

City of Port Orford
City Council Meeting Minutes
In the Gable Chambers
Thursday, October 17, 2019 at 3:30 P.M.

Mayor and Council	Present	City Staff	Present
<i>Gary Burns</i>	X	<i>Terrie Richards, City Admin/Recorder</i>	X
<i>Tim Pogwizd, Mayor</i>	X	<i>Shala McKenzie Kudlac, City Attorney</i>	X
<i>Pat Cox, President</i>	X	<i>David Johnson, Finance Director</i>	X
<i>Jim Campbell</i>	X	<i>Hank Hobart, Police Chief</i>	X
<i>James Garratt</i>	X		
<i>Carolyn LaRoche</i>	X		
<i>Travis Williams</i>	X		

Media Present: Port Orford News – Brice Wagner

Others Present: Ginny Williams, Curry Health Network

1. Call to Order

Mayor Pogwizd called to order this Regular Meeting of the Common Council in the City of Port Orford Gable Chambers on Thursday, October 17, 2019 at 3:32. He asked those present to rise and join him in the Pledge of Allegiance.

2. Additions to the Agenda – New Business 9.d. Discussion on tenant water bills.

3. Special Presentation to Citizens / Council –

Ginny Williams, Curry Health Network – Ginny Williams is CEO of Curry Health Network and resident of the county since 2015. Ms. Williams is sharing an important strategic initiative that Curry Health Network has been working on. A change in landscape has created a sense of urgency to move forward to open the Curry Medical Center emergency care department.

Last year in February of 2019 when Highway 101 was closed for 15 days had a significant financial impact on the network to about 1.5 million dollars in cash, not gross charges. Ambulances were required to take all patients to the south. That drive became too difficult for many residents and were unwilling to travel for appointments at Curry General Hospital. To safeguard against any future disaster that isolates communities from one another, in April of last year the board was encouraged to take action in opening the emergency room.

Curry County Commissioner Sue Gold asked the Curry Health Board if it was in the best interest to move forward with just the emergency room or maybe look at a broader scope of services such as in-patient services. State and federal regulatory environment for critical access was studied. It was determined that moving forward with expansion of in-patient beds would likely have a dramatic and negative impact on the network in that it would jeopardize Curry General Hospital status as a critical access hospital and would require a certificate of need. For a certificate of need to pass, two factors must be determined. 1) If services were

expanded to include in-patient beds in a certain market, how would that impact financially the existing structure of health care that is being served. 2) If services were expanded to include in-patient beds there must be a need, not a want. To determine this, consider the number of beds currently available and their current capacity.

The board considered all concerns. In September, the board made the determination that the Curry Health Network really needed to move forward with the emergency room. There is an urgency, since there are new building codes for hospitals going into effect in January of 2020.

The board came to the conclusion that an emergency room is necessary and in the best interest for all residents. Twenty percent of all adults seek emergency care services at least annually, and with the age of the local population, it is probably higher in Curry County. 14,000 residents have to travel at least 27 miles to receive emergency care. Approximately 12,300 visits are anticipated a year. Ninety percent of all emergency room visits are actually definitively diagnosed, treated and discharged. Seven percent result in admission for hospital services, and another three percent result in direct transfer to a higher level of care.

The business opportunity for Curry Health Network is they could increase market share, and with a positive financial impact on the network, be able to expand services within the county in the future.

Currently a walk-in clinic is available. It is on a first-come-first basis where patients will be seen in the urgent care. The urgent care is staffed with a highly qualified with a physician's assistant and nurse; however, if services are needed for a truly life-threatening situation the only recourse is to call 9-1-1 and have the ambulance pick up the patient and bring them to the nearest emergency room. On average, there are three ambulances a day arriving at CMC to pick up patients and take them to the emergency room. It appears the urgent care is being used as an emergency room now. In the future, it will be licensed and fully operational. It will operate 324 days a year, 24 hours a day. It will be staffed by emergency room physicians 24 hours a day in addition with critical care registered nurses and respiratory therapists. Stabilizing care and treatment will be provided.

There are concerns from some residents that the urgent care will be eliminated. To mitigate that, Curry Health Network has already opened same-day appointments for non-emergency services. Currently if you arrive at the urgent care at CMC with a heart attack, a severe respiratory stress situation, stroke, significant bone fracture or abdominal pain that needs treated, 9-1-1 will be called and the patient will be transferred to another facility. In the future, the patient will be stabilized and moved to the next higher level of care without having to transport the patient.

Statistics from the Emergency Medical Journal: 1) if picked up by an ambulance with a life-threatening condition and the ambulance needs to travel between 0 and 6.2 miles, the death rate is about 5.8 percent. If the ambulance needs to travel 13 miles, death rate increases to 8.8

percent. South County now has to travel 27 miles. 2) Mortality rate for a heart attack: At the time of diagnosis, if the patient can get to a cath lab under two hours the death rate is about 4.9 percent, but as those hours increase three to four hours the death rate increased to 6.5 percent. 3) Respiratory distress: If traveling to emergency room and can arrive in 10 to 20 minutes there is a 1.09 percent chance of death. That increases with time. 4) Sepsis is an acute and severe bacterial infection causing rapid deterioration in health. When diagnosed and receive antibiotic within one hour, the death rate is 1.03 percent, but as the time goes up so does the death rate.

The conservative revenue projection is about 835,000 dollars. This is derived from actual data from patients seeking emergency care with zip codes in Port Orford and Brookings Harbor. Staffing and contractual expenses will run about 400,000 dollars a month. Another 1.7 million dollars in capital equipment will be spent over the next couple of years to upgrade costly and necessary equipment.

Economic growth for Curry County is determined from data from Oregon Association for Health Systems and hospitals from 2017, which is the most recent data located. For every ten jobs in the hospital sector that are added, another 6.4 jobs will be added in other sectors. It is anticipated to add 33 new positions, which means 21 new positions in other sectors will ultimately be generated. For every 1 million dollars of services or goods produced by the hospital, another 390,000 dollars will be produced in other sectors. It is anticipated that ten million dollars will be generated in emergency room services and another 3.9 in other sectors.

Ms. Williams admits this is just the beginning. The service line is important not only for the security and safety of residents, but if Curry County Health Network can continue to provide services that generate a margin, it will make the network more financially viable and allow growth in other areas.

A short-term line of credit for 1.2 million dollars was established that needs to be paid back within one year, so it will not influence long-term debt capacity. It is known after seeing the margins that this debt will be paid back in the year. Two million dollars were allocated from house bill 50.50, but those funds were designated through the lottery bonds and will not be dispersed until 2021 at the earliest and can only be used on capital equipment or buildings. Curry Health Network is working with the legislative representatives, Brock Smith and Heard, to see if during the short session of the upcoming budget those funds can be reallocated from the lottery funds to the general fund, which would come with fewer restrictions and become more immediately available.

Teresa Kolibaba stated that initially it was specifically said there would be no enlargement. It was only going to be an emergency room. She inquired why Curry Health Network is coming to Port Orford for more money when Port Orford does not even have their own clinic open five days a week as promised.

Ginny Williams answered the building in Brookings has not been modified to accommodate the emergency room. It was originally built with the intention of becoming a hospital or opening an emergency room. There has not been an increase in the footprint of the building. Ms. Williams reported that she is not asking the residents of Port Orford to support the operation in Brookings. The operation of the emergency room will pay for itself by just utilization. Ms. Williams states the clinic in Port Orford has been opened five days a week, but it is underutilized. An average of four to eight patients are seeking services at the Port Orford clinic any given day. It is a challenge to keep staff working in a clinic that is underutilized. Curry Health Network is working with Coast Community Health to increase utilization, avoid replicating services, and partnering in any way possible.

Doreen is concerned about attempting to build before the new codes go into effect. She is inquiring about the codes that Curry Health Network wants to avoid. Doreen is concerned that the emergency room is so far south.

Ginny Williams clarifies that the building as it stands under the current codes has been approved. The new codes, essentially the areas of most concern that it relates to not being able to meet the codes, is that certain rooms do not meet the new size requirements and they require more private showers and toilets. Currently they do not have private showers. Curry Health is not avoiding building codes to not be safe. They have already been approved to be in that building.

Councilor LaRoche states Port Orford was promised a clinic with adequate staff if the city voted for the hospital. She feels that was not provided. The clinic books appointments weeks out and if you ask for same-day appointment, they send the patient to the emergency room. Those patients usually go to the Bandon emergency room. Councilor LaRoche inquired and was told it was more profitable to send patients to the emergency room than to treat patients in Port Orford.

Ginny Williams answers that 2/3 of the population in the county resides in the south. Looking at sheer numbers and a health care model, volume counts. Volume is necessary to cover the expenses. It is not more profitable to treat a patient from Brookings than it is to treat a patient from Port Orford; however, if the district could put into place a policy that it will only treat its district member's health care would not be the way it is currently within the county. Healthcare fails when parceled out. Partnering with Coast Community and Curry Community Health and North Bend medical center is necessary. Fighting for the same resources will result in failure. Curry Community Health continues to have dialog about how Port Orford, Langlois, and Bandon community can be served better and safer. The representatives are very interested in continuing to bring state funding to Curry County for walk-in clinics. A registered dietitian is now working from the Port Orford clinic on Fridays for primarily diabetic education and offer Medicare annual welfare visits. They are also actively recruiting for additional staff in Port Orford.

Mayor Pogwizd advised that when the City of Port Orford voted for the bond, they were told that Port Orford would get a doctor, a nurse practitioner and were promised 5-1/2 days of service, Monday through Friday and a half day on Saturday. They have never had a half a day on Saturday. It took a long time for the fifth day to happen. He wonders why, if the clinic is only seeing 4 to 8 patients a day, why patients have to be pushed off for two weeks. Mayor

Pogwizd does not understand why the clinic cannot accept new patients when only seeing four to eight patients a day.

Ginny Williams advised that Curry Health Network is asking these hard questions as well. They are actively recruiting for providers to improve access for Port Orford.

Mayor Pogwizd expresses appreciation for the presentation.

4. Consent Calendar

Councilor Cox moved to approve the consent Calendar with amendment on page 10 with Councilor Burns as second. *Motion carried 6-0.*

<i>Councilor Cox</i>	<u><i>Yes</i></u>	<i>Councilor LaRoche</i>	<u><i>Yes</i></u>	<i>Councilor Williams</i>	<u><i>Yes</i></u>
<i>Councilor Burns</i>	<u><i>Yes</i></u>	<i>Councilor Garratt</i>	<u><i>Yes</i></u>	<i>Councilor Campbell</i>	<u><i>Yes</i></u>

5. Citizen's Concerns – None.

6. Department Reports –

Administration – Councilor Williams would like to see some projects prior to being assigned those projects. He would like to see prioritizing needs over wants.

Police Department – Hank Hobart emailed a report to council. Mayor Pogwizd expressed appreciation for services performed.

Finance – Councilor Williams addressed the available funds to pull for the grit system and requested where the money was coming from. David Johnson stated there is money in the sewer reserve. He needs a discussion before coming up with an answer. CA Richards advised that numbers needed came from the feasibility study in the master plan. Hearing no more questions, David Johnson is excused.

PORT – Councilor Cox reports they are still working on their preliminary funding. They are looking for a project manager. They have three grants they are attempting.

Mayor – Mayor Pogwizd reminds council that the last few years they have not had a December meeting due to holidays. He asked for consensus on a December meeting this year. By consensus, a December meeting will be held this year.

Main Street – Councilor Dahl reports that due to changing circumstances, he needs to give up liaison positions. He will not be able to attend the meetings. Councilor Burns offers to take the Main Street liaison position. Councilor Williams agrees to take the Fire Board liaison position.

Parks – Councilor Williams reports on the presentation from the Rotary regarding the Community Building and their plans for the building. They had a proposal for a reconstruction and new construction. They reviewed the architectural design and what they

will do with community involvement and the outreach program. Parks is working on getting some literature made up for signs at the entrance to the walkways to Battle Rock.

Watershed / Health – Councilor LaRoche reports receiving the 1000-dollar grant for the Gorse. Councilor LaRoche would like to see maintenance after the project is finished.

Emergency management – Councilor Burns reported the communications trailer was at the Expo Saturday. There is some interest in new members for that crew. High school students will be contacted.

7. Old Business

a. Webmaster – Denning Print Company from Langlois is the only response with a proposal. Others contacted responded that they could not provide the service. Dana Gurnee advised of a company that Curry County looked at. It is a very ambitious and probably an expensive page. He is concerned about how inexpensive and unambitious the proposal from Denning Print Company provided. Denning’s proposal includes all the work of updating on a monthly basis for 300 dollars a year. He is concerned about quality for such a low price. Councilor Garratt advises that the proposal did not mention the hosting and domain fees, which would probably be the responsibility of the city. Councilor Garratt agrees that what they are quoting for website cleanup is a little shy; however, merging that with the redesign fee seems appropriate. He feels the monthly fee seems appropriate for the maintenance requested. He feels there is less than one hour of website monthly maintenance. He feels the 475-dollar quote for the year with 300 dollars for each continuing year is acceptable. Councilor Garratt recommends to the council they accept the proposal.

Councilor Cox moved to accept the proposal from Denning Print Company with Councilor Garratt as second. *Motion carried 6-0.*

Discussion: Councilor Cox feels that due to the low cost the risk is acceptable. Councilor Campbell approves of the cost. Councilor Burns feels the cost is fair.

<i>Councilor Cox</i>	<u><i>Yes</i></u>	<i>Councilor LaRoche</i>	<u><i>Yes</i></u>	<i>Councilor Williams</i>	<u><i>Yes</i></u>
<i>Councilor Burns</i>	<u><i>Yes</i></u>	<i>Councilor Garratt</i>	<u><i>Yes</i></u>	<i>Councilor Campbell</i>	<u><i>Yes</i></u>

b. Resolution 2020-03 Water project PER has been removed.

8. New Business

a. **Planning Commission – return to a seven-member board.** Mayor Pogwizd would like to see this considered in a timely manner. A five-member board can result in two or three members making decisions. If more members are desired, the board should go to seven. Councilor Burns moves to make the change from five to seven members on the planning board with Councilor Campbell as second. Discussion: Councilor Cox reports the five-member board was felt to be acceptable due to having a council that has more members making the final decision. He questions if six is acceptable. Attorney Kudlac reports that six will leave the opportunity for a tie vote. Councilor Cox feels that does not matter at the

planning level. The information on how the commission feels is referred to City Council. Attorney Kudlac reminds council that there are times the Planning Commission makes the decision such as land use applications. Attorney Kudlac advised that four is a quorum of seven.

Councilor Garratt recommends the motion be rescinded with Councilor Burns as second. Councilor Burns moves to change the planning commission from five to seven members and making it two persons in the Urban Growth Boundary, with Councilor Campbell as second.
Motion carried 6-0.

<i>Councilor Cox</i>	<u><i>Yes</i></u>	<i>Councilor LaRoche</i>	<u><i>Yes</i></u>	<i>Councilor Williams</i>	<u><i>Yes</i></u>
<i>Councilor Burns</i>	<u><i>Yes</i></u>	<i>Councilor Garratt</i>	<u><i>Yes</i></u>	<i>Councilor Campbell</i>	<u><i>Yes</i></u>

b. **South Coast Development – Membership.** Mayor Pogwizd reported they had a figure of 2,500. He agrees with this number. After seeing the presentation, Councilor Williams felt the city was fronting the money for expenses. He did not see the beneficial gains in resources for the city on a government level aspect. The gains seemed to be for business owners or people interested in the uses on a private level. Councilor Garratt reports he is already providing the city a service, and he is asking in return for his continued service Port Orford be willing to put out some money. He is not charging the city per se but is asking Port Orford give a reasonable donation to cover the cost of operating in the capacity he is currently doing, which is the listening meetings at 7:00 in the morning every month. It would pay for him and his staff to operate, come to Port Orford, and take the time out of their schedule to help coordinate the meetings and to keep things recorded moving forward. Councilor Garratt does not feel it is an unreasonable cost. Councilor Burns has attended the meetings. Most attendees are from out of town. Councilor Burns is not yet sure what the benefit to the community has been. There have not been any Port Orford volunteers to assist, but theoretically a volunteer could run with the concept. Ideas have been brought up in the meetings, but nothing has been executed or attempted. Council members would like to table South Coast Development membership until they see some action.

Mayor Pogwizd tabled South Coast Development – Membership and added it to Continuing Action Items.

c. **Class Action Notice – National Prescription Opiate Litigation.** City Attorney Kudlac advised Council they have been asked whether they wish to joint in with the class action. The plaintiffs would be all cities and counties across the United States unless they opt out. The defendant is various pharmaceutical companies and pharmacies. If Port Orford chooses to be a part of the class action, they do not otherwise have rights to sue as an individual plaintiff. City Attorney Kudlac believes that Curry County has joined the class action. City Attorney Kudlac advised council they have to opt out. If they do nothing, they are automatically in.

Motion carried 6-0.

Councilor Cox moves to do nothing with Councilor LaRoche as second.

Councilor Cox Yes *Councilor LaRoche* Yes *Councilor Williams* Yes
Councilor Burns Yes *Councilor Garratt* Yes *Councilor Campbell* Yes

d. **Discussion on tenant water bills.** Councilor Garratt reminds council that the issue is that property owners are being billed for tenant water usage when the tenant abandons the bill. When the tenant rents a property from a landowner, they create a contract where the tenant becomes responsible for the water, utilities, and pays for the usage of the property. He feels billing the landlord is violating the intent of the contract. The city has the ability to place a lien on the owner's property. Councilor Garratt reports that if the city continues charging the homeowners and allows a credit of 3000 dollars, the homeowner can raise the deposit by 3000 dollars. A standard deposit is currently 1-1/2 times a month's rent. The increase in deposit will make it more difficult for people to rent, which adds to the existing rental problem. Councilor Garratt proposes the solution of eliminating holding the owner responsible, or placing a limitation on how much the owner can be held responsible as well as adjusting the city's policies to reflect something congruent to that so that the city does not extend credit unnecessarily to people in this position. The electric companies require a 100 dollar deposit or something similar. He suggests a small reasonable deposit without extending too much credit, then not holding them responsible so as to not affect the rental market.

Councilor Burns feels the water bill is a contract between the city and the tenant. He does not feel the homeowner should be responsible for the water any more than the electric. Mayor Pogwizd reminded that water, sewer is alienable source, and electricity is not. Councilor Burns suggested all landowners be notified that the water be included in the rent, ensuring it will be paid. Mayor Pogwizd stated that when the second bill is not paid, the landowner would be notified now. Patty Clark is working on this now. As a landlord, you cannot shut somebody's water off. It is against the law. The city can shut the water off if delinquent on the bill.

Mayor Pogwizd asked if credit is extended currently. CA Richards stated this was supposed to be on the agenda but was then removed. CA Richards provided a prepared statement and summarized it as; a customer comes in to set up an account. They are given the water/sewer service request form to fill out. They give us a picture ID. If they are a renter, they are also given the owner/renter water sewer billing agreement form to have the landlord fill out. If they are a renter, they have to leave a 100-dollar deposit on their account. This deposit is reimbursed if the final bill is paid in full and the city is provided a forwarding address. The bills go out the first week of the month for the prior month usage. The bills are due on the 25th of the month and become delinquent on the 26th of the month. The customer is sent a past due notice with a 15-dollar late fee added to the bill. When the bill becomes 30 days past due they are sent a letter stating they are scheduled for disconnect in 15 days if the bill is not paid. They are given a door hanger the day before the disconnect date and charged a 25-dollar door-hanger fee. If the bill is not paid and services shut off for nonpayment, they have to pay all past due amounts on the bill and charged a 75 dollar reconnect fee. The city has

been willing to work with people to this date. Currently, Patty makes the argument to her office manager and finance director, and they come to a conclusion together. If it is something outrageous, they bring it to the city administrator. Councilman feels there should be a policy in place for the decision to work with citizens on their water bill.

CA reads the owner/renter water/sewer billing agreement: It says, I am the owner of record as recorded within the Curry county assessor's record of the following, and they give the property address. I hereby request that the City of Port Orford directly charge and send the monthly water bill to my tenants as listed below. It then says, I have been made aware of, and understand, that I am responsible for all payments, penalties and/or other charges related to the water/sewer service at my property in the event that my tenants do not pay their bill or otherwise become deficient in the duties, responsibilities or charges as governed by the city's water/sewer system related ordinances. I also request to be properly notified by the City of Port Orford if delinquency or deficiency occurs.

After discussion, councilors request Attorney Kudlac review laws and ordinances and bring the information back for discussion.

Councilor Garratt moves to table tenant water bill until the next Council meeting with Councilor LaRoche as second. *Motion carried 6-0.*

<i>Councilor Cox</i>	<u><i>Yes</i></u>	<i>Councilor LaRoche</i>	<u><i>Yes</i></u>	<i>Councilor Williams</i>	<u><i>Yes</i></u>
<i>Councilor Burns</i>	<u><i>Yes</i></u>	<i>Councilor Garratt</i>	<u><i>Yes</i></u>	<i>Councilor Campbell</i>	<u><i>Yes</i></u>

9. Continuing Action Items

a. Applications for Planning – CA Richards suggests waiting for additional applications before addressing volunteer applications since the size of the board has been increased during this meeting.

10. Considerations

a. **Citizens** – Doreen Ames hopes that the city doing a favor for an ill citizen is not done for everybody in the town. Doreen Ames advised that she is technically legally still renting. Her landlord tenant agreement states if she defaults on maintaining the property, which includes water and utilities, her landlord can seek those damage from her personally. She does not prefer a change in the way the renter's water/sewer is handled. Ms. Ames has a problem with somebody who is a property manager trying to enforce these rules and regulations and legislate more, and then have to abstain from the vote since they are the ones who make a profit.

b. **Staff** – Mayor Pogwizd requested Terrie to print four copies of the Master Water Plan. Mayor Pogwizd wants the new councilors to have a copy of the blue (muni code) book. Two are available at this time.

c. **Councilor** – Councilor Cox points out that council talks about methods of getting money but does not talk about methods of saving money. He would like to see City Council looking at saving money. Councilor Williams notices that the city issues business licenses without actually inspecting the business to see if they are to code or meeting standards. Port Orford does not have a code enforcer, and it becomes an issue where a business license is issued without actually doing the inspection. CA Richards informs the city does not have a trained person for inspections. A suggestion is made to provide information to new business owners.

11. Future Meetings:

City Council Meeting > Thursday, November 21, 2019 > 3:30 > City Hall Council Chambers.

12. Adjourned

There being no further business, Mayor Pogwizd adjourned the meeting at 5:45 p.m.



Mayor Tim Pogwizd

Attest:


City Recorder, Terrie Richards