



CLATSOP COUNTY
BOARD OF COMMISSIONERS AGENDA
WORK SESSION & REGULAR MEETING
IN PERSON & VIRTUAL (HYBRID)
JUDGE GUY BOYINGTON BUILDING,
857 COMMERCIAL ST., ASTORIA

Wednesday, August 10, 2022

BOARD OF COMMISSIONERS:

Mark Kujala, Dist. 1 – Chair
Lianne Thompson, Dist. 5 – Vice Chair
John Toyooka, Dist. 2
Pamela Wev, Dist. 3
Courtney Bangs, Dist. 4

commissioners@co.clatsop.or.us

CONTACT:

800 Exchange, Suite 410
Astoria, OR 97103
Phone (503) 325-1000
Fax (503) 325-8325

www.co.clatsop.or.us

JOIN THE BOARD OF COMMISSIONERS VIRTUALLY

Clatsop County Board of Commissioners host virtual meetings on Zoom

The Board remains committed to broad community engagement and transparency of government. To provide an opportunity for public testimony, the Board will host virtual meetings on Zoom.

Join the meeting from your computer, tablet or smartphone ([Zoom link](#))

You can also dial in using your phone.

1-253-215-8782

Meeting ID: 503 325 1000

Passcode: 384761

Public Testimony

You must register in advance if you want to provide testimony virtually on public hearings or speak at the designated time. There are three ways to do this: On our website at [public comment](#), emailing commissioners@co.clatsop.or.us or by calling 503-325-1000. Once registered, we will notify you when it is your opportunity to speak for a two-minute comment. You also may submit written comments which will be provided to the Board and submitted into the record.

WORK SESSION: 5:00 PM

Work Sessions are an opportunity for Board members to discuss issues informally with staff and invited guests. The Board encourages members of the public to attend Work Sessions and listen to the discussion, but there is generally no opportunity for public comment. Members of the public wishing to address the Board are welcome to do so during the Board's regularly scheduled meetings held twice monthly.

Discuss Formal Agenda

TOPICS:

- [1.](#) Request for Lease of Ridge Road Right-of-way {15 min} {Page 3}
 - [2.](#) Fiscal Year 2021-22 4th Quarter Financials {5 min} {Page 9}
-

REGULAR MEETING: 6:00 PM

The Board of Commissioners, as the Governing Body of Clatsop County, all County Service Districts for which this body so acts, and as the Clatsop County Local Contract Review Board, is now meeting in Regular Session.

ROLL CALL

AGENDA APPROVAL

PROCLAMATION

BUSINESS FROM THE PUBLIC – *Individuals wishing to provide oral communication at the designated time must register in advance by calling 503-325-1000 or email commissioners@co.clatsop.or.us by 3 p.m. on the day of the meeting.*

CONSENT CALENDAR

- [3.](#) Board of Commissioners Minutes 6-22-22 {Page 20}
- [4.](#) Approve the 2022-23 Budget and Appropriation Adjustments {Page 32}

COMMISSIONER'S LIAISON REPORTS

COUNTY MANAGER'S REPORT

PUBLIC HEARING

- [5.](#) Ordinance Declaring a Temporary Ban on Psilocybin Businesses – Second Reading {Page 36}

BUSINESS AGENDA

- [6.](#) Resolution and Order Referring to the Voters of Clatsop County a Measure Proposing a Temporary Ban on Psilocybin-Related Business and Adopting a Ballot Title and Explanatory Statement {Page 41}

GOOD OF THE ORDER

ADJOURNMENT

As necessary Executive Session will be held in accordance with but not limited to: ORS 192.660 (2)(d) Labor Negotiations; ORS 192.660 (2)(e) Property Transactions; ORS 192.660 (2)(f) Records exempt from public inspection; ORS 192.660 (2)(h) Legal Counsel

Agenda packets also available online at www.co.clatsop.or.us

This meeting is accessible to persons with disabilities or wish to attend but do not have computer access or cell phone access. Please call 325-1000 if you require special accommodations at least 48 hours prior to the meeting in order to participate.

Board of Commissioners Clatsop County

WORK SESSION AGENDA ITEM SUMMARY

August 10, 2022

Topic: Request for Lease of Ridge Road Right-of-way
Presented By: Terry Hendryx, Assistant Director Public Works

**Informational
Summary:**

Recently Public Works was approached by John Wilson of Rawhl Properties LLC, who asked if it would be possible to lease part of the right-of-way on the northly end of Ridge Road between 7th Avenue and Pacific Drive in Hammond adjacent to Taxlot 1102. On June 29th, they went before Warrenton's Planning Commission for a Pre-App meeting. While there were some revisions the City felt needed to be made, the Pre-App was favorable to their conceptual plan.

The preliminary plan which is found in your materials, shows between 1 to 4 food carts could be on Taxlot 1102, which is 33 feet wide and 100' long. Also provided in your materials is a preliminary parallel parking design showing up to 3-4 parking spaces which would intrude into the Ridge Road right-of-way 10 feet. The right-of-way width for Ridge Road at this location is 60 feet. As seen in the attached photographs, there is an additional 13 feet of space between where the proposed parking spaces would be located and the edge of the asphalt and bike lane. Parking spaces as measured adjacent Warrenton's City Hall are 8.5 feet wide by 24 feet long, or 204 square feet per parking space. Three spaces require 612 square feet, whereas 4 spaces requires 816 square feet.

Below you will find the only existing leases the County has within its' right-of-way.

- The KOA lease was recently renewed in July 2021 through July 2026, at a rate \$5.88 per square foot for building and paved parking area.
- The Knappa Logger lease which is currently up for renewal is \$4.10 per square foot for paved area used for restaurant parking.

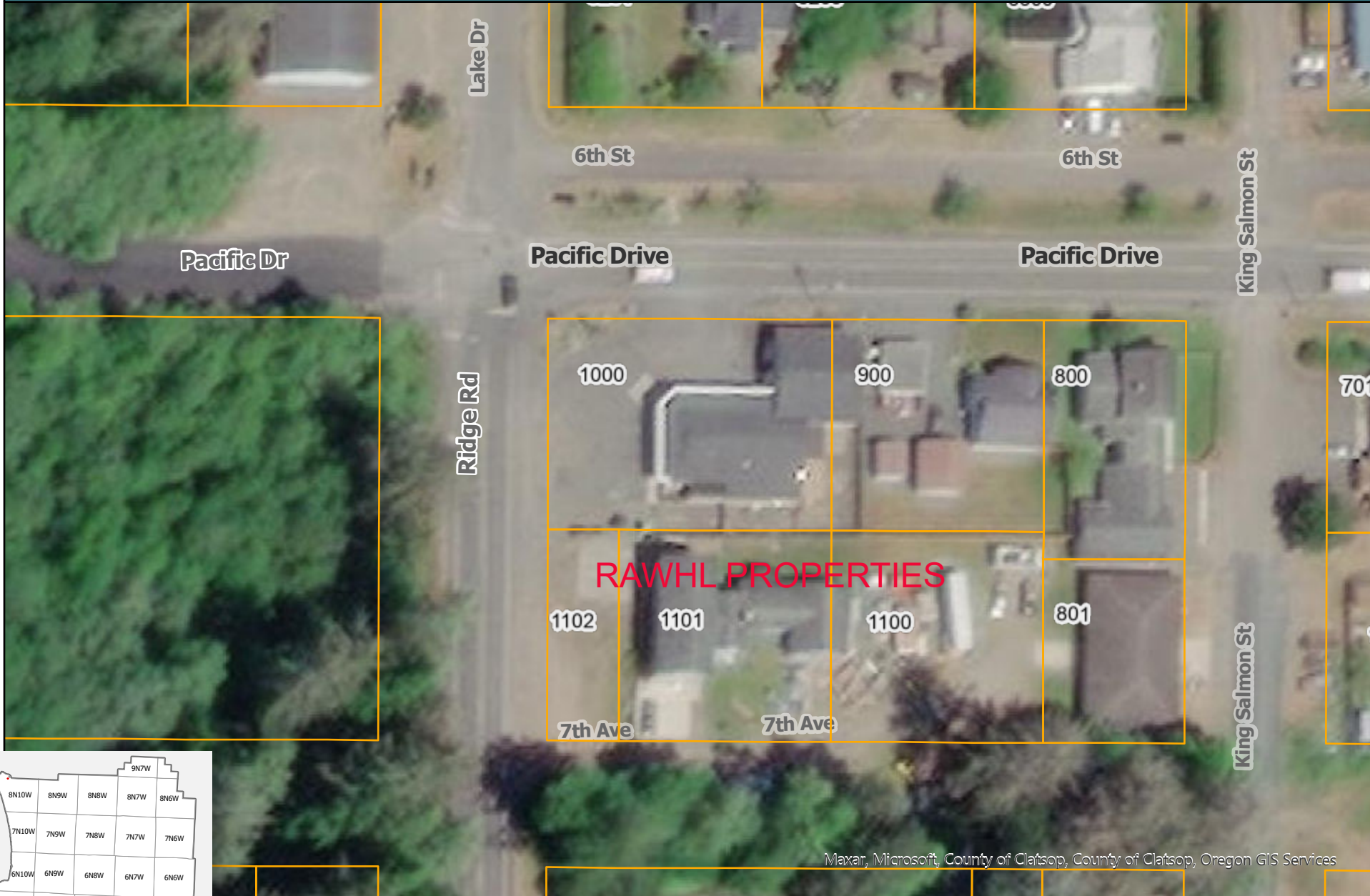
Public Works is asking the Board as to whether or not Rawhl Properties LLC, should be granted a lease for occupying County right-of-way for commercial purposes and if so, at what rate per square foot? If

granting a lease what other, conditions (if any), would you like included in the lease?

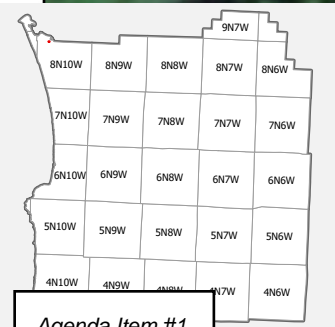
Attachment List

- A. Webmaps Aerial with Taxlots
- B. Rawl Properties Tentative Plan
- C. Parking Area Photo Looking South
- D. Parking Area Photo Looking North

RAWHL PROPERTIES

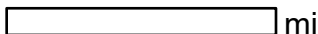


Maxar, Microsoft, County of Clatsop, County of Clatsop, Oregon GIS Services



Clatsop County

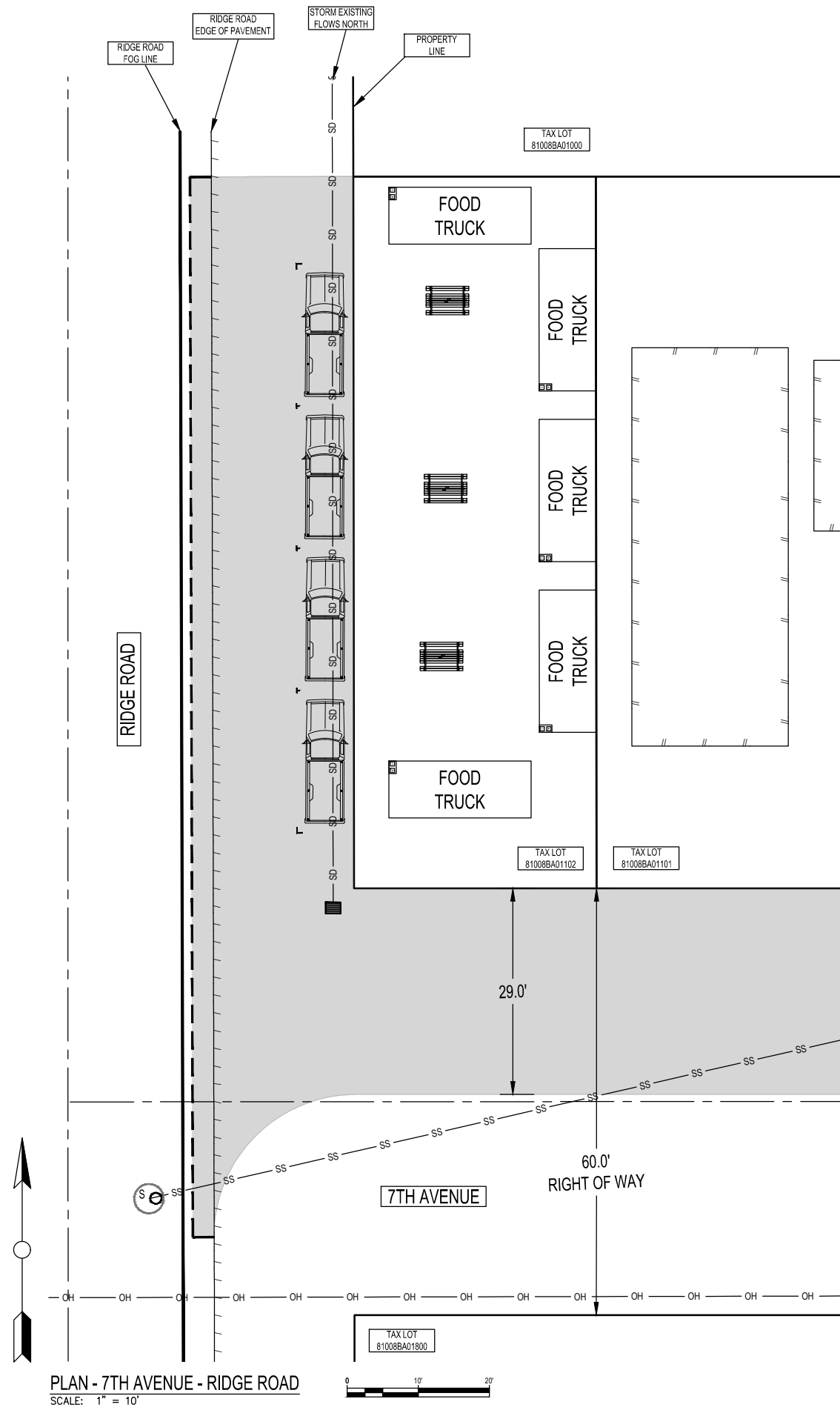
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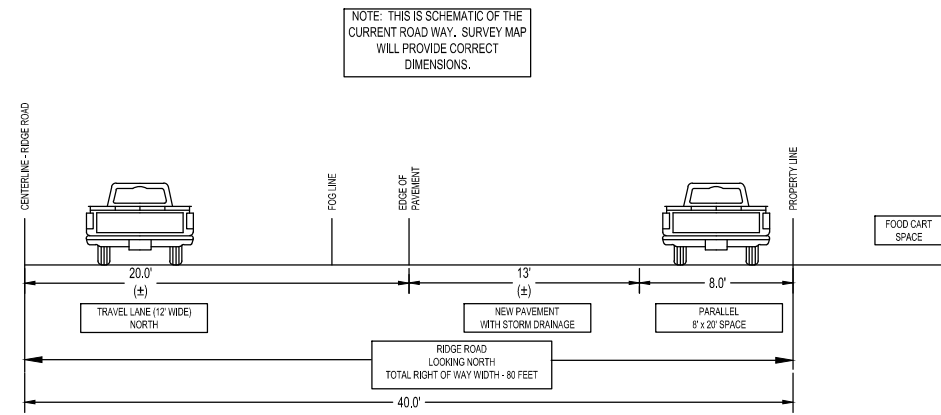
This map was produced using Clatsop County GIS data. The data is maintained by Clatsop County to support its governmental activities. Clatsop is not responsible for any map errors, omissions, or misinterpretation.

projects\Wilson_Hammond\Wilson_Duplex_04-25-2022.dwg Plotter: Jul 20, 2022 - 9:05am By: Geoff

Agenda Item #1.



PLAN - 7TH AVENUE - RIDGE ROAD
SCALE: 1" = 10'



STREET CROSS SECTION - RIDGE ROAD
SCALE: NTS

NOTE: THIS IS SCHEMATIC OF THE CURRENT ROAD WAY. SURVEY MAP WILL PROVIDE CORRECT DIMENSIONS.

OWNER
 RAWHL PROPERTIES LLC
 (JOHN WILSON)
 PO BOX 167
 HAMMOND, OREGON 97146
 CONTRACTOR - SAME AS ABOVE

ENGINEER
 YOUNGS RIVER ENGINEERING, LLC
 GEOFFREY LILJENWALL, PE
 91280 YOUNGS RIVER ROAD
 ASTORIA, OREGON 97103
 503-791-3010

LEGEND

- ASPHALT - NEW
- BUILDING
- EXISTING ASPHALT PAVEMENT EDGE
- SAW CUT ASPHALT OR CONCRETE
- PROPERTY BOUNDARY
- SEWER
- WATER
- OVER HEAD UTILITY
- STORM
- STORM CATCH BASIN
- UTILITY POLE WITH STREET LIGHT

REDUCED DRAWING

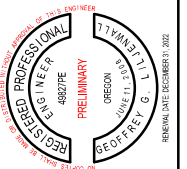
VERIFY SCALE

BAR IS ONE INCH ON ORIGINAL DRAWING
 0" 1"
 IF NOT ONE INCH ON THIS SHEET, ADJUST SCALES ACCORDINGLY

PERMIT

Rawhl Properties LLC
 CLATSOP COUNTY - RIDGE ROAD
 7TH AVENUE - RIDGE ROAD
 HAMMOND, OREGON 97146

YOUNGS RIVER ENGINEERING
 GEOFFREY G. LILJENWALL, PE
 91280 YOUNGS RIVER ROAD
 ASTORIA, OR 97103
 503-791-3010



NO.	DATE	BY	REVISION COMMENTS	INITIAL ISSUE DATE	
				DATE	BY
DESIGN	DRAWN	CHKD			07/20/2022
CGL					



WOOD
\$10



STOP



Board of Commissioners Clatsop County

WORK SESSION AGENDA ITEM SUMMARY

August 10, 2022

Topic: Fiscal Year 2021-22 4th Quarter Financials
Presented By: Jennifer Carlson, Finance & Budget Manager

Informational Summary: Fiscal Year 2021-2022 4th Quarter Financials as presented by Budget & Finance Manager, Jennifer Carlson.

Attachment List

- A. 2021-22 Quarter 4 Financial Presentation

Prepared for the Clatsop County Board of Commissioners

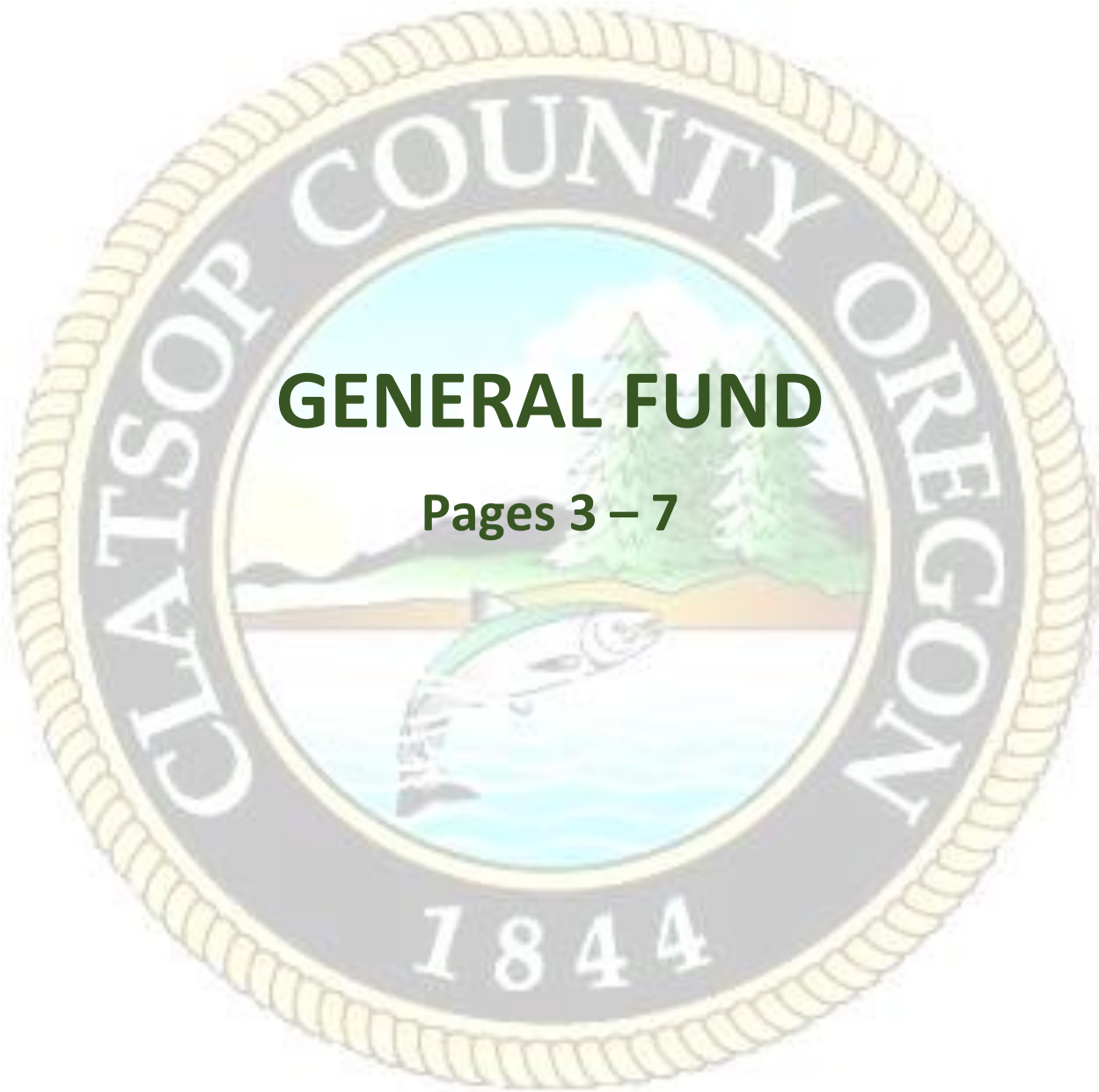


Fiscal Year 2021-2022

Quarter Four Financial Report

Prepared by: Jennifer Carlson, Budget & Finance Manager

August 10, 2022



GENERAL FUND

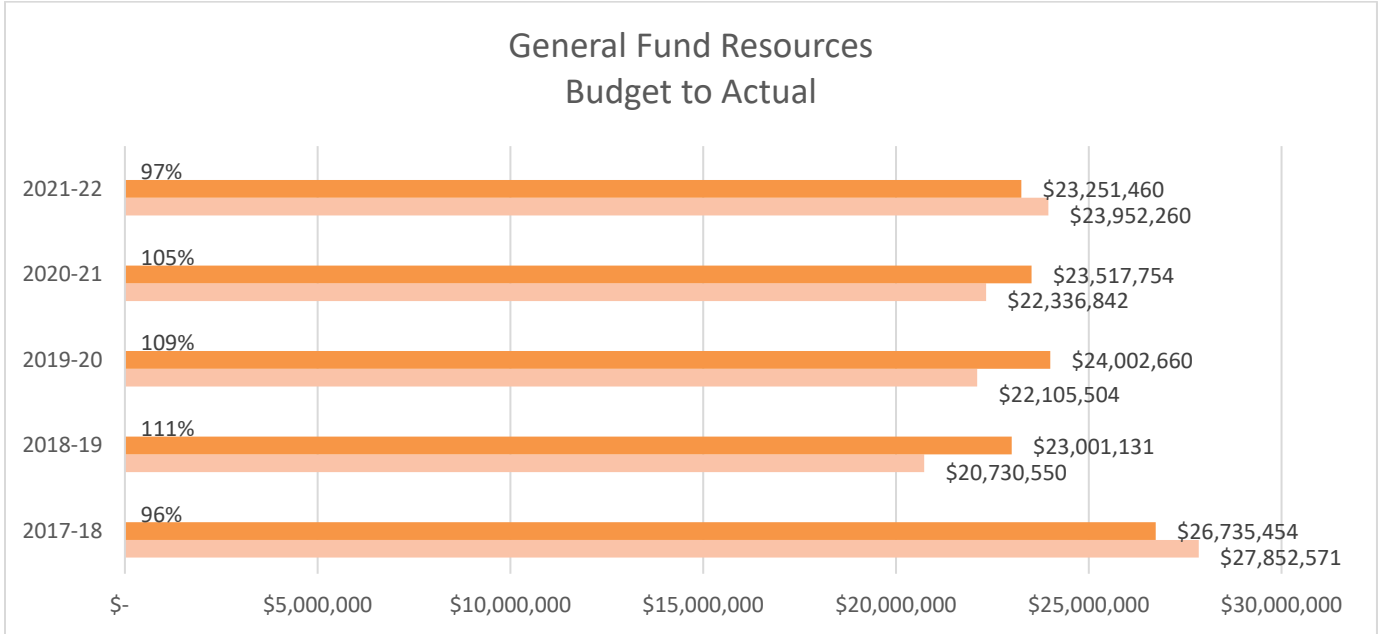
Pages 3 – 7

Clatsop County General Fund Financial Highlights

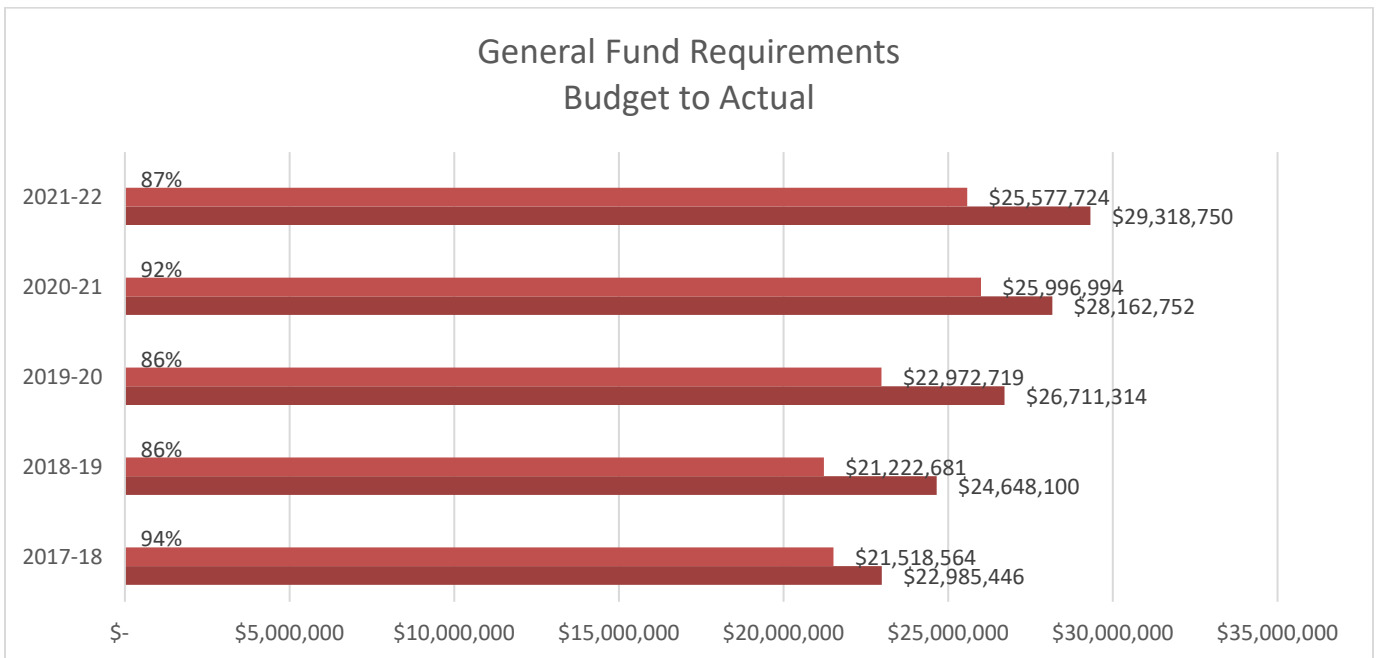
- ❖ Resources were in line with the 21-22 budget. We continue to receive revenues for the 21-22 fiscal year during the month of July and at the time this report is compiled so these figures may increase.
- ❖ General Fund expenditures were 87% of total budgeted expenditures. This is consistent with prior years as the county does not expend the entire budget.
- ❖ General Fund actual ending fund balance for the FY 21-22 is \$9,788,516 or 38% of operating expenditures.

General Fund:

Total revenue received in the General Fund is \$23.2 million or 97% of budget, compared to \$23.5 million or 105% of the budget last year.



Total expenditures in the General Fund are \$25.5 million and 87% of budget compared to \$25.9 million and 92% of budget last year.





General Fund Summary
Budget to Actuals Report
FY 21-22 Quarter 4 ending June 30, 2022

100%
Year Complete

RESOURCES	Fiscal Year 20-21			Fiscal Year 21-22		
	Budget	Actual	%	Budget	Actual	%
Property Taxes- Current	9,535,630	9,616,368	101%	9,929,940	10,282,355	104%
Property Taxes- Prior	240,000	358,422	149%	240,000	205,469	86%
Other Taxes	252,000	314,767	125%	253,500	288,257	114%
License & Permits	935,000	1,503,951	161%	1,515,000	2,019,192	133% A
Fines/Forfeit/ Penalties	28,400	26,408	93%	20,300	30,332	149%
Use of Money/ Property	210,900	205,568	97%	126,750	104,900	83%
Intergov. State Revenue	4,634,290	4,787,392	103%	4,785,930	4,718,159	99%
COVID Funding	109,500	483,864	442%	-	-	-
Intergov. Federal Revenue	357,101	282,741	79%	298,250	145,957	49% B
Intergov. Other Revenue	3,529,680	3,154,914	89%	3,333,720	2,544,880	76%
Charge for Services	825,310	1,091,130	132%	807,760	946,774	117%
Other Revenue	1,305,390	1,318,589	101%	1,418,210	1,442,284	102%
Transfers In	373,640	373,640	100%	1,222,900	522,900	43% C
TOTAL RESOURCES	22,336,841	23,517,754	105%	23,952,260	23,251,460	97%

REQUIREMENTS	Fiscal Year 20-21			Fiscal Year 21-22		
	Budget	Actual	%	Budget	Actual	%
Personnel Services	19,263,350	18,000,484	93%	21,077,980	18,926,302	90%
Materials & Services	4,379,935	3,785,667	86%	5,174,970	4,145,340	80%
Special Payments	450,767	295,838	66%	377,750	168,032	44% D
Transfers Out	4,068,700	3,915,010	96%	2,688,050	2,338,050	87%
Contingencies	2,676,190	-	0%	2,692,220	-	0%
TOTAL REQUIREMENTS	30,838,942	25,996,999	84%	32,010,970	25,577,724	80%

FUND BALANCE	Fiscal Year 20-21			Fiscal Year 21-22		
	Budget	Actual	%	Budget	Actual	%
Beginning Fund Balance	14,166,200	14,594,019	103%	11,818,260	12,114,779	103%
Resources over Requirements (less Cont.)	(5,825,911)	(2,479,245)		(5,366,490)	(2,326,263)	
TOTAL FUND BALANCE	8,340,289	12,114,774	145%	6,451,770	9,788,516	152% E

- A** License & Permit revenue came in higher than budgeted across the board in the General Fund. Room Tax revenues accounts for \$1.1 of the \$2M received in this category.
- B** Peer support grant in the Sheriff's office only received \$12k of \$100k budgeted; due to the timing of when the grant documents were completed this grant will be expended and received in the 22-23 FY.
- C** \$700k originally budgeted to transfer to the General Fund from the ARPA fund and then was the General Fund was to transfer \$350k to Public Health for Infrastructure. For transparency reasons, the County transferred this funding directly to the Public Health Fund from the ARPA fund.
- D** \$200k of unexpended budget is for public road and drainage improvements.
- E** The budgeted ending fund balance was 22% of operating expenditures; the actual ending fund balance is 38% of operating expenditures. This is due to the fact that the County will not expend 100% of the budgeted expenditures.



General Fund Org. Unit Summary

Budget to Actuals

FY 21-22 Quarter 4 ending June 30, 2022

100%
Year Complete

RESOURCES	Fiscal Year 20-21			Fiscal Year 21-22			
	Budget	Actual	%	Budget	Actual	%	
0000 Discretionary Revenue	14,522,347	15,403,688	106%	15,760,790	15,577,653	99%	
1100 Board of Commissioners	-	-	-	-	121	-	
1105 Board of Property Tax Appeals	700	735		700	210	30%	
1110 County Tourism	76,100	224,342	295%	215,700	295,083	137%	A
1120 County Manager	-	60	-	-	590	-	
1125 Human Resources	2,900	1,860	64%	2,900	750	26%	
1150 Assessment & Taxation	332,600	427,310	128%	334,750	308,065	92%	
1155 Property Management	20,750	83,532	403%	20,700	33,726	163%	
1300 County Counsel	-	-	-	100	400	400%	
1350 Clerk- Admin & Elections	59,804	75,633	126%	16,500	36,610	222%	B
1355 Clerk Recordings	291,350	498,452	171%	290,880	408,990	141%	C
1625 Budget & Finance	-	99	-	-	576	-	
1650 Information Systems	8,100	14,413	178%	14,100	14,129	100%	
1790 Building & Grounds	15,900	17,991	113%	6,750	14,635	217%	
1795 Park Maintenance	137,750	146,303	106%	142,550	134,482	94%	
1940 Surveyor	108,200	149,571	138%	131,110	112,465	86%	
1990 Dues & Special Assessments	154,160	174,951	113%	169,160	203,454	120%	
2160 District Attorney	224,990	201,601	90%	194,210	152,798	79%	
2180 Medical Examiner	-	-	-	-	-	-	
2190 Sheriff Support Division	425,560	400,657	94%	358,240	326,205	91%	
2200 Sheriff Enforcement Division	2,928,850	2,742,822	94%	2,987,140	2,234,239	75%	
2300 Sheriff Corrections Division	970,630	936,532	96%	1,126,870	1,203,443	107%	
2325 Jail Medical	7,000	12,958	185%	7,000	38,035	543%	D
2340 Juvenile Department	1,500	2,039	136%	81,960	63,329	77%	
2700 Planning Division	347,860	366,860	105%	471,640	499,702	106%	
2710 Code Compliance	1,100	-	0%	600	-	0%	
2750 Emergency Management	199,911	143,432	72%	126,840	109,668	86%	
2800 Animal Control Division	104,500	97,634	93%	96,790	87,825	91%	
9800 Transfers From Other Funds	1,394,280	1,394,280	100%	1,394,280	1,394,280	100%	
TOTAL RESOURCES	22,336,842	23,517,754	105%	23,952,260	23,251,460	97%	

A Room tax collected was for tourism was \$291k, 135.4% of budgeted; STR application fees received \$3,800, 760% of budgeted.

B Clerk and Elections has collected \$26k in election fees, 220% of budget.

C Recording fees received are \$343k, \$98k above budget.

D The Sheriff's office negotiated a discount with OHSU on two large inmate medical bills that were received during the fiscal year. This discount was negotiated after the payment had been made, and therefore was returned as refund revenue.



General Fund-001 Org. Unit Summary

Budget to Actuals

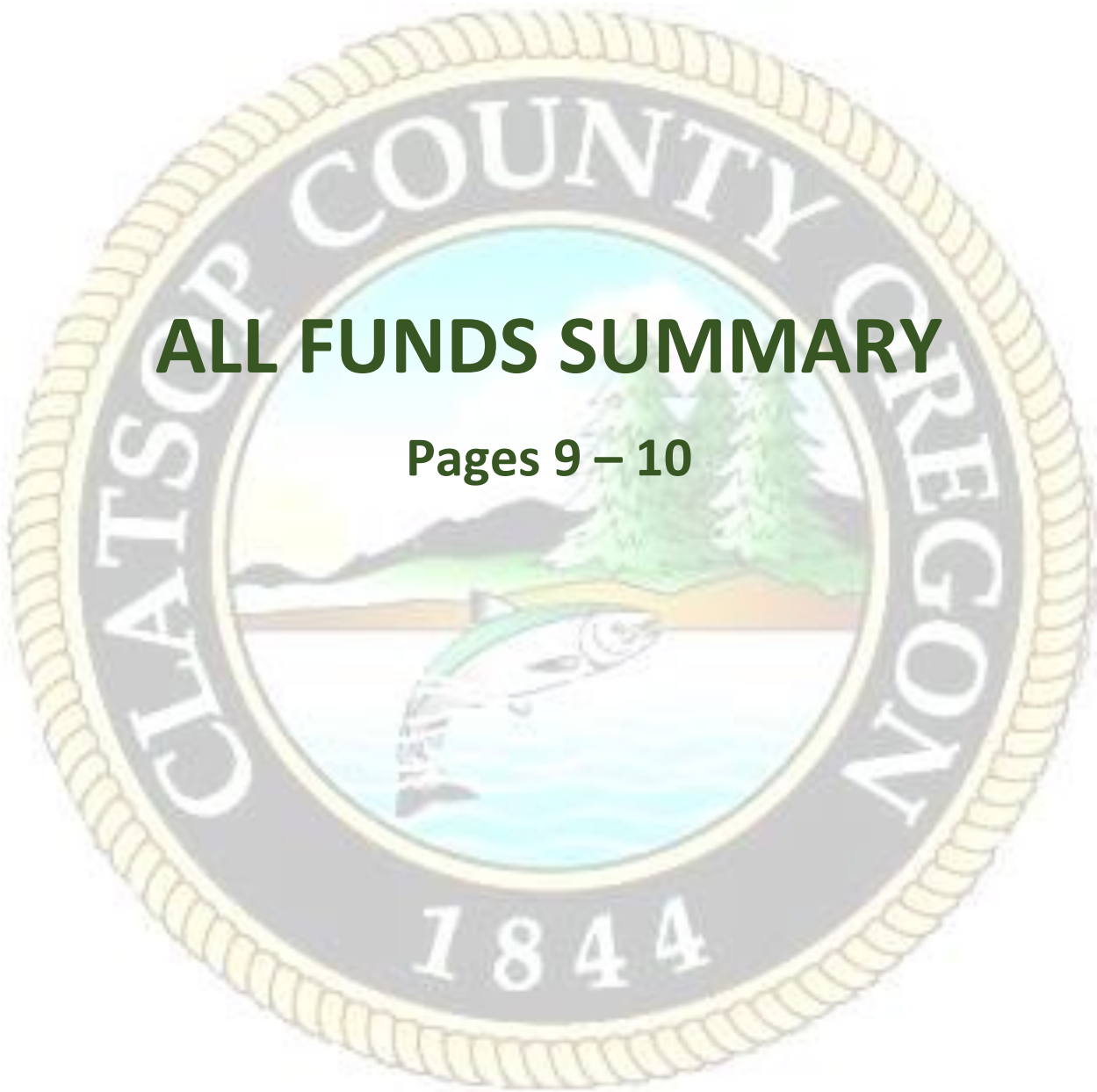
FY 21-22 Quarter 4 ending June 30, 2022

100%
Year Complete

REQUIREMENTS	Fiscal Year 20-21			Fiscal Year 21-22		
	Budget	Actual	%	Budget	Actual	%
0000 Discretionary Revenue	-	(891)	-	-	-	-
1100 Board of Commissioners	176,930	89,202	50%	148,660	108,748	73%
1105 Board of Property Tax Appeals	37,710	35,936	95%	39,000	35,528	91%
1110 County Tourism	165,060	155,728	94%	521,900	321,067	62%
1120 County Manager	797,740	795,375	100%	1,090,630	968,587	89%
1125 Human Resources	417,980	412,423	99%	550,110	506,434	92%
1150 Assessment & Taxation	1,766,080	1,701,564	96%	1,815,720	1,714,011	94%
1155 Property Management	70,280	61,831	88%	76,840	44,427	58% A
1300 County Counsel	237,010	207,411	88%	257,760	244,823	95%
1350 Clerk- Admin & Elections	476,034	442,942	93%	475,490	399,452	84%
1355 Clerk Recordings	198,870	192,497	97%	201,230	178,774	89%
1625 Budget & Finance	621,890	566,815	91%	618,320	560,065	91%
1650 Information Systems	1,176,600	1,163,185	99%	1,494,830	1,361,390	91%
1790 Building & Grounds	1,194,220	1,164,012	97%	1,246,900	1,164,613	93%
1795 Park Maintenance	258,570	245,882	95%	366,680	316,370	86%
1940 Surveyor	243,910	237,096	97%	261,550	256,171	98%
1990 Dues & Special Assessments	907,707	721,152	79%	850,710	592,079	70%
2160 District Attorney	2,069,290	1,899,950	92%	2,107,860	1,857,077	88%
2180 Medical Examiner	132,930	104,792	79%	181,310	173,862	96%
2190 Sheriff Support Division	743,910	684,712	92%	777,940	771,716	99%
2200 Sheriff Enforcement Division	4,653,520	4,305,838	93%	4,824,080	4,565,991	95%
2300 Sheriff Corrections Division	4,477,340	4,048,976	90%	5,220,630	4,062,610	78%
2325 Jail Medical	505,210	395,464	78%	661,810	610,932	92%
2340 Juvenile Department	822,860	769,973	94%	929,430	847,033	91%
2700 Planning Division	606,590	502,224	83%	758,670	646,394	85%
2710 Code Compliance	276,420	264,390	96%	311,090	280,979	90%
2750 Emergency Management	556,661	460,687	83%	456,840	306,819	67%
2800 Animal Control Division	502,730	452,817	90%	535,910	494,922	92%
9700 General Fund Stabilization	2,000,000	2,000,000	100%	-	-	-
9800 Transfers to Other Funds	2,068,700	1,915,010	93%	2,536,850	2,186,850	86%
9900 Approp. For Contingency	2,676,190	-	0%	2,692,220	-	0%
TOTAL REQUIREMENTS	30,838,942	25,996,994	84%	32,010,970	25,577,724	80%

****** Excluding the contingency, 87% of budgeted expenditures were expended in the 21-22 fiscal year. In prior year trends, this is typically anywhere from 85-95% and is why our ending fund balance is always higher than budgeted.

A Due to a staff vacancy in Property Management, only 58% of the budget was expended.



ALL FUNDS SUMMARY

Pages 9 – 10



All Funds Countywide Summary

Budget to Actuals

FY 21-22 Quarter 4 ending June 30, 2022

100%
Year Complete

RESOURCES (Excluding Beginning Balance)	Fiscal Year 20-21			Fiscal Year 21-22		
	Budget	Actual	%	Budget	Actual	%
001 General	22,336,842	23,517,754	105%	23,952,260	23,251,460	97%
002 General Roads	13,923,540	8,318,079	60%	10,594,190	10,225,294	97%
003 General Fund Stab.	2,006,000	2,967,639	148%	328,270	574,162	175%
004 Clerk Archived Records	9,080	12,718	140%	10,080	9,924	98%
005 RLED	2,496,940	2,860,352	115%	2,681,780	2,757,979	103%
007 Public Health	5,169,912	4,817,955	93%	8,217,039	3,207,527	39%
009 Child Support	233,850	231,873	99%	239,990	199,063	83%
020 Juvenile Crime Prev.	115,760	91,556	79%	30,000	24,496	82%
024 Community Corrections	2,493,380	2,527,000	101%	2,458,034	2,313,305	94%
027 Marine Patrol	274,600	341,124	124%	277,780	244,787	88%
033 Mental Health Grants	2,582,678	1,965,050	76%	2,286,510	2,267,651	99%
036 Building Codes	790,340	986,474	125%	778,250	854,876	110%
039 Fisheries	785,700	716,324	91%	770,330	699,141	91%
090 COVID	5,900,000	3,908,953	66%	3,900,000	3,924,844	101%
100 Capital Projects	5,409,044	3,646,801	67%	3,895,480	3,750,395	96%
102 Gen. Roads Eq Replace	631,530	658,136	104%	328,330	327,966	100%
105 Insurance Reserve	6,500	45,595	701%	2,800	104,661	3738%
120 Land Corner Pres.	87,690	120,832	138%	83,940	94,637	113%
150 Fair & Expo	727,390	540,180	74%	919,290	943,334	103%
205 Child Custody Mediation & I	32,860	33,417	102%	33,080	34,755	105%
206 Video Lottery Fund	333,600	576,087	173%	353,500	495,741	140%
209 Courthouse Security	44,500	50,233	113%	50,000	50,356	101%
225 Bike paths	38,530	34,946	91%	36,270	37,826	104%
230 Law Library	46,130	34,333	74%	45,830	46,553	102%
235 Animal Shelter Donations	40,700	69,132	170%	36,100	30,371	84%
240 Park & Land Acq. & Maint	18,000	6,907	38%	8,000	7,146	89%
300 Road District #1	3,433,260	3,960,534	115%	3,759,740	3,882,691	103%
305 State Timber Enforce.	163,010	206,945	127%	172,400	185,429	108%
325 Ind. Develop. Revolving	533,200	25,647	5%	35,000	27,860	80%
385 Westport Sewer Serv Dist	106,100	110,247	104%	165,850	143,331	86%
386 Westport Sewer Equip Rplc	88,600	68,004	77%	155,400	155,168	100%
395 4-H & Ext Ser Spec Dist	430,790	445,570	103%	458,850	447,581	98%
400 Debt Service Fund	1,456,600	1,604,941	110%	1,504,050	1,529,406	102%
405 Bond & UAL Reserve Fund	312,000	308,062	99%	307,000	303,446	99%
TOTAL RESOURCES	73,058,656	65,809,399	90%	68,875,423	63,153,161	92%

A GF Stabilization Fund receives timber revenues that exceed the budgeted amount per the Long-Term Financial Plan. This amount was \$564k, \$245k above what was budgeted.

B Received Saif dividend in the amount of \$102k. This is a result of the Saif Workers Comp trust performing well in the prior year. It is the practice of the County not to budget for these dividends as it is unknown if the county will receive significant returns on an annual basis.



All Funds Countywide Summary
Budget to Actuals
FY 21-22 Quarter 4 ending June 30, 2022

100%
Year Complete

REQUIREMENTS	Fiscal Year 20-21			Fiscal Year 21-22		
	Budget	Actual	%	Budget	Actual	%
001 General	30,838,942	25,996,999	84%	32,010,970	25,577,724	80%
002 General Roads	20,215,700	7,425,819	37%	15,327,170	7,334,115	48%
003 General Fund Stab.	2,006,000	-	0%	2,498,950	300,000	12%
004 Clerk Archived Records	13,420	9,085	68%	17,900	10,003	56%
005 RLED	5,243,180	3,211,483	61%	5,079,220	2,530,598	50%
007 Public Health	5,779,472	3,266,158	57%	8,862,109	3,295,085	37%
009 Child Support	279,730	225,196	81%	285,810	233,392	82%
020 Juvenile Crime Prev.	165,380	71,089	43%	229,030	29,313	13%
024 Community Corrections	4,683,800	2,479,478	53%	4,651,584	2,591,727	56%
027 Marine Patrol	383,950	249,612	65%	412,250	259,204	63%
033 Mental Health Grants	2,728,648	1,907,027	70%	2,694,200	2,260,864	84%
036 Building Codes	1,989,800	885,875	45%	2,086,510	849,980	41%
039 Fisheries	1,045,700	703,469	67%	1,076,280	718,693	67%
090 COVID	5,900,000	-	0%	7,800,000	1,625,719	21%
100 Capital Projects	23,996,274	7,344,008	31%	23,753,070	20,799,499	88%
102 Gen. Roads Eq Replace	794,770	701,724	88%	494,000	378,725	77%
105 Insurance Reserve	366,510	16,064	4%	370,840	27,318	7%
120 Land Corner Pres.	420,740	58,156	14%	423,970	57,648	14%
150 Fair & Expo	1,443,480	639,657	44%	1,540,740	893,672	58%
205 Child Custody Mediation & Drug I	52,660	31,963	61%	43,710	30,360	69%
206 Video Lottery Fund	428,300	345,995	81%	483,390	475,348	98%
209 Courthouse Security	181,670	76,520	42%	144,400	76,520	53%
225 Bike paths	122,690	55,689	45%	174,240	79,646	46%
230 Law Library	70,060	43,367	62%	66,370	21,654	33%
235 Animal Shelter Donations	377,420	35,472	9%	427,390	32,153	8%
240 Park & Land Acq. & Maint	929,820	55,284	6%	876,160	71,590	8%
300 Road District #1	3,628,810	3,628,460	100%	4,636,100	4,451,550	96%
305 State Timber Enforce.	1,033,080	140,790	14%	1,122,730	182,120	16%
325 Ind. Develop. Revolving	3,942,130	148,690	4%	3,259,720	7,022	0%
385 Westport Sewer Serv Dist	177,190	88,841	50%	250,860	134,353	54%
386 Westport Sewer Equip Rplc	113,910	80,116	70%	167,300	6,143	4%
395 4-H & Ext Ser Spec Dist	722,270	485,202	67%	728,250	421,005	58%
400 Debt Service Fund	1,652,470	1,453,114	88%	2,051,730	1,500,713	73%
405 Bond & UAL Reserve Fund	1,419,240	-	0%	1,487,940	-	0%
TOTAL REQUIREMENTS	123,147,216	61,860,404	50%	125,534,893	77,263,456	62%

*** Many of these funds have individual contingencies that are specific to these programs included in the budgeted amounts.

- A** \$100k budgeted for NC Busienss Park Development under the Industrial Development Fund, no work was done here.
- B** \$151k ARPA funds were transferred to the Westport Sewer Equipment Replacement fund; work was not completed in the 21-22 FY and therefore these funds will be moved into the fiscal year 22-23

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**Clatsop County
Board of Commissioners
Minutes
Wednesday, June 22, 2022**

REGULAR MEETING: 6:00 PM

ROLL CALL

PRESENT

Commissioner Courtney Bangs
Commissioner John Toyooka
Commissioner Pam Wev
Vice Chair Lianne Thompson
Chair Mark Kujala

AGENDA APPROVAL

Motion made by Commissioner Wev, Seconded by Commissioner Bangs to approve the agenda as amended during the Work Session.
Voting Yea: Commissioner Bangs, Commissioner Toyooka, Commissioner Wev, Vice Chair Thompson, Chair Kujala

PROCLAMATION

2. PTSD Awareness Day Proclamation {Page 5}

Lieutenant Matt Armstrong, Peer Support Team Coordinator, Clatsop County Sherriff's Office, presented information and statistics on post-traumatic stress disorder (PTSD). He also listed local organizations that provide PTSD related resources.

Motion made by Commissioner Wev, Seconded by Commissioner Toyooka to approve the Resolution and Order proclaiming June 27, 2022 as PTSD Awareness Day, and authorize the Chair to read and sign the proclamation.

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

Chair Kujala read the Proclamation.

BUSINESS FROM THE PUBLIC

There was no business from the public.

CONSENT CALENDAR

Motion made by Vice Chair Thompson, Seconded by Commissioner Toyooka to approve the Consent Calendar.

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

- 3 3. Amendment No. 2 Detention Bed Rental Yamhill Co. {Page 9}
- 4 4. Professional Services Agreement with PBS Engineering and Environmental Inc.
5 (PBS) for the Biennium July 1, 2021 through June 30, 2023 {Page 13}
- 6 5. Resolution & Order Setting Assessments for Diking Districts 5, 11, and 14 for
7 Fiscal Year 2022-23 {Page 21}
- 8 6. FY 2022/23 Community Development Work Plan {Page 34}
- 9 7. FY2021-2022 Veteran Services Officer Contract {Page 61}
- 10 8. Board of Commissioner Meeting Minutes 5-11-22 {Page 79}
- 11 9. Approve the 2021-22 Budget and Appropriation Adjustments {Page 86}
- 12 10. Custodial Services Contract Amendment {Page 89}
- 13 11. Award of HMAAC Paving Contract to Bayview Asphalt Inc. {Page 127}

14
15 **COMMISSIONER'S LIAISON REPORTS**

16 Vice Chair Thompson attended the Eastern Oregon Women's Economic Summit, where
17 Senator Hansell said, "You may be my opponent in some legislation. You will never be
18 my enemy." She hoped the community would keep that in mind during land use
19 planning. She also participated in the by-laws review of the State Emergency Response
20 Commission because the State Fire Marshal would soon be its own entity.

21 Commissioner Bangs reported that the Northwest Senior and Disability Services
22 successfully passed its budget for the upcoming year. She also participated in the water
23 conversation with Vice Chair Thompson.

24 Commissioner Wev reported that she attended the ukulele concert that was held during
25 the county-wide music festival. She also attended the opening of the Nordic Heritage
26 Park, which marked the beginning of the Scandinavian Festival. She reported that the
27 Northwest Oregon Workforce Board would meet in Clatsop County on Friday morning
28 from 10:00 am to 12:00 pm at Patriot Hall. She attended the opening of Trillium House.
29 She recognized Clatsop Community Action (CCA) for assisting residents at Owens-
30 Adair during the building's power outage.

31 Commissioner Toyooka reported that a celebration of life was held in Seaside for the
32 middle/high school band director, Kyle Rieger, who was killed in a car accident. He had
33 a great impact on a lot of students and the community has shown a lot of support. He
34 appreciated the PTSD awareness proclamation. Resources were not available when he
35 was a Marine returning from overseas. He was glad that people now had resources and
36 support.

37 Chair Kujala reported that he attended the Nordic Park and the Scandinavian Festival. A
38 lot of work and fundraising went into those events and it was good to see so many
39 people enjoy the park and festival. He planned to attend the Columbia River Estuary
40 Study Taskforce (CREST) budget meeting tomorrow.

1 **COUNTY MANAGER'S REPORT**

2 County Manager Bohn reported that the Community Development Workplan was an
3 extension of the Strategic Plan, which stated the Community Development
4 Department’s priorities and assisted Staff in resource and budget planning. He also
5 reported that he would be out of the office next week.

6 **PUBLIC HEARINGS**

7 12. Ordinance 22-05: Short-Term Rental Revisions - LAWDUC {Page 187}

8 Director Henrikson presented the Staff report on the code revisions related to
9 short-term rentals and reviewed the County’s work done to date to develop these
10 revisions.

11 Commissioner Bangs asked if the Commission had to extend the moratorium in
12 order to explore limits or caps. Director Henrikson said no and explained that the
13 primary reason for extending the moratorium would be to prohibit additional
14 rental units before a threshold is established. The Commission could extend the
15 moratorium in certain parts of the county.

16 Commissioner Toyooka asked if the Commission could discuss code
17 compliance, terms of the permit, consequences of noncompliance, and the fee
18 schedule. Director Henrikson said the Commission had already adopted an
19 ordinance, Ordinance 22-03, which implemented new permit terms and
20 clarification about the code compliance process. The Commission could review
21 the code again to see if additional revisions were necessary.

22 Vice Chair Thompson asked if there was a fiscal impact statement for the
23 additional work. She also asked if the Gearhart urban growth boundary (UGB)
24 was the area of Surf Pines. Director Henrikson clarified that the UGB was the
25 Highlands area. Surf Pines was in the unincorporated area of the county and it
26 was zoned Coastal Beach Residential. She confirmed that Surf Pines had a
27 homeowners association (HOA). Vice Chair Thompson requested information on
28 the HOA.

29 Commissioner Bangs said she believed the County should inform future potential
30 property owners about the limitations on the property they are considering
31 purchasing. County Counsel Lyons-Antley responded that Staff could consider
32 providing that information.

33 Chair Kujala opened the public hearing and called for public comments.

34 Amber Geiger Morgan, 78953 Cove Beach Rd., Cove Beach, said her family had
35 lived in Cove Beach for over 12 years and visited for many years before that. It
36 was heartbreaking to see the community become so divided. Her family used to
37 enjoy spending weekends and summers, but now only occasionally visited their
38 home. While visiting, she had to work hard to remember the peace and
39 happiness her home used to bring because of all of the division and unkindness
40 in the community. Cove Beach has become a microcosm of division, unkindness,
41 and the misuse of power. The Commissioners may be the only way to keep
42 those who behave this way in check. Her family supports the ordinance.

1 However, she was concerned that the discussion about STRs over the last two
2 years had been focused on taking rights away from property owners who are not
3 full-time residents, removing access from the greater Oregon population and
4 prioritizing the few who could afford to own property on the coast. This exclusion
5 has become second nature. The community is not a gated community. Former
6 Governor Oswald West did not want just a few people from Oregon to have the
7 exclusive use of Cove Beach but wanted Oregon's beaches to provide access to
8 all. She is a taxpayer, STR owner, and community member. She asked that the
9 Commission consider policies that nourish the culture of excluding people who
10 do not have the ability to live in the community full time or could afford a week-
11 long stay. She also asked the Commission to consider the impacts this ordinance
12 would have on public access. Prioritizing a few residents' complaints over
13 keeping the coast accessible to all of Oregon's inhabitants is exclusion.

14 Charles Dice, 39111 Clatsop Ln., Cove Beach, asked the Commissioners to
15 explain why they support the ordinance and why they believe the ordinance was
16 in the best interest of the residents and voters. The people who live in Clatsop
17 County believe the ordinance is not rational and does not make sense. Residents
18 have sent over 1,700 emails and letters in opposition to STRs in residential
19 neighborhoods. Hours of testimony have pointed out the harm caused by STRs
20 in residential neighborhoods. Almost every jurisdiction along the Oregon coast
21 has enacted ordinances prohibiting or restricting STRs in residential
22 neighborhoods. He asked why the Commissioners ignored the citizens for the
23 benefit of owners and investors from out of the area. He also asked if there were
24 any undisclosed financial interests that caused the Commissioners to vote in
25 favor of the ordinance. He wanted to know if the Commissioners believed that out
26 of state business owners and investors were more worthy of benefits than the
27 citizens who lived in the community. Allegedly, there were \$500,000 in transient
28 occupancy tax revenue. He asked the Commissioners to explain if the ordinance
29 was just about money. He wanted to understand what was going on and what
30 was behind the Commission's decision.

31 John Meyer, 31865 Clatsop Ln. Cove Beach, said he was speaking on behalf of
32 Guido Paparoni and Margaret Rosenthal who owned property in Cove Beach. He
33 read aloud excerpts from a letter that Mr. Paparoni had submitted into the public
34 record.

35 Rick Smith, 79165 Ray Brown Rd., Cove Beach, said his home in Cove Beach
36 was his primary residence. He agreed with Commissioner Wev that the
37 ordinance did not represent local residents and he applauded her vote against
38 the ordinance. The County admitted it was a mistake to allow commercial
39 businesses in the CR Zone. This ordinance was an excuse to make changes
40 against the Comprehensive Plan to allow STRs in residential zones. He was
41 disappointed that the ordinance did not include a cap of at least 15 percent on
42 the number of STRs in each zone. Communities throughout the country had caps
43 on the number of STRs to provide a balance between residential homes and
44 transients. Allowing STRs to take over residential neighborhoods would push out

1 the primary residents with no place for them to go. He asked the Commissioners
2 to extend the moratorium, finish the research, and add a cap to the ordinance.

3 Denise Davis, 79432 Ray Brown Rd., Cove Beach, said there was so much
4 evidence pointing to the devastating effects STRs could have on residential
5 neighborhoods.

6 Nancy Chase, 79089 Tide Rd., Cove Beach, said she believed that the
7 moratorium had kept the situation static while the County studied the issues. The
8 good neighbor policy was proactive, and this ordinance protected property rights.
9 She has had her STR for 30 years, so many full-time residents should have been
10 aware that the community was a part-time community. She asked the
11 Commission to consider taking a year to see how the good neighbor policy and
12 the ordinance worked out. There are 17 STRs in Cove Beach, two of which are
13 used by full-time residents. If there is a cap, she feared that full-time residents
14 would apply for STR permits just to get around the regulations. She wanted it fact
15 checked whether investors were really buying homes and turning them into STRs
16 because that seemed financially impossible.

17 Adam Smith, 78978 Cove Beach Rd., Cove Beach, said he had lived in Cove
18 Beach for almost two years as full-time residents. Every house that was
19 purchased since he moved to Cove Beach had been converted to an STR. He
20 had not met anyone who lived in Cove Beach full-time and who believed it was a
21 good idea to allow an unregulated hotel culture take over the community.
22 Ignoring the 2019 study and approving this ordinance would serve the needs and
23 desires of speculators who do not live in Cove Beach. He asked the Commission
24 to put a limit on STRs before the residential zoning because meaningless.

25 Karen Fish, 78978 Cove Beach Rd., Falcon Cove, asked the Commission to vote
26 against the ordinance because the people who live in Clatsop County are
27 overwhelmingly opposed to the ordinance. The market has an extremely limited
28 supply of housing available for residential use at any price. Every house licensed
29 as an STR is a home that has been removed from residential use and is unlikely
30 to return to residential use. Owners have financial motives to maximize profits
31 from their investments. This is the reason that local governments in Oregon limit
32 or ban STRs in residential neighborhoods. The Commission's actions would
33 determine whether her family would be unable to lease their home in the future. If
34 the County opens the flood gates to unlimited STR licensing, it was likely the
35 home she currently rented would become an STR. The County has been unable
36 to increase or preserve housing for residents, so it was unlikely that she would
37 find another home within 30 miles. Hers would not be the first family displaced by
38 STRs. The County has the highest rate of homelessness in Oregon. The County
39 was also losing service workers, firefighters, teachers and nurses who could not
40 find or afford housing. If the Commission ignored the Planning Commission and
41 allowed STRs where they were previously illegally licensed, the decision would
42 be seen as an attempt to cover an error. She asked the Commission to act
43 quickly and place a cap on the number of STRs allowed in each community. A
44 cap was supported by the Planning Commission but was unpopular with

1 investors and residents. However, a cap would balance the community's need for
2 housing with the demands of investors.

3 Johnathan Felix Lund, 79896 Cove Beach Rd., Arch Cape, said he believed this
4 issue was about property rights. When he purchased his home, the home had an
5 STR permit, which was transferred because the STR would be a big part of his
6 ability to afford the home. Homes on the coast have been rented as homestays
7 for quite some time. He asked the Commission to approve the ordinance
8 because it was consistent with the way things were already being done. He had
9 not met any investors or business owners. He owned two business in Portland
10 and STRs are not like running a business. The people who own homes in Cove
11 Beach love Cove Beach and many owners do rent out their homes very often.
12 There are not that many STRs and the numbers are being inflated. People talk
13 as if out of state investors are buying up homes, but that is not the case. The
14 neighborhood that receives the most complaints and everyone sees as the
15 problem area is the neighborhood that is the least likely to be a residential
16 neighborhood. If people could not rent their homes as STRs, it would be very
17 unlikely that the owners would convert the homes. The owners would probably
18 allow friends and family to use the homes.

19 Charles Dice read into the record a statement emailed to him by Denise Davis.

20 Chair Kujala closed the public hearing.

21 Vice Chair Thompson stated in response to Mr. Dice's claim that she stood to
22 financially benefit that she did not have any conflict of interest or any plans to
23 convert her home to an STR.

24 Commissioner Toyooka said the Commission had received a lot more written
25 testimony and telephone calls. People are polarized for or against the ordinance,
26 but a lot of people were in the middle. The majority of people have said they were
27 concerned about Code enforcement and the livability standards in
28 neighborhoods. Currently, there are no written consequences that can be
29 imposed on owners whose guests break the rules. He suggested the term of the
30 permits be one year and that the County use the additional revenue to employ a
31 full-time STR Code enforcement employee. He also believed the Commission
32 should consider a cap on the number of STRs allowed in each region of the
33 County.

34 Commissioner Wev said originally, she was not willing to approve the ordinance
35 until the cap issue had been addressed. However, she would probably be the
36 only Commissioner to vote that way, which would not be constructive. She
37 wanted the Commission to state it was committed to extending the moratorium
38 until the cap issue had been resolved. Staff has said it would take six months to
39 develop a recommendation for a cap system but the moratorium would expire in
40 August. She suggested the moratorium be extended to December 31, 2022. She
41 asked Staff to provide the Commission with details about the work done on the
42 good neighbor issues. She had been working with the tourism community on
43 marketing materials to be placed inside hotel rooms and STRs. She would vote

1 to approve the ordinance if the rest of the Commission came up with a
2 commitment of time to solve the cap issue.

3 Commissioner Bangs said caps would be addressed after a decision was made
4 on the ordinance. Over the last couple of years, she had been watching the
5 lawsuits in Lincoln County. Her goal was to pull Clatsop County out of a
6 precarious legal position. She was not a fan of the potential negative impacts of
7 tourism. However, she was averse to taking property rights from current STR
8 owners.

9 Vice Chair Thompson stated she got herself appointed to the Planning
10 Commission because she wanted to do something about transient occupancy.
11 She ran for County Commission for the same reason. This ordinance is a law
12 that addresses what has been fact for a long time. In her neighborhood, people
13 will punish a neighbor with an STR that they do not like. She wanted to see a
14 sustainable neighborhood and Code compliance with consequences for both
15 sides. The good neighbor agreements in Tillamook County apply to the residents
16 and the renters. Respect and free access regardless of wealth is based on being
17 well behaved. She was in favor of the ordinance as well as caps on the number
18 of STRs.

19 Commissioner Bangs said that if this ordinance is not approved and the
20 moratorium expires, the existing STRs would no longer be allowed to operate.

21 *Motion: "I move that the Board approve Ordinance 22-05 and conduct the second*
22 *reading by title only"*

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

24 Commissioner Wev said she believed Commissioner Bangs' last statement was
25 not true and that her statement should be clarified for the constituents.

26 County Manager Bohn responded that the Commission had already directed
27 Staff to work on caps, which would be a new topic. He recommended the
28 Commission hold a work session in three weeks to develop a plan and a timeline
29 for how Staff would approach that work. An assessment of the moratorium would
30 be included in that work.

31 County Counsel Lyons-Antley added that there were procedural hoops Staff
32 would have to go through to extend the moratorium. A work session would allow
33 the Staff to develop a plan and determine which zones would be subject to a
34 moratorium and respond to the Commissioners' concerns about caps.

35 Director Henrikson said the County must give the Department of Land
36 Conservation and Development (DLCD) a minimum of 14 days' notice. This
37 would require Staff to submit all of the relevant information to the clerk of the
38 board by Wednesday. She asked that Staff be given five weeks to prepare.

39 *Motion: "Move to amend the main motion to direct Staff to explore caps and*
40 *limitations moving forward and to circle back with the Board and further converse*
41 *post haste as Director Henrikson has pointed out more than five weeks from*
42 *now."*

1 *Motion amended by Commissioner Bangs, Seconded by Vice Chair Thompson.*
2 *Voting Yea: Commissioner Bangs, Commissioner Toyooka, Commissioner Wev,*
3 *Vice Chair Thompson, Chair Kujala*

4 County Counsel Lyons-Antley read the ordinance by title only.

5 **BUSINESS AGENDA**

6 14. Adopt Proposed Fee Schedule for Clatsop County to be implemented July 1,
7 2022 {Page 210}

8 Budget & Finance Manager Carlson presented the Staff report on the proposed
9 fee schedule.

10 Chair Kujala called for public comments. There were none.

11 *Motion: "Move to adopt the proposed Fee Schedule to be implemented July 1,*
12 *2022 as presented."*

13 *Motion made by Commissioner Wev, Seconded by Commissioner Toyooka.*
14 *Voting Yea: Commissioner Bangs, Commissioner Toyooka, Commissioner Wev,*
15 *Vice Chair Thompson, Chair Kujala*

16 14. Large County Road Event Application for the 2022 Hood to Coast / Portland to
17 Coast Relays {Page 237}

18 Senior Planner Sisson presented the Staff report on the road event application
19 for this year's Hood to Coast event. The cost of County departments facilitating
20 and assisting with the event was estimated to be \$34,100. Following the event,
21 actual expense reports would be collected from each department, and they would
22 be reimbursed for actual expenses.

23 Commissioner Bangs asked if anyone from Hood to Coast was present. Planner
24 Sisson confirmed he expected a representative to be present, but he could not
25 tell if any of the meeting participants were with Hood to Coast. Commissioner
26 Bangs said she was still salty about the way Hood to Coast operated last year.
27 The County was promised that there would not be any parties and that Covid-19
28 protocols would be followed. She did not appreciate that Hood to Coast made
29 promises and failed to follow through.

30 Commissioner Toyooka asked if rural law enforcement would receive a
31 reimbursement. Planner Sisson stated that the Sherriff's Office provided an
32 estimated reimbursement, which was included in the Agenda packet.

33 Vice Chair Thompson said the standing joke among emergency preparedness
34 volunteers is that the Hood to Coast event would provide the County with a
35 simulation of a planned catastrophic event so that volunteers could hone their
36 skills at no additional cost to the County. She was glad the County would be
37 getting money from the event while practicing essential skills.

38 *Motion: "I move to approve the large county road event application for the 2022*
39 *Hood to Coast / Portland to Coast Relays as submitted with the Staff*
40 *recommended conditions of approval listed in Exhibit C and deposit amount of*
41 *\$34,100."*

1 *Motion made by Commissioner Wev, Seconded by Commissioner Toyooka.*
2 *Voting Yea: Commissioner Bangs, Commissioner Toyooka, Commissioner Wev,*
3 *Vice Chair Thompson, Chair Kujala*

4 Chair Kujala recommended a post-event debrief with event organizers and Staff
5 to discuss any issues that may have occurred.

6 Planner Sisson responded that the Covid-19 protocols were listed in the
7 conditions of approval and those protocols were consistently changing.
8 Additionally, the ordinance that requires this permit only applies to County roads.
9 What happens at the finish line in the City of Seaside is not under the County's
10 jurisdiction. However, he understood the Commissioners' concerns. He noted
11 that the Sherriff's Office reimbursement for this year would be \$12,100.

12 15. Planning Commission Appointments {Page 302}

13 Director Henrikson presented the Staff report on the recommended appointments
14 to the Planning Commission.

15 Vice Chair Thompson said she believed that at a previous meeting, the Board
16 had reached a consensus on appointing Michael Magyar and Katie Prichard.
17 Director Henrikson clarified that following the interviews, the Board had indicated
18 in a work session that it was leaning towards specific candidates and was
19 undecided about the reappointment of Commissioner Lam Quan.

20 Commissioner Bangs recommended Jeremy Linder because he had farming and
21 business expertise. She knew him to be extremely thoughtful and believed he
22 had a lot to contribute.

23 Commissioner Wev stated there was no general consensus among the Board at
24 the work session. She opposed the appointment of Katie Prichard but supported
25 Mike Magyar. She also wanted to reappoint Lam Quan. She confirmed with
26 Commissioner Bangs that Jeremy Linder managed Ag Bag out of Lewis and
27 Clark and was a farmer and rancher.

28 Chair Kujala suggested the Commission fill the three vacancies one at a time.

29 *Motion: "Move to appoint Mike Magyar to the Planning Commission"*

30 *Motion made by Vice Chair Thompson, Seconded by Commissioner Wev.*
31 *Voting Yea: Commissioner Bangs, Commissioner Toyooka, Commissioner Wev,*
32 *Vice Chair Thompson, Chair Kujala*

33 *Motion: "Move to appoint Katie Pritchard to the Planning Commission"*

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

37 *Voting Nay: Commissioner Wev*

38 *Motion: "Move to appoint Jeremy Linder to the Planning Commission"*

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

1 Commissioner Wev said she believed it would have been better to do a rank
2 choice vote because now, Lam Quan is not being reappointed. It saddened her
3 to have two urban Commissioners from the same city.

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

6 Commissioner Bangs said she appreciated Lam Quan's participation. She hoped
7 he would reapply.

8 Chair Kujala added that he thought the interview process was a great way to get
9 to know the applicants.

10 Commissioner Toyooka said he appreciated all of the applicants. Lam Quan was
11 very thoughtful and considerate. He hoped Mr. Quan would participate on a
12 different committee.

13 Vice Chair Thompson stated that it was helpful to have Lam Quan's diverse
14 opinion and artist point of view. She hoped he would stay involved. She also
15 hoped that broadband experts would stay involved. She hoped the County's
16 community engagement efforts and a new public affairs person would result in
17 better use of community input.

18 Commissioner Bangs stated the stack of applications was full. She wished
19 people would keep their applications open.

20 16. North Coast Business Park – Purchase Sale Agreement {Page 321}

21 Assistant County Manager Steele presented the Staff report on the purchase
22 sale agreement for the North Coast Business Park.

23 Vice Chair Thompson commented that she praised Staff's efforts. The detailed
24 application helped her understand the difficulties. She supported Staff's
25 recommendation.

26 *Motion: "I move to approve the Purchase Sale Agreement between Clatsop*
27 *County and Atlin Investments, Inc. and authorize the County Manager to sign."*

28 *Motion made by Vice Chair Thompson, Seconded by Commissioner Wev.*

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

31 17. Child Care Advisory Group Recommendations - *separate materials

32 Chair Kujala stated the childcare advisory group had presented their
33 recommendations to the Board at a work session last week.

34 Eva Manderson, Regional Childcare Resource and Referral Director, Northwest
35 Education Service District, said the proposal was to establish a grant fund
36 focused on retaining existing childcare and the expansion of childcare programs.
37 The proposal included a part time program manager to raise funds and disperse
38 funds to childcare programs. Participating programs would be required to
39 stabilize their business practices with the Small Business Development Center
40 (SBDC) and the Childcare Resource and Referral Agency. County funds and

1 funding that has been secured from other partners would support the project. The
2 program manager would look for continuous funding.

3 Commissioner Wev said this was one time the County really did what it said it
4 wanted to do during strategic planning. The process was fast and the proposal
5 was mature by the time it was presented to the Commission. She thanked the
6 advisory group for their work. The process was a good model for addressing
7 similar issues in the future.

8 Vice Chair Thompson stated that Dan Gaffney had humility and perseverance.
9 The proposal was visionary and practical. Chair Kujala and Commissioner's work
10 on the proposal was inspiring and effective.

11 Commissioner Bangs added that Eva, Mr. Gaffney, and the rest of the committee
12 did a lot of heavy lifting.

13 *Motion: "I move to accept the program proposal of the Child Care Advisory Group
14 and direct Staff to negotiate a memorandum of understanding (MOU) with
15 Columbia Pacific Economic Development District (Col-Pac) as the program's
16 fiscal agent. The MOU will be considered by the Board at a future business
17 meeting."*

18 *Motion made by Commissioner Bangs, Seconded by Commissioner Wev.
19 Voting Yea: Commissioner Bangs, Commissioner Toyooka, Commissioner Wev,
20 Vice Chair Thompson, Chair Kujala*

21 Dan Gaffney said this was a heavy lift and there was a lot more work to do. He
22 appreciated the County taking the lead and providing funds. Both hospitals and
23 other entities would be providing funds as well. He thanked the Commission for
24 their leadership.

25 **GOOD OF THE ORDER**

26 Commissioner Bangs stated that the Commissioners needed to treat each other with
27 respect in public meetings.

28 Commissioner Wev said she had heard that this Commission was one of the few in the
29 County not meeting in person. She believed constituents were concerned that
30 Commissioners were not willing to show their faces. Board rules now require hybrid
31 meetings, and she believed the Commissioners should all be in the same room.

32 Chair Kujala asked if the Commission could meet in person for regular meetings next
33 month.

34 County Manager Bohn responded that the next regular meeting would be July 13, 2022
35 and Staff could implement the hybrid model at that meeting.

36 **ADJOURNMENT**

37 There being no further business, the meeting was adjourned at 7:59 pm.
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Approved by,

Mark Kujala, Chair

Board of Commissioners Clatsop County

AGENDA ITEM SUMMARY

August 10, 2022

Agenda Title: Approve the 2022-23 Budget and Appropriation Adjustments
Category: Consent Calendar
Presented By: Jennifer Carlson

Issue Before the Commission: Approve the 2022-23 budget and appropriation adjustment as required by ORS 294.338 and ORS 294.463.

Informational Summary: Clatsop County received Election Modernization Grant funds from the State of Oregon, Secretary of State's Office. This was the result of Oregon House Bill 5006 (2021). The funds are to be used to purchase elections equipment and update technology needs. This budget adjustment is necessary to be compliant with budget law.

Clatsop County receives funding from the Oregon Health Authority (OHA) that is then passed through to Clatsop Behavioral Healthcare (CBH). The funding is to provide treatment for substance use disorders and mental illness. This budget adjustment is to account for an increase in funding for Service Element 26A, Early Assessment and Support Alliance (EASA). This budget adjustment is necessary to be compliant with budget law and account for the amendments and increases in funding that will then be passed through to CBH.

The Clatsop County Animal Shelter had budgeted for two replacement HVAC units in the 2021-22 fiscal year. Unfortunately, the HVAC units did not arrive to be installed until July, 2022. This budget adjustment is necessary to allow for this expenditure to be moved into the 2022-23 fiscal year and to remain in compliant with budget law.

Attached is the R&O required by Oregon Revised Statutes for budget adjustments for fiscal year 2022-23.

The need for the budget adjustment is further explained in the attached Schedule "A".

Fiscal Impact: The fiscal impact to Clerk Admin & Elections is an increase of \$15,000 that will be offset by unanticipated grant revenue.

The fiscal impact to Mental Health Grants is an increase of \$156,500 that will be offset by unanticipated grant revenue.

The fiscal impact to the Animal Shelter and General Fund Contingency is \$14,000.

Requested Action:

Approve the budget adjustment to remain in compliance with Oregon budget law per ORS 294.338 and ORS 294,463 and authorize the Chair to sign.

Attachment List

- A. Resolution and Order
- B. Schedule "A" Appropriation adjustments

IN THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

In the matter of the adjustment of the fiscal year 2022-23 budget and appropriations by authorizing expenditure of unanticipated grant revenue, per ORS 294.338 and transfer appropriations between organizational units within a fund, per ORS 294.463.)
RESOLUTION AND ORDER

It appearing to the Board that there is a need to make adjustments in the fiscal year 2022-23 budget by authorizing expenditure of unanticipated grant revenue and transfer of appropriations between organizational units within a fund;

Where as the need for said adjustments, the purpose of the authorized expenditures and the amount of appropriations adjustments, is more particularly described in the Schedule of Revenue and Appropriation Adjustments attached hereto and incorporated herein as Schedule "A"; and

Where as it appearing to the Board that such adjustments are allowed pursuant to ORS 294.338 and ORS 294.463; now, therefore, it is

RESOLVED AND ORDERED that the Schedule of Revenue and Appropriation Adjustments attached hereto as Schedule "A" be approved.

ADOPTED AND APPROPRIATED this 10th Day of August, 2022.

BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

Mark Kujala, Chair

Schedule A

2022-23 Budget Adjustments

I. ADJUSTMENTS INVOLVING EXPENDITURE OF UNANTICIPATED GRANT REVENUE

<u>ORGANIZATION UNIT/FUND</u>	<u>INCREASE</u>	<u>DECREASE</u>
Clerk- Admin & Elections- Clerk Modernization Grant 001/1350/81-4049	\$15,000	
Clerk- Admin & Elections- Office Furniture & Equipment 001/1350/82-2454	\$15,000	

Comment: Pursuant to Oregon House Bill 5006 (2021), Secretary of State entered into a Grant Agreement to provide funding for the purchase of elections equipment and to update technology needs. This budget adjustment is to allow expenditure of unanticipated grant revenue.

II. ADJUSTMENTS INVOLVING EXPENDITURE OF UNANTICIPATED GRANT REVENUE

<u>ORGANIZATION UNIT/FUND</u>	<u>INCREASE</u>	<u>DECREASE</u>
Mental Health Grants- SE 26A EASA 033/7152/81-4571	\$156,500	
Mental Health Grants- SE 26A EASA 033/7152/82-3168	\$156,500	

Comment: Amendments increasing the grant amount under the OHA & Clatsop County IGA number 173130. These grant monies are passed through to Clatsop Behavioral Healthcare. This budget adjustment is to allow expenditure of unanticipated grant revenue.

II. ADJUSTMENTS INVOLVING TRANSFER OF APPROPRIATIONS BETWEEN ORGANIZATIONAL UNITS WITHIN A FUND

<u>ORGANIZATION UNIT/FUND</u>	<u>INCREASE</u>	<u>DECREASE</u>
Animal Control Division- Animal Control Maintenance S.I.G. 001/2800/82-2303	\$14,000	
Approp. for Contingency- General Fund 001 /9900/82-9901		\$14,000

Comment: Two HVAC units for the Animal Shelter that were budgeted in the 2021-22 fiscal year were not received and installed until July, 2022. Due to this, we will need to do a budget adjustment to allow for this expense in the 22-23 FY.

Board of Commissioners Clatsop County

AGENDA ITEM SUMMARY

August 10, 2022

Agenda Title: Ordinance Declaring a Temporary Ban on Psilocybin Businesses – Second Reading
Category: Public Hearing
Presented By: Joanna Lyons-Antley, County Counsel

Issue Before the Commission: Ordinance Declaring a Temporary Ban on Psilocybin Businesses

Informational Summary: In November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Service Act (codified at ORS chapter 475A), which allows for the manufacture, delivery and administration of psilocybin at licensed facilities. ORS 475A.235 provides that the Oregon Health Authority will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state.

The Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications for psilocybin-related licenses on January 2, 2023. As of today, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program.

Staff is uncertain how the manufacture, delivery and administration of psilocybin at licensed psilocybin facilities will operate within the county. Staff recommends that further time is needed for the adoption of the state's psilocybin licensing and regulatory program, and to allow the county to adopt reasonable time, place, and manner regulations on the operation of psilocybin facilities in the unincorporated areas, is in the best interest of the health, safety and welfare of the citizens.

Staff recommends that your Board adopt an ordinance and refer to the voters of Clatsop County the question of whether to establish a two-year temporary ban on state-licensed psilocybin product manufacturers and psilocybin service centers within unincorporated Clatsop County.

Fiscal Impact: Unknown. The County is preempted from imposing local taxes on the sale of psilocybin, and will not receive any allocations of the 15% tax implemented by the State.

Requested Action:

Move to adopt Ordinance Number 22-07, declaring a temporary ban on psilocybin businesses.

Attachment List

- A. Proposed Ordinance No. 22-07

IN THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

ORDINANCE NO. 22-07)))	AN ORDINANCE DECLARING A TEMPORARY BAN ON PSILOCYBIN BUSINESSES
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WHEREAS, in November 2020, Oregon voters approved Ballot Measure 109, known as the Oregon Psilocybin Services Act (codified at ORS chapter 475A), which allows for the manufacture, delivery and administration of psilocybin at licensed facilities; and

WHEREAS, ORS 475A.235 provides that the Oregon Health Authority will regulate the manufacturing, transportation, delivery, sale and purchase of psilocybin products and the provision of psilocybin services in the state; and

WHEREAS, the Oregon Health Authority has initiated a rulemaking process to implement the state's psilocybin regulatory program and intends to begin accepting applications for psilocybin-related licenses on January 2, 2023; and

WHEREAS, as of today, the Oregon Health Authority has not completed the rulemaking process for implementing the state's psilocybin regulatory program, and Clatsop County is uncertain how the manufacture, delivery and administration of psilocybin at licensed psilocybin facilities will operate within the county; and

WHEREAS, ORS 475A.718 provides that a county governing body may adopt an ordinance to be referred to the electors of the county prohibiting the establishment of state licensed psilocybin product manufacturers and/or psilocybin service centers in the area subject to the jurisdiction of the county; and

WHEREAS, the Clatsop County Board of Commissioners believes that prohibiting psilocybin product manufacturers and psilocybin service centers within the unincorporated area of the county, in order to enable further time for the adoption of the state's psilocybin licensing and regulatory program, and to allow the county to adopt reasonable time, place, and manner regulations on the operation of psilocybin facilities, is in the best interest of the health, safety and welfare of the citizens of Clatsop County; and

WHEREAS, the Board seeks to refer to the voters of Clatsop County the question of whether to establish a two-year temporary ban on state-licensed psilocybin product manufacturers and psilocybin service centers within unincorporated Clatsop County; and,

NOW THEREFORE, the Board of Commissioners of Clatsop County ordains as follows:

SECTION 1. TEMPORARY BAN

The establishment of psilocybin product manufacturers licensed under ORS 475A.290 and psilocybin service centers licensed under ORS 475A.305 is prohibited in the unincorporated area of Clatsop County.

SECTION 2. REFERRAL TO VOTERS

This ordinance is referred to the electors of Clatsop County at the next statewide general election on November 8, 2022.

SECTION 3. CONFORMANCE OF STATE LAW

This ordinance shall not substitute for nor eliminate the necessity for conformity with any and all laws or rules of the State of Oregon, or its agencies, or any ordinance, rule, or regulation of Clatsop County.

SECTION 4. INCONSISTENT PROVISIONS

This ordinance shall supersede, control and repeal any inconsistent provision of any County ordinance as amended or any other regulations made by Clatsop County.

SECTION 5. SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 6. EFFECTIVE DATE

This ordinance takes effect and becomes operative 30 days after the day on which it is approved by a majority of the voters.

SECTION 6. SUNSET CLAUSE

This ordinance is repealed on December 31, 2024, unless sooner repealed in accordance with ORS 475A.538.

BOARD OF COUNTY COMMISSIONERS
CLATSOP COUNTY, OREGON

First Reading: _____
Second Reading: _____
Effective Date: _____

By _____
Chair

By _____
Theresa Dursse, Recording Secretary

Board of Commissioners Clatsop County

AGENDA ITEM SUMMARY

August 10, 2022

Agenda Title: Resolution and Order Referring to the Voters of Clatsop County a Measure Proposing a Temporary Ban on Psilocybin-Related Business and Adopting a Ballot Title and Explanatory Statement

Category: Business Agenda

Presented By: Joanna Lyons-Antley, County Counsel

Issue Before the Commission: Resolution and Order Referring to the Voters of Clatsop County a Measure Proposing a Temporary Ban on Psilocybin-Related Business and Adopting a Ballot Title and Explanatory Statement

Informational Summary: Staff proposes a resolution and order to be referred to the voters of Clatsop County on the question of whether to establish a two-year temporary ban on state-licensed psilocybin product manufacturers and psilocybin service centers within unincorporated Clatsop County.

Fiscal Impact: Unknown. The County is preempted from imposing local taxes on the sale of psilocybin, and will not receive any allocations of the 15% tax implemented by the State.

Requested Action:

Move to adopt Resolution and Order Referring to the Voters of Clatsop County a Measure Proposing a Temporary Ban on Psilocybin-Related Business and Adopting a Ballot Title and Explanatory Statement

Attachment List

- A. Proposed Resolution and Order Referring to the Voters of Clatsop County a Measure Proposing a Temporary Ban on Psilocybin-Related Business and Adopting a Ballot Title and Explanatory Statement

IN THE BOARD OF COUNTY COMMISSIONERS
FOR CLATSOP COUNTY, OREGON

IN THE MATTER OF REFERRING TO THE) RESOLUTION AND ORDER
VOTERS OF CLATSOP COUNTY A)
MEASURE PROPOSING A TEMPORARY)
BAN ON PSILOCYBIN-RELATED)
BUSINESSES AND ADOPTING A BALLOT)
TITLE AND EXPLANATORY STATEMENT)

WHEREAS, the Clatsop County Board of Commissioners, following two public hearings, voted to enact and to refer Ordinance No. 22-07 to the voters of Clatsop County. Ordinance No. 22-07 temporarily prohibits certain psilocybin-related businesses in the unincorporated area of Clatsop County, in order to enable the adoption of the state’s psilocybin regulatory program and allow the county to consider possible code amendments and reasonable time, place and manner regulations; and

NOW THEREFORE, the Board of Commissioners of Clatsop County orders as follows:

SECTION 1. BALLOT TITLE

The Board adopts the ballot title and explanatory statement for this referral as attached hereto and incorporated herein as Exhibit A.

SECTION 2. AUTHORIZED OFFICERS

The ballot title and explanatory statement adopted by this resolution shall be filed with the county elections officer. County Counsel and the county elections officer are jointly and severally authorized and directed to take all necessary steps for and on behalf of the county to effectuate this resolution and order, including providing public notice and submitting required materials to the county elections officer to cause the measure to appear on the ballot for the November 8, 2022, election and to otherwise carry out the intent and purpose of this resolution and order.

SECTION 3. ORDINANCE

The county ordinance that is the subject of this referral is attached hereto and incorporated herein as Exhibit B.

BOARD OF COUNTY COMMISSIONERS
CLATSOP COUNTY, OREGON

By _____
Chair

By _____
Theresa Dursse, Recording Secretary

EXHIBIT A

BALLOT TITLE: Temporary ban of certain psilocybin businesses in unincorporated Clatsop County

QUESTION: Shall psilocybin manufacturers and service centers be temporarily banned in unincorporated Clatsop County for up to 2 years?

SUMMARY: Psilocybin is a psychedelic drug found in certain mushrooms. State law allows for the licensed manufacturing and supervised use of psilocybin in licensed service centers.

State law provides that a city or county may adopt an ordinance to be referred to voters to prohibit the establishment of licensed psilocybin product manufacturers and/or psilocybin service centers.

The Clatsop County Board of Commissioners adopted an ordinance to refer to the voters that temporarily prohibits those psilocybin businesses in the unincorporated area of Clatsop County, in order to enable the county to consider local regulations once the state's psilocybin regulatory program has been fully established.

If approved, this measure would approve the temporary ban in unincorporated Clatsop County. The ban will lapse on December 31, 2024, unless repealed by the Board at an earlier date.

EXPLANATORY STATEMENT:

Approval of this measure would temporarily ban the establishment of psilocybin product manufacturers and psilocybin service centers within the unincorporated area of Clatsop County until December 31, 2024. State law also allows the Clatsop County Board of Commissioners to repeal the temporary ban at any time.

Oregon voters legalized the supervised use of psilocybin through Ballot Measure 109 (2020), which directs the Oregon Health Authority (OHA) to develop a psilocybin licensing and regulatory program for the state by January 2, 2023. OHA's psilocybin regulatory program is in development, and the county would like to consider local regulations for psilocybin-related businesses once OHA's program is in place.

Ballot Measure 109 (2020) allows a local government to adopt an ordinance to be referred to the voters that prohibits the establishment of certain psilocybin-related businesses. The Clatsop County Board of Commissioners has adopted such an ordinance that temporarily prohibits psilocybin manufacturers and service centers to enable the county to consider local regulations once the state psilocybin program is fully in place. If approved, this measure would prohibit psilocybin product manufacturers and

psilocybin service centers within the unincorporated area of Clatsop County until December 31, 2024, unless repealed by the Board at an earlier date.