

Executive Session Meeting: February 17, 2016 (Open Session)

2:00 p.m. – BCC Conference Room

Attending: Commissioners Cheryl Walker, Keith Heck, and Simon G. Hare; Wally Hicks (arrived at 2:23 p.m.), Leah Harper (left at 2:22 p.m.), and Pat Ellison, Legal Counsel; and Terri Wharton, Recorder

Chair Cheryl Walker called for Executive Session at 2:00 p.m. Minutes filed separately.

EXECUTIVE SESSION ITEMS

**Possible Executive Session ORS 192.660(2)(a)(b)(c)(d)(e)(f)(g)(h)(i)(j)
(NO DECISIONS CAN BE MADE DURING EXECUTIVE SESSION)**

- 1. Grants Pass Water Laboratory, Inc. contract - ORS 192.660(2)(h)**
- 2. State ex rel Brimstone Natural Resource Co., v. Board of County Commissioners of Josephine County, Oregon (Mandamus); Case No. 15CV34359; and Rogue Advocates, and Peter Storm vs. Josephine County and Brimstone Natural Resource Co.; LUBA No. 2015-101 - ORS 192.660(2)(h)**
- 3. MERS Litigation- ORS 192.660(2)(h)**

Executive Session adjourned at 2:44 p.m.

The Board reported the following:

Agenda Item #1: Legal Counsel to proceed in accordance with the contract and payment, etc.

Agenda Item #2: Commissioner Hare made a motion to approve the Findings that were provided by Legal Counsel complying with the Writ, approving the Brimstone Decision on Appeal, return of the Writ to the Court my March 1, 2016, and contingent on final fact checking by Legal Counsel and the Planning Department, seconded by Commissioner Heck. Upon roll call vote, motion passed 3-0; Commissioner Hare – yes, Commissioner Heck – yes, and Commissioner Walker – yes.

Agenda Item #3: Legal Counsel to continue to gather data in concert with the Clerk and other counties that may or may not be involved.

Meeting adjourned at 2:47 p.m.