

**RECORDED**

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**Clatsop County Board of Commissioners  
Work Session  
November 9, 2016**

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Chair Scott Lee called the work session to order at 5:00p.m., at the Judge Guy Boyington Building, 857 Commercial Street, Astoria, Oregon. Also present were Commissioners Dirk Rohne, Sarah Nebeker, Lisa Clemente and Lianne Thompson.

- Cameron Moore, County Manager
- Robin Koch, Human Resource Director
- Monica Steele, Budget & Finance Director
- Heather Reynolds, County Counsel
- Kathi Mattinen, Fair Manager
- Jack Ficken, Fair Board Member
- Jack Edwards, Fair Board Member
- Mike Autio, Fair Board Member

**a. Clatsop County Fair Board**

Lee opened the work session. Moore said the fair is an important part of Clatsop County and they would like to review the statutes and the roles and responsibilities for all parties. Reynolds showed a map of the fairgrounds. Reynolds said that fairs in Oregon predate statutes and counties so when the statutes were written on fairs they basically went unchanged for over a hundred years. There is tension between fair boards and counties throughout the state on how to handle liability issues. The statute gives exclusive management to the county fair board and the language governing the relationship is very old. Reynolds said in 1980 there was a lawsuit in Lincoln County where a horse barn burned which was full of horses and the courts found the county liable. The lawsuit started a discussion on the roles and responsibilities of the county and the fair board. The statute was amended to say that the county court may conclude that an agreement is needed to protect the county from liability relating to personnel or contractual matters. Clatsop County and the Fair Board signed a Memorandum of Understanding (MOU) in 2000 and in 2010 a revision was done. Reynolds said the Fair Board's policies are fairly ancient and there are statutes that have changed. Personnel policies can protect against violating discrimination laws and harassment laws. Reynolds suggests that the Fair Board adopt the county's personnel policies. Reynolds stated that both boards should discuss what the contracting authority should be. The Fair Board should work with county staff on contracts or permits costing less than \$30,000 and if it is more than \$30,000 it needs to be approved by the Board of Commissioners. Reynolds said Mattinen brought some of the forms they are using for rentals and the insurance liability limits on those forms show one third of the amount they should be. Reynolds pointed out that on all federal or state environmental permits the Board of Commissioners approval as landowner is required. Reynolds said the policies should be reviewed by Moore and Mattinen to see which ones would be appropriate for the Fair Board. The three main issues that Reynolds sees as exposure to risk are personnel, contracts and permit issues. Autio asked if they adopted the personnel policies of the county would that get added to the MOU and Reynolds replied yes. Rohne said he appreciates the Fair Board and they work very hard and Rohne was hoping to have the Fair Board make a recommendation to the Board of Commissioners of their choice of replacements for the vacancies that are open. Moore said the

1 applications have been forwarded to Mattinen and at the December 14<sup>th</sup> board meeting the Board  
2 will appoint the new members. Rohne asked if it was working well for the fair to manage the  
3 lower properties such as the hay fields and Ficken said yes. Reynolds asked if the Fair Board had  
4 thought about selling the wetland area. Autio asked if it had ever been determined that parking  
5 was allowed on the wetland area and Reynolds didn't think it had ever been determined. Autio  
6 asked if they were interested in selling that area what would be the process. Reynolds said they  
7 would need to discuss that with county staff. Ficken said every three years he is up for  
8 reappointment and doesn't recall ever having to reapply but he would like to continue serving on  
9 the Fair Board and now he understands that reapplying is part of the process. Moore said it is  
10 good practice because it is protection for the county board and for the applicant to have the  
11 appointments on record. Moore said it also gives others opportunities. Koch wanted to encourage  
12 the Fair Board to look at their policies and how they line up with current laws. Autio asked if  
13 there was a way they could adopt the county personnel policies but not become part of the  
14 system. Koch asked for an example and Autio said if they needed to hire a maintenance  
15 employee could they do that without having to run them through the whole county system.  
16 Moore said the Fair Board has the hiring authority. Autio said sometimes they feel like they lose  
17 control. Moore said internal hiring usually involves the front line manager or director in making  
18 that decision and once they make a decision that's when the Human Resources Department takes  
19 over. Moore said the Fair Board has a lot of flexibility in decisions because they are not under  
20 the union clauses. Moore said he gave Mattinen the authority to sign contracts under \$5000 this  
21 year so they could be expedited. Moore would like to be more proactive in the future. Autio  
22 asked if contracts under \$30,000 needed to go through the county and Reynolds said that  
23 decision has not been definitively made but for this year Moore delegated Mattinen to approve  
24 contracts under \$5000. Reynolds suggested that both finance and county counsel review the  
25 contracts. Moore said he couldn't find any paperwork that stated Mattinen had contract authority  
26 so that's why he gave her the authority to sign contracts under \$5000. Autio would like to go  
27 over the MOU since it has been six years since a revision. Moore reminded the Fair Board to get  
28 their recommendations of the applicants to the Board of Commissioners. Ficken asked if it was  
29 the Fair Board's job to police the beer garden when they have events. Moore said it is their event  
30 and they have a responsibility to make sure people are consuming responsibly. The Fair Board is  
31 subject to the no smoking ordinance and there is no exception. Steele said that at the bigger  
32 events the Sheriff's Department will be there and they can enforce the county ordinance.

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34 Adjournment 5:51p.m.

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Approved by



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Scott Lee, Chairperson