

MINUTES

**CITY COUNCIL CHAMBERS, CITY HALL
29592 ELLENSBURG AVE
GOLD BEACH OR 97444
SPECIAL MEETING
FRIDAY, FEBRUARY 16, 2007
12:00 NOON**

CALLED TO ORDER BY MAYOR POPOFF AT 12:03 p.m.

THE PLEDGE OF ALLEGIANCE:

ROLL CALL:

	<u>PRESENT</u>	<u>ABSENT</u>
Mayor Karl Popoff	X	
Council Position #1 Sue Johnson	X	
Council Position #2 Don Flynn	X	
Council Position #3 Mark Coltrane	X	
Council Position #4 VACANT		
Council Position #5 David Alexander	X	
Planning Director David Pratt	X	
City Planner Jodi Ferrin	X	
County Counsel Jerry Herbage	X	

****NOTE:** Comments and participation from the audience shall be limited to 5 minutes without redundancy.

SPECIAL ORDERS OF BUSINESS:

DISCUSSION REGARDING THE UPSHUR APPEAL CASE (A)

David Pratt, County Planning Director, informed the council that the meeting was called to request the council to agree to withdraw the Order which was made regarding the Upshur permit.

County Counsel Jerry Herbage explained that he had been to a LUBA meeting yesterday and in his opinion, they have a certain way of doing things. It is his (Herbage) opinion that certain changes should be made in the Order so that it would more fully meet the criteria of LUBA. Herbage stated Mr. Upshur has appealed and now has an attorney, Isa A. Taylor of Schwabe, Williamson & Wyatt in Portland (A)

If the council should decide to file the "Withdrawal of Decision For Reconsideration", then the Order could be re-written to give it a better chance to pass the LUBA appeal.

Other steps will need to be taken, but at this point, the first step is to request the withdrawal.

MOTION: Councilor Johnson moved for the council to file a Withdrawal of Decision for Reconsideration under OAR 661-010-0021 in the Upshur Case, second by Flynn. Councilors Johnson, Flynn, Coltrane and Alexander voted "AYE". VOTE 4 AYES 1 VACANT

ADJOURNED at 12:30 P.M.

Passed by the Gold Beach City Council on March 12, 2007.


Karl Popoff, Mayor

ATTEST:


Shirley Walker, Recorder

The location of the hearing/meeting is accessible to the disabled. Advance notice is requested if special accommodations are needed. Call (541) 247-7029 so that appropriate assistance can be provided. The City of Gold Beach is an affirmative action EEOE and complies with section 504 of the rehab act of 1973. Complaints of Discrimination should be sent to: USDA, Director, Office of Civil Rights, Washington, D.C. 20250-9419