

RECORDED

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**Clatsop County
Board of Commissioners
Minutes
Wednesday, December 13, 2023**

REGULAR MEETING: 6:00 PM

FLAG SALUTE

The Pledge of Allegiance was recited.

ROLL CALL

PRESENT

Chair Mark Kujala

Vice Chair Courtney Bangs

Commissioner John Toyooka

Commissioner Pamela Wev

Commissioner Lianne Thompson

AGENDA APPROVAL

Commissioner Thompson requested extended discussion and Staff reports on Items 12, 13, and 16 during future meetings. Commissioner Wev supported the request.

Motion made by Vice Chair Bangs, Seconded by Commissioner Thompson to approve the agenda as presented.

Voting Yea: Chair Kujala, Vice Chair Bangs, Commissioner Toyooka, Commissioner Wev, Commissioner Thompson

BUSINESS FROM THE PUBLIC

M. Eng, P.O. Box 12, Astoria, reported on drug and sex crimes occurring at LiFEBoat, noting that the LiFEBoat management allowed the crimes to occur and kicked out those who reported the crimes. She also reported that LiFEBoat did not allow disabled people to enter their facility and that women were concerned about their safety there. She appreciated all of the work to help the homeless, but money would not make places safe for people with disabilities and those who go to LiFEBoat should have the right to go to the authorities.

Michael Avila, 750 Alameda Ave, Astoria, pastor of the Astoria First United Methodist Church, noted that the church housed the Astoria Warming Center from 2014 to 2023. After the center closed, the church leadership unanimously voted to partner with LiFEBoat to provide shelter, meals, and resources to the homeless in the church's open space where the warming center was previously located. LiFEBoat is a low-barrier shelter that makes a positive difference in Astoria and the community needed LiFEBoat to continue their services. He hoped that the church's support of LiFEBoat would allow LiFEBoat to continue providing assistance to the homeless and others in need.

1 **CONSENT CALENDAR**

2 *Motion made by Vice Chair Bangs, Seconded by Commissioner Thompson to approve*
3 *the consent calendar as presented.*

4 *Voting Yea: Chair Kujala, Vice Chair Bangs, Commissioner Toyooka, Commissioner*
5 *Wev, Commissioner Thompson*

- 6 1. Board of Commissioners Meeting Minutes 10-25-23 {Page 22}
- 7 2. Board of Commissioners Meeting Minutes 11-08-23 {Page 26}
- 8 3. Lease agreement for Tillamook Head Communications Site {Page 31}
- 9 4. FY23/24 budget and appropriations adjustments for unanticipated grant revenue
10 from Columbia Pacific CCO for Syringe Service Program /Harm Reduction
11 program supplies {Page 47}
- 12 5. Award Two Year Contract to perform Landscape Maintenance Work {Page 60}
- 13 6. Amendment No. 2 to Grant No. 15663 State of Oregon, Dept. of Education
- 14 7. Approve the 2023-24 Budget and Appropriation Adjustments {Page 113}
- 15 8. State Homeland Security Program (SHSP) Grant No. 23-259 {Page 116}
- 16 9. Contract for 2023-24 Emergency Management Program Grant (EMPG) {Page
17 140}
- 18 10. Amended and Restated IGA with the State of Oregon, acting by and through its
19 Oversight and Accountability Council (OAC), which is staffed by Oregon Health
20 Authority (OHA), for the Biennium July 1, 2023 through June 30, 2025 {Page
21 165}
- 22 11. IGA #180004 Amendment #4 with Oregon Health Authority (OHA) for the
23 Biennium July 1, 2023 through June 30, 2024 {Page 235}
- 24 12. Youngs Bay Net Pen Gangway Replacement Construction Contract with
25 Bergerson Construction {Page 248}
- 26 13. Agreement with IZO Inc. for the Biennium July 1, 2023 through June 30, 2025
27 {Page 258}
- 28 14. Subrecipient Funding Agreement – LiFEBoat Services {Page 285}

29 **COMMISSIONER'S LIAISON REPORTS**

30 Commissioner Wev gave Commissioners reports on the Arts Council's annual summit
31 and their upcoming study on the impact of the arts on the county. She also reported on
32 the Liberty Theater's programming, the workforce training conference, Linn County's
33 housing for the homeless, and a recent court decision about the liability of governments
34 when someone is injured on public property.

35 Commissioner Thompson understood that CIS Insurance recommended governments
36 close their trails as a result of the court decision.

37 County Counsel Pope responded that the City was looking into the ramifications of the
38 court decision. The ruling was very narrow and only applied to certain trails. The ruling

1 would not impact most of the County's trails and Staff would do everything it could to
2 mitigate risk on the few trails the ruling would apply to.

3 Vice Chair Bangs reported on the Habitat Conservation Plan and the Forest Trust Land
4 Advisory Committee (FTLAC) meeting to discuss expected volumes and incomes to
5 counties. She shared her concerns about the modeling used to determine Clatsop
6 County's volume and income and its negative impact to the County if the modeling is
7 approved. She is committed to advocating for the community and said she hoped that
8 upcoming discussions on the modeling would lead to improved volumes and incomes
9 for the County. She encouraged the public to comment on the topic at the Board of
10 Forestry meeting in January and asked that the Commission provide a statement as
11 well.

12 Commissioner Thompson agreed with Vice Chair Bangs that the FTLAC's modeling
13 would negatively impact the services provided by the County and said she supported
14 the right balance of protected habitats and economic development. She reported on the
15 annual Oregon Leadership Summit on the Oregon Business Plan, upcoming
16 neighborhood meetings on new land use requirements and wildfire resilience, the
17 Northwest Area Committee on Transportation (ACT) meeting, and her efforts to change
18 the State's tax structure.

19 Chair Kujala reported on his meeting with Warrenton staff to discuss levies and dikes.
20 He also reported on the net pens and the Northwest Oregon Housing Authority (NOHA).

21 Vice Chair Bangs added that she had been hearing community members referring to
22 the County's contingency funds as a nest egg or a piggy bank. She explained that
23 contingency funds were necessary when funding from the Federal Emergency
24 Management Administration (FEMA) would not be received fast enough. Contingency
25 funds were fiscally responsible.

26 **COUNTY MANAGER'S REPORT**

27 County Manager Bohn reported that a work session would be scheduled in January to
28 discuss the recreational immunity case and discretionary immunity. He also reported on
29 staff's efforts to develop an economic development plan and workforce development
30 plan, as well as partnering with the State on revenue replacement.

31 Vice Chair Bangs recommended the County launch its own legislative appeals in 2025
32 because the Governor's Office had limited conversations to direct payments.

33 Commissioner Thompson requested that the Army Corps of Engineers be included in
34 the County's work on the dikes. County Manager Bohn responded that all stakeholders
35 would be included because there were a lot of things the County could not control. A
36 partnership with the State would be necessary. Chair Kujala added that it would make
37 sense for the Regional Solutions Task Force to discuss the matter.

38 **BUSINESS AGENDA**

- 39 15. Organic Materials Recovery and Bioenergy Feasibility Study Phase II Contract –
40 Jacobs Engineering, Inc. {Page 333}

1 Assistant County Manager Steele presented the Staff report on the contract for
2 Phase II of the study to determine the feasibility of placing an anaerobic
3 biodigester in Clatsop County. Staff recommend approval of the contract.

4 Commissioner Thompson understood there was an urgent need for an anaerobic
5 biodigester because people could not get their septic waste hauled.

6 Assistant County Manager Steele confirmed that septic waste haulers could no
7 longer dispose of a full tank of waste at the water treatment plant in Rainier and
8 haulers found it difficult to find other places to empty their tanks.

9 County Manager Bohn added that a short-term solution would be for the
10 municipal treatment plants to accept septic waste and Staff are talking to cities to
11 try to facilitate a solution.

12 *Motion: "Approve the contract with Jacobs Engineering, Inc. to conduct Phase II*
13 *of an Organic Materials Recovery and Bioenergy Feasibility Study in the amount*
14 *of \$248,236 and authorize the County Manager to sign the contract and any*
15 *amendments."*

16
17 *Motion made by Vice Chair Bangs, Seconded by Commissioner Thompson.*
18 *Voting Yea: Chair Kujala, Vice Chair Bangs, Commissioner Toyooka,*
19 *Commissioner Wev, Commissioner Thompson*
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21 16. Award Contract to Rehabilitate Sewer at Clatsop County Jail {Page 345}

22 Facilities Manager Gerber presented the Staff report on the contract to
23 rehabilitate the sewer line at the jail. Staff recommended the contract be awarded
24 to Apollo Plumbing.

25 Sherriff Phillips confirmed for Commissioner Thompson that the sewer lines were
26 functional when the jail remodel was bid so they were not included in the remodel
27 project.

28 *Motion – "Award the Clatsop County Jail Sewer rehabilitation contract to Apollo*
29 *Plumbing Heating and Air Conditioning. Authorize the County Manager to sign*
30 *the Contract in the amount of \$93,670.75 and authorize the County Manager to*
31 *sign amendments."*

32
33 *Motion made by Vice Chair Bangs, Seconded by Commissioner Wev.*
34 *Voting Yea: Chair Kujala, Vice Chair Bangs, Commissioner Toyooka,*
35 *Commissioner Wev, Commissioner Thompson*

36 PUBLIC HEARINGS

37 17. Second Reading of Ordinance 23-09: Goal 11 Exception to Expand Arch Cape 38 Sanitary District to Arch Cape Fire Hall {Page 369}

39 Planning Manager Decker presented the Staff report on the proposed ordinance.

40 County Counsel Pope conducted the second reading of the ordinance.

Chair Kujala confirmed there were no public comments and closed the public hearing.

Motion: "Approve Ordinance 23-09."

Motion made by Commissioner Thompson, Seconded by Commissioner Toyooka.

Voting Yea: Chair Kujala, Vice Chair Bangs, Commissioner Toyooka, Commissioner Wev, Commissioner Thompson

18. Second Reading of Ordinance 23-10: Goal 11 Exception to Expand Arch Cape Sanitary District to Include 79876 and 79878 Hwy 101 {Page 373}

Counselor Pope conducted the second reading of the ordinance.

Senior Planner Sisson presented the Staff report on the proposed ordinance.

Chair Kujala confirmed there were no public comments and closed the public hearing.

Motion: "Approve Ordinance 23-10."

Motion made by Commissioner Thompson, Seconded by Vice Chair Bangs.

Voting Yea: Chair Kujala, Vice Chair Bangs, Commissioner Toyooka, Commissioner Wev, Commissioner Thompson

19. Ordinance 24-01: 2023 LAWDUC Legislative Amendments (formerly Ordinance 23-15) {Page 377}

Counselor Pope conducted the first reading of the ordinance.

Director Henrikson presented the Staff report on the proposed ordinance.

Commissioner Thompson asked if there was any flexibility in the way the County is implementing the State's requirements. Director Henrikson responded that if the County did not update its Codes with this ordinance, State law would still apply.

Director Henrikson announced that a hybrid public information session had been scheduled for January 16, 2024 at 5:00 pm to discuss housing amendments. A link to the virtual meeting was available on the County's website. She confirmed for Commissioner Thompson that the housing amendments were separate from this ordinance, not required by State law, and were prompted by the Commission's desire to alleviate the housing crisis.

Chair Kujala opened the public hearing and confirmed that no Commissioner had a conflict of interest to declare. He called for public comments. Seeing none, he closed the public hearing.

Motion: "Continue the matter to January 10, 2024 meeting"

Motion made by Vice Chair Bangs, Seconded by Commissioner Toyooka.

Voting Yea: Chair Kujala, Vice Chair Bangs, Commissioner Toyooka, Commissioner Wev, Commissioner Thompson

GOOD OF THE ORDER

1 There was nothing for the good of the order.

2 **ADJOURNMENT**

3 There being no further business, the meeting was adjourned at 7:18 pm.

4 Approved by,

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Mark Kujala, Chair