens confirming the following: the Building Official travels to North Lake once per week noting any violations found, a letter is then forwarded to the property owner. In most instances, planning process and building permits were pulled. Mrs. Stephens was in agreement that a full-time code/nuisance enforcement position was needed to work with both Planning and Building.
In terms of time allowances related to building permits Mrs. Stephens added that each permit lasted for 180 days or expire after six months. Each time there was an inspection the permit was extended for an additional six months. Clearly stated on the application was that it was the responsibility of the contractor (commercial) or the homeowner (residential) to insure inspections are requested and completed. Mrs. Stephens confirmed that letters were sent on noted issues within a timely manner and the Building Official viewed as many properties as possible on the days he was in the field but acknowledged Lake County is a large county and there was no way to see every property each visit.

Upon further discussion, Mrs. Stephens confirmed that letter after letter could be sent but that the State Building Codes Division was now requiring for a Hearings Officer to be hired in counties meaning Lake County would need to hire this position as well for code enforcement issues. No building permit process was started without Planning approval first being in place. No address was issued until planning process was complete and permits were pulled.

Planning Director Darwin Johnson acknowledged the excellent work done by Mrs. Stephens and agreed a full-time position was needed and discussed the increased number of calls and complaints being received. Mr. Johnson was asked by Commissioner Winters to draft a Code Enforcement Complaint form previously discussed. Mr. Johnson stated this could be completed by the new hire once in place.

Conversation again fell to the Board for determination of where this position was to reside and aspects to be included. Sheriff Taylor confirmed discussions that had occurred in the past of having this potentially be under his department but felt this was not a good fit as these violations were not criminal in nature and that other duties would take precedence if under his charge.

The Board was asked if fees could be raised to offset the cost for cleaning up properties. Mr. Johnson confirmed that fees on the east side of the State have been traditionally kept low in order to entice development.

Commissioner Winters confirmed that currently Lake County contracted with Klamath County for the Building Official position. He believed that the County was going to continue to grow necessitating the need to bring the Building Department to another level. One option was to consider getting Mrs. Stephens the training needed for the Building Official role and hire the code enforcement person under her direction.

Lakeview Town Council Member Ray Turner expressed concern for “squatter” situations that were occurring and asked for the public to be more proactive by noticing strange or unusual activities and to notify property owners or law enforcement.

In terms of need related to animal control Sheriff Taylor confirmed the first consideration was for somewhere to house strays but also cost for veterinary care, dividing of duties and food all creating a large financial burden.

Following discussions, the Board confirmed support for this position. Commissioner Kestner added that Planning Director Johnson had offered to manage this position and this too could be a good fit. 

Consensus was given to move forward with developing a job description for Code/Nuisance Enforcement position. Determination of where this position would fall was
to be investigated. Commissioner Kestner as liaison agreed to work with the Planning Director for future consideration.

Commissioner Winters added that he was working with the Lakeview Town Manager for potential of a joint animal control effort. The Board was asked by Don Lasley if it would be possible to raise the tax base in order to offset these costs. Confirmation was given that the base could not be raised but a tax levy or bond could be sent out for citizen vote. Commissioner Winters confirmed it was not the goal of this Board to create a tax to pay these costs.

**Legal Updates:**

No Legal Updates were provided during today’s session

**Liaisons:**

Commissioner Winters –
- Confirmed wolf depredation as occurred in the Summer Lake area
- Oregon Transportation Commissioner set to meet next week in Salem for brainstorming on grant processes
- Confirmed that Kevin Hock was also the Landfill Superintendent and work was being done on the landfill exemption process
- Provided an update on request made by the ATV group for the opening of additional connector roadways in North Lake. Recommendation had been requested from the North Lake Committee, waiting for their response.

Commissioner Shoun –
- Planned to attend the Governor’s Emergency Drought Committee meeting next week in Salem
- Provided an update on the potential PILOT program related to biomass exemption for gathering of product from Federal lands. Good news had been received as the National Director was getting on board for this allowance with the positive benefit of removing fuels. Exemption was expected to include Lake, Klamath, Deschutes and possibly Modoc counties.

Commissioner Kestner –
- Provided an update on State and Federal mapping discrepancies related to sage grouse. There was potential for hire of consultant to review and provide recommendations for changes
- Confirmed Paisley was set to receive fiber. Efforts were continuing for other areas around the County in need of Broadband services.

**Department Updates:**

*Transit, Manager Denise Thorsted* – Confirmed recent program review had occurred and gone well. Policies were to be brought forward in the near future. The reviewers had noted the positive amount of growth in this program and noted to the State where additional funds could be utilized. Commissioner Shoun acknowledged the improvement to this program since being placed under Ms. Thorsted’s management and expressed the Board’s appreciation.

*Building, Assistant Building Official Jennifer Stephens* – Nearly five hundred permits had been issued. Conversation occurred on potential requests.
Executive Session ORS 192.660 (2) ():
No Executive Session was held.

There being nothing further to come before the Lake County Board of Commissioners, this meeting adjourned at 11:42 a.m.

Respectfully Submitted,

Denise Thorsted
Administrative Assistant

Board Approval,

Ken Kestner  Dan Shoun  Bradley J. Winters
Chairman  Vice Chairman  Commissioner