



Board of Commissioners' Administrative Meeting
February 2, 2021 ~ 1:00pm ~ Room 214

2/2/2021 - 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 Boyd, Commissioner DeGroot; Haley Huffman / Admin Staff; Amanda Van Riper / Human Resources; Vickie Noel / Finance Jeremy Morris, Todd Pfeiffer / Public Works.

3. Approve Minutes From Last Meeting

Approved.

4. Amanda Van Riper - Human Resources

1. Exception To Policy - Finance

Amanda Van Riper addresses the Board. Commissioner DeGroot motions. Commissioner Boyd seconds. Ms. Noel explains the extenuating circumstances. Unanimous vote. Approved.

5. Jeremy Morris - Public Works

1. Old Fort Road Property Owner Survey

Jeremy Morris addresses the Board and explains the effect of dust-off on pothole creation. Public Works would like to solicit the property owners in the area to see if they want less dust in the summer or more potholes in the winter. Commissioner Boyd said, I'm fine with sending out the survey. Commissioner DeGroot said, I appreciate the information, this for me is a department head or liaison type of decision. Commissioner Boyd said, we wanted to make sure everyone was on board so if we get phonecalls.

2. Chip Aggregate Quote Discussion

Jeremy Morris addresses the Board. Traditionally we bundled together a three year multi million dollar crushing contract for chip aggregate anticipating what we will need for those years. An idea was thrown out there, our typical crushing contract was to crush it at any source but then to transport it to our stockpile locations so we thought in the Merrill or North Pit, what if we just crush it right at the stockpile or at their source and use it the year we crush it so there is cost

savings for not having to move it and load it. Commissioner Boyd said, if we can save \$4 a ton, I think we should do it. Mr. Morris said, this fall under the aggregate purchase exemption that Public Works has but I didn't feel comfortable making a change like this without you all knowing about it. Commissioner DeGroot said, that works I like saving money.

3. Noxious Weed Control Program Continued Discussion

Jeremy Morris and Todd Pfeiffer address the Board. Commissioner Boyd asks, if Code Enforcement were to send Mr. Pfeiffer a picture of a noxious weed issue, could another staff member such as Lani in Public Works send an email/letter to the land owner? He said, Todd could go out one day a week and check on the things people are bringing to you. Mr. Pfeiffer explains a letter would need to be sent, not an email. He said, somebody else could send the picture to me because it says my designee. Commissioner Boyd said, I'm thinking maybe we could get a 2 or 3 leads a week from Code Enforcement. Commissioner DeGroot agreed and said, they could send out the letter it doesn't have to be Lani, they have staff down there. We can figure out an end policy. Commissioner DeGroot said, I think the cross training is really important, more than one person need to know how to identify them. We need to have 3-4 people who can identify. I don't have a problem with us finishing out these contracts this year and lets reevaluate this in the winter. Mr. Pfeiffer said I noticed the email mentioned focusing on the A list of weeds, you have to understand the B list of weeds are the more common ones and most of the complaints come in on the B list. Commissioner DeGroot said, ok so we can do A and B lists. Commissioner DeGroot suggests creating a policy for habitual offenders that get a letter every year and if they get a letter for a third year in a row, they don't get a letter they just get a citation. Mr. Pfeiffer states, the ordinance is setup so that once you are served a notice, you are under that notice for as long as you own the property so technically if they get a letter one year, I wouldn't have to send another letter the next year, I could send a citation but that hasn't been our internal policy. Commissioner DeGroot said, understood and that is the piece that we should reevaluate. Mr. Morris suggests modifying the letter that is currently sent out to say, we are considering ratcheting this up and explain it and the ORS in the letter that goes out this year. Commissioner Boyd agreed and said the goal is not to be punitive, the goal is to bring them into compliance. Mr. Morris said, one other niche we have going on is no spray zones so every year we require the folks to renew those. There is a cost to that, the time associated with that and the new no spray zones have a sign we need to place and the maintenance of the signs so one of the things is you're dealing with a program that is dealing with these requests. One thing to consider is a minor renewal fee. Commissioner DeGroot said, I am open to that, I'm willing to listen. Commissioner Boyd said, I'm surprised there is not already a fee because it costs the County money and I don't think that people who have nothing to do with it should bear the cost so I am 100% in support of this. Mr. Morris said, we will modify the letter with the ORS that supports and this notice is continual as you own the property. The Board agreed to continue on with the contracts this year, a one year extension only and to reevaluate the program at the end of the year. Mr. Morris said, we will modify the letter putting them on notice that the ORS supports that this notice is continual until you don't own the property and if they are a repeat offender future notices may be direct to citation. Commissioner DeGroot asks

Mr. Morris to bring the future of the weed program back to the Board, the first week of December.

6. BOCC

None.

7. Other County Business

Addressing and Driveway Fees - Mr. Morris said, I have a draft of the fees ready to bring to the Board in a couple weeks.

Wilsonart Letter - Commissioner DeGroot said, you probably saw the letter from Wilsonart which I don't think made anybody happy. I was asked to keep communicating with Nathan Cherpeski on negotiation strategies. He ran a few different scenarios he wanted me to look at and I said I'd run it by the Board. The top one is Wilsonart's request which we just took the top end of what they put in their letter. I guess we never really got a formal request from this. If I had it to do over again, I would have begun these discussions differently and I think KCEDA would as well. The next pages are scenarios that the City is suggesting we consider to go back to Wilsonart for the next steps. It appears Wilsonart was lead to believe that the fee would be in the range of their letter, I do know where it came from, I don't feel like throwing him under the bus, but it was not the County or the City that did that. Somebody just misspoke and overstepped. Commissioner Boyd said, here's what I would like, the County accepted Wilsonart, all three of us voted on the \$250,000 thing. I don't like that fact, I've come to grips with it but I don't like that we offered the \$175,000. I know why we did, I understand the background but the proposal that was presented to us that we voted on was \$250,000. What really concerns me today is that we learn from this education and don't let this happen again. I'd like to have Randy Cox, Larry Holzgang and Nathan, I want to know what happened. I'm not upset with anyone I would just like to know how they got to the point we're at. I talked to Ron today, the man that signed the letter and he indicated it came from the individual you're talking about. I went to the individual yesterday and he told me, oh no. I think we need to have those conversations. Here's my problem today, I truly think that if Klamath County doesn't honor their agreement, their anticipated thing, it will go through the manufacturing and big business community like a gallon of vodka through a 17th century Spanish galleon. We will never attract another business to Klamath County and that's the last thing I want to do. Commissioner DeGroot said, I agree with you 100%. Commissioner Boyd said, I don't want to say no and I don't want to stop construction. I think we, the Commissioners and the City need to have a very frank talk with Business Oregon and our economic development people because they don't have the ability to negotiate on behalf of the County and I think that conversation needs to happen before we present a deal back to Wilsonart. I don't think Wilsonart picked a number out of the air to throw at us. Commissioner DeGroot said, agreed.

Commissioner DeGroot said, I agree with just about everything you just said and there's definitely some education that needs to be done and probably a meeting that talks more than just about this but basically where we went right and wrong. This is a big part of that discussion where I will say in regards to the project, so far throughout the entire project, this is the first major blunder that I've seen from the team. There's things that are pressed on timelines and are making people jump through hoops which quite frankly are going through that manufacturing community now about how quickly we moved to meet their demands. Had I known that these numbers had been tossed around and that's what they were expecting, I never would have put that proposal with Nathan together. Commissioner Boyd

said, I don't think you would've wasted your time. I don't think that was an exercise in futility what you did. Commissioner DeGroot said, no it was all in good faith. Commissioner Boyd said, I gotta disagree with you a little. I think without an LUCS that has not been completed and the fact that we haven't signed a document that says this LUCS needs to get completed, I think the County is in tremendous liability because the County might require something that Wilsonart might not accept so because of the fact we haven't followed the process and it was circumvented by someone in this building, it has put the County at a very poor position because if the County were to start insisting this happens and this happens, my reaction would be why did you give me a building permit I've invested 10 million dollars and I'm going to get it back so I don't know how that happened but I'd like to get it cleared up. We can all figure this out. Nothing is going to be punitive. If someone doesn't claim where we got this \$30,000-\$50,000, Donnie is going to start being punitive. Commissioner DeGroot said, I'll think about how I would react to that, I don't know. I know what you're talking about. I don't know how I want to handle that today. Commissioner Boyd said, you're one guy. The reality is I want someone or a group to be honest with us and tell us this is how it happened, but if it's someone who wants to be teflon and keep pushing it away then my mind is, should we be using tax payer dollars to fund that position. Commissioner DeGroot said, I hear what you're saying. Commissioner Boyd said, we have to figure out how to put it all in the best way we can and move on ahead. Hopefully we have an opportunity to bring in other businesses or this one expand and it's good for the community but we can't make this mistake every time. Commissioner DeGroot said, there's two debriefs that need to happen one is internal and one is external. Even if everything went perfect we should debrief because this is new. For us to be recruiting a company like Wilsonart, this is new but we don't want it to be a one off. I do want to handle those two things separately and learn as Commissioners and as outside entities. As far as all three of us doing it together, I want to think about that. Commissioner Boyd said, the reality is this is tax payer dollars and in my mind, if someone screwed up this bad, we should be telling the public. They deserve to know. The fact is we have departments within this County that we're trying to figure out how to manage, we talked about it this morning. This amount of money is vital to the tax paying citizens and the County and for someone to act like it's other people's money and it's not a big deal. That group or individual needs to say I blew it. How far are we willing to go to attract businesses? This deal here is an educational experience. Commissioner DeGroot said, this is the very beginning of the negotiations that I'm aware of. What I think happened is that somebody made a comment during the recruitment process that they shouldn't have and that inspired the letter. We are in a negotiation with them on the enterprise zone community service fee. How do you feel about, how you want to move ahead with working with the City to put together a counter to the letter we just received? Commissioner Boyd said, I need time to digest this but the reality is I don't think we're in a position to negotiate. Commissioner DeGroot said, because somebody made a commitment for us. Commissioner Boyd said, because somebody made a commitment for us. Wilsonart has made a huge investment in Klamath County and somebody made an agreement with them, that's how I'm interpreting the letter. It says thank you for granting us the 15 year exemption but that hasn't been done yet. I don't think the County is in much of a position to say this is what it's going to cost or get over it because of the money they've invested on the fact that they assumed, where ever they got this \$30,000 to \$50,000 number from. Commissioner DeGroot said, I think we are kind of in a negotiation and there is probably a little bit of room there. I think that more important than the dollars, and you alluded to this, is the perception that we're giving to the business community to do business here. Why don't you digest this and even call Nathan about these strategies. Keep in mind these fees are split between the City and the County so we get 50% of this. Commissioner Boyd said, I don't think that the person that sent the email out yesterday had the authority to send

that email out. We are the ones that decide where the money gets spent and where we put the tax payer dollars, we were elected to do that. The individual I'm talking about was not elected. Commissioner DeGroot said, I understand your line of thinking but I don't know if I agree. I haven't had a chance to talk with that individual. Commissioner DeGroot said, what I'd like back from the Board is some feedback so that I can go back to Nathan with the County's position and I didn't want to do that without talking to the Board. Commissioner Boyd said, we're not in a hurry. It will be several months before they receive a tax break. The Board agreed to discuss this item further at next week's County Counsel meeting.

8. Adjournment

2:12pm

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.

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