

**REVISED AGENDA**  
COOS COUNTY BOARD OF COMMISSIONERS  
Owen Building Large Conference Room  
October 6, 2015  
8:30 A.M.

1. **EXECUTIVE SESSION under the authority of ORS 192.660**
  - A. (2)(d) Deliberations with Labor Negotiators
  - B. (2)(e) Real Property Transactions
  - C. (2)(h) Consultation with Counsel
  
2. **PLEDGE OF ALLEGIANCE**  
**CITIZEN COMMENTS (agenda items or general comments) – limited to 3 minutes per person- scheduled to begin at 9:30 AM**
  
3. **DEPARTMENT HEADS**
  - A. Report from South Coast Development Council- BOC
  
  - B. South Coast Community Foundation Report- BOC
  
  - C. Request Approval of 2015/17 Tort Liability Agreement & Authorize Chair to Sign- Coos Health & Wellness (CHW)
  
  - D. Request Approval of Contract Renewals with Service Providers- CHW
  
  - E. Request Approval to Reclassify Public Health Nurse Position- CHW
  
  - F. Request Approval of a Loan from the General Fund- CHW
  
  - G. Request Approval of Contract for Architectural & Design Assistance Services- Solid Waste
  
  - H. Request Award of Contract for Pipeline Trench Surface Repair Project- Road
  
  - I. Request Approval of Grazing Lease with Aaron McCall- Land Agent
  
  - J. Request approval of Grazing Lease with Marcia Tissing- Land Agent
  
  - K. Request Approval of Terminating Standard Deferred Comp Retirement Plan & Authorize Chair to Sign- County Treasurer
  
  - L. Request Approval of Order to Pay Dept of Revenue Senior Deferral- County Treasurer
  
  - M. Request Approval of Order Appointing BOPTA Board Members- County Clerk
  
  - N. Request Approval of Modification #7 to BLM Contract & Authorize Sheriff to Sign- Sheriff
  
  - O. Request Approval of Ordinance 15-09-011PL- Planning
  
  - P. Request Approval of Order Adopting Hearings Officer Recommendation on Pacific Connector Gas Pipeline- Planning
  
  - Q. Request Approval to Renew Storage Tank Pollution Liability Insurance Policy & Authorize Chair to Sign- County Counsel
  
  - R. Discussion re: Coquille Watershed Permitting Pilot- BOC

This agenda does not limit the ability of the Commissioners to consider additional subjects. The Board reserves the right to place a time limit on public testimony on any matter. The meeting place is handicapped accessible; if special accommodation is needed, please contact the office at least 24 prior to the meeting.

4. **CONSENT CALENDAR- administrative matters not up for discussion**

A. **Approval of Minutes**

Joint Workgroup Meeting Minutes- August 25, 2015  
Regular Meeting Minutes- September 1, 2015  
Regular Meeting Minutes- September 15, 2015

B. **Orders & Resolutions**

Order 15-09-043PL, In the Matter of the Adoption of an Official Name of a Road "Pederson Drive"  
Located Off Parkersburg Road, Northwest of the City of Bandon  
Order Granting Vacation (No Hearing Required) 15-09-044PL, In the Matter of a Vacation of the  
Alley Between Tax Lot 2400 & Tax Lots 2500/2501, and a Portion of Council Street, Located in  
the plat of Boise Addition to Marshfield, Coos County, Oregon

C. **Items Previously Approved (authorize Chair to sign where necessary)**

Ratification of Directors Signature on Amendments 17-19 of IGA #141406- CHW  
Ratification of Directors Signature on Amendment 14 to IGA # 142005- CHW  
Initiation of Reduced Redemption Period for Tax Account #2090200- Tax/BOC  
Ratification of Chair's Signature on Receipt & Release of Remaining Fund Balance of JBH-  
County Counsel  
Job Description/Pay Scale, Advertise & Fill Assistant County Counsel Position- County Counsel  
USGS Cooperative Data Collection Program for Streamflow & State Gaging Stations- BOC  
Special Event Liquor License for 7 Devils Brewing Company- BOC

5. **LIBRARY SERVICE DISTRICT GOVERNING BODY**

A. Request Approval of Contract for Services for FY 2015/16

6. **LATE AGENDA ITEMS**

A. Request Approval of Ordinance Authorizing Emergency Elevator Repairs- County Counsel

B. Discussion re: Op-Ed on Ballot Measure 6-152 Transient Lodging Tax- BOC

C. Discussion re: Memorandum of Understanding with City of Coquille re: Riverwalk Project- BOC

7. **COMMISSIONERS REPORTS**

BOC only: Consent Agenda _____ Regular Agenda _____
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**LATE** AGENDA ITEM COVERSHEET

**Agenda Item Title:** Ordinance 15-10-047L Authorizing Emergency Elevator Repair


**Department:** Maintenance/Counsel      **Requested Agenda Date:** 10/6/2015

**Contact Person:** Virginia Harris / Keith Leitz      **Phone/Ext.:** 7690

**Background and description of need or problem:** On September 24, 2015, a hydraulic jack failure occurred in the passenger elevator at the Coos County North Bend Annex, placing the elevator out of service. This Order authorizes adoption of findings for an emergency exception to public bidding, to contract for the repair or replacement of this elevator.

**Funding Source:**

**Requested Action:** Approve and sign of Ordinance 15-10-047L.

**Date:** 10/1/2015      **Signature of Dept. Head:**  \_\_\_\_\_

If this is a Human Resources issue, forward to the Treasurer who will forward it to Human Resources. For all other matters, forward the document to Counsel **no later than the Monday prior to the Agenda deadline.** Counsel will forward to Treasurer.

If this is a contract or grant:

- Is the contract or grant an original?
- Is the Contract/Grant Summary Form attached?
- Is the contract signed first by the vendor (except state/federal grants or contracts)?
- If insurance is required, is the insurance certificate attached?
- Is the Clerk's Coversheet attached or do you want it returned to you for filing?

**Departments Affected:**

**COUNSEL:**  \_\_\_\_\_

**TREASURER:**  \_\_\_\_\_

**BOC forwards signed document to Counsel's office.**



1 BOARD OF COMMISSIONERS

2 COUNTY OF COOS

3 STATE OF OREGON

4  
5 Authorizing Adoption of Findings For Emergency ) ORDER ADOPTING FINDINGS  
6 Exception To Public Bidding For Contract for ) FOR EMERGENCY EXCEPTION  
7 Passenger Elevator Repair or Replacement for ) TO PUBLIC BIDDING  
8 North Bend Annex ) 15-10-047L

9 NOW BEFORE THE Board of Commissioners sitting for the transaction of  
10 County business on the 6th day of October, 2015 is exempting the letting of a  
11 contract for the elevator repair or replacement at the North Bend Annex from  
12 the public contracting requirements of ORS 279C.335(1);

13 WHEREAS, it appearing to the Board that ORS 279C.320, 279B.080, and  
14 Section 10.320 of the Coos County Rules and Procedures allow a public  
15 contract to be exempted from the requirements of competitive bidding if  
16 emergency conditions require prompt execution of the contract; and

17 WHEREAS, on September 24, 2015, a hydraulic jack failure occurred in  
18 the passenger elevator at the Coos County North Bend Annex that prevents  
19 operation of the elevator and requires emergency repair work or replacement;

20 WHEREAS, prompt execution of a contract to repair or replace the  
21 elevator is necessary to ensure access for staff and clients with physical  
22 disabilities to reach the second-floor and third-floor offices, where they  
23 work and have medical appointments;

24 NOW, THEREFORE, IT IS HEREBY ORDERED that an emergency exists and the  
25 County may contract for the repair or replacement of the passenger elevator  
26 at the Coos County North Bend Annex without complying with the requirements  
27 of competitive sealed bidding, by soliciting at least three quotes from  
28 contractors known to the County to be responsible contractors and allowing no  
less than five days for such contractors to offer a quote;

1 AND IT IS FURTHER ORDERED that the Chair shall be granted authority to  
2 award and execute the contract to the contractor with the quote that best  
3 fits the needs of the County;

4 AND IT IS FURTHER ORDERED that all contracts let under this order must  
5 be let within 60 days of this emergency declaration;

6 AND IT IS FURTHER ORDERED that all bid, performance, and payment bond  
7 requirements are waived from all contracts let under this order.

8 Dated this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

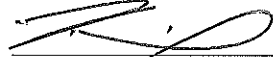
9 BOARD OF COMMISSIONERS

10 \_\_\_\_\_  
11 Chair

12 \_\_\_\_\_  
13 Commissioner

14 \_\_\_\_\_  
15 Commissioner

16 Approved as to form:

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19 Office of Legal Counsel  
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BOC only: Consent Agenda _____ Regular Agenda _____
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### AGENDA ITEM COVERSHEET

**Agenda Item Title:** Op-Ed on Ballot Measure 6-152 Transient Lodging Tax

**Department:** BOC

**Requested Agenda Date:** 10/6/15

**Contact Person:** Melissa Cribbins

**Phone/Ext.:** 7539

**Background and description of need or problem:** discuss the attached editorial

**Funding Source:**

**Requested Action:**

**Date:** \_\_\_\_\_ **Signature of Dept. Head:** \_\_\_\_\_

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County Counsel \_\_\_\_\_

Treasurer \_\_\_\_\_

Human Resources \_\_\_\_\_

WB

## Op-Ed on Ballot Measure 6-152 Lodging Tax

County Commissioners are elected to solve problems, manage county government and provide leadership. A large part of the leadership that Commissioners provide involves setting and managing the county's budget. Much of the County budget comes from the state and federal government, and it comes with strings attached. We are told how much to spend, and what it can be spent on. Roughly 20% of the County's budget comes from a mixture of property taxes, timber sales, and other miscellaneous revenue streams. With this 20%, we make sure that the deed for your house is recorded, a police officer shows up when you call and a place to take the person that is arrested, you have a clean, safe place to dump your trash, and many other services that our citizens have come to depend on. We have made great progress in the last few years in making departments such as Parks and Planning self-sustaining, while still providing the same or better levels of service. We know that we can always do better, and we continually strive to make sure that we are providing the best level of service for the budget we have available.

Many people ask why the County can't just make the federal government increase timber harvests, or pay the County for the lands that they are not harvesting. Over the last twenty years, Coos County has consistently lobbied the federal government to increase timber harvests and return to sustainable harvest levels that will provide both jobs and tax revenue. These efforts have been largely unsuccessful, although we continue to educate, remind, and lobby for changes to federal timber policy to create a sustainable solution that meets the needs of all, not just the needs of the few. We believe that federal timber policy will change in the future in large part because of the catastrophic forest fires, but this change will likely be years in the making. Coos County needs to improve its financial future now.

The Coos County Commissioners continue to actively seek ways to improve the County budget situation. When you open your ballot in a few weeks, you may notice Measure 6-152, put on the ballot by the Commissioners. This measure would create a county-wide lodging tax. **Coos County citizens would not pay this tax** unless they stayed in a hotel, campground, RV park, or vacation rental in Coos County. Tourists are currently not contributing any lodging tax in the unincorporated portions of our county except the statewide lodging tax, which is kept by the State of Oregon and used to promote tourism statewide.

Lodging tax has restrictions under Oregon law. Seventy (70) percent must be used for tourism promotion or tourism related facilities. The other 30% is unrestricted and would be used to fund public safety, including the Coos County jail, the District Attorney's Office, and the Sheriff's department. Public safety is the largest user of our unrestricted funds, and it needs to have a long term, sustainable funding source in order

for us to attract and retain our dedicated deputies. This measure would raise about \$2.7 million dollars total per year, which would provide about \$800,000 for public safety and \$1,900,000 for tourism promotion. It doesn't fund all of our public safety needs, but it is a good start.

Won't people avoid Coos County if we have a lodging tax? Unlikely. Tillamook County passed a similar tax in 2013, and they experienced a 16% increase in tourism last year. Coos County is one of the few Oregon coastal counties that does not have a lodging tax. In all, 82 cities and 16 counties in Oregon have lodging taxes. In fact, Curry County voters will also be considering a lodging tax this November. Currently, visitors who stay in the unincorporated areas of Coos County only pay a 1% tax that goes directly to the State of Oregon. If visitors stay in a city in Coos County, they currently pay a lodging tax imposed by the city as well as the state tax. This county-wide tax would level the playing field, so a tourist will pay the same amount no matter where they stay in the County.

Coos County's tourism industry is a key component of our economic future. Tourism provides a sizeable portion of the jobs and income in our County. We can do a better job of marketing ourselves through tourism, promotion, advertising and upgrading our tourist facilities. A lodging tax would bring in significant revenue for tourism promotion as well as upgrading our tourist facilities. The visitors who frequent our county would help contribute to strengthening our overall economy, which would in turn increase the number of visitors.

Vote yes on improving the future of Coos County. Vote yes on 6-152.

By Melissa Cribbins, John Sweet, and Bob Main

The Coos County Board of Commissioners



BOC only: \_\_\_\_\_  
Consent Agenda \_\_\_\_\_  
Regular Agenda \_\_\_\_\_

**AGENDA ITEM COVERSHEET**

**Agenda Item Title:** MOU with City of Coquille re: Riverwalk

**Department:** BOC

**Requested Agenda Date:** 10/6/15

**Contact Person:** Melissa Cribbins

**Phone/Ext.:** 7539

**Background and description of need or problem:** a memorandum of understanding has been drafted for the Johnson Mill Pond Riverwalk project

**Funding Source:**

**Requested Action:**

**Date:**

**Signature of Dept. Head:** \_\_\_\_\_

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County Counsel \_\_\_\_\_

Treasurer \_\_\_\_\_

Human Resources \_\_\_\_\_

# **Johnson Mill Pond Riverwalk**

## ***Memorandum of Understanding***

This Memorandum of Understanding (the "MOU"), entered into this \_\_\_\_ day of October, 2015, is by and between Coos County (the "County") and the City of Coquille (the "City"), collectively referred to as the Parties.

### **Introduction and Background**

In 1951, the Coos Bay Lumber Company opened the Johnson Mill and log pond, located 3 miles south of Coquille. In 1980, Georgia Pacific stopped using the log pond, and in 1992 sold the property to Coos County. Johnson Mill Pond ("JMP") is owned and maintained by Coos County since it was conveyed to the County from the Port of Bandon. The park consists of 126.30 acres and is described as map numbers Township 28S, Range 12W, Section 18C, Tax Lot 2500, Township 28S, Range 12W, Section 19B, Tax Lot 1100, and Township 28S, Range 13W, Section 24, Tax Lot 100.

This park is located south of Coquille and is accessed via Highway 42 and Johnson Mill Road. Facilities include a restroom and picnic tables. This park offers an array of fishing, hiking, picnicking, and bird watching opportunities.

In 2001 a group of citizens met to formulate a plan to convert the abandoned railroad grade running through Coquille into a scenic walking trail. In 2008, the Friends of the Riverwalk developed their charter to apply for 501(c)(3) status. Phase I, completed in 2012, includes a parking lot adjacent to Highway 42, picnic tables, benches, 1100 feet of hard surfaced trail with honor bricks and a 360 foot historic trestle that has been converted into a trail bridge.

### **Project**

Throughout the duration of the JMP Riverwalk Project (the "Project"), the Parties are committed to working to achieve the goals or outcomes of the project:

1. Location of the Project. The Project will adhere to the right of way owned by Coos County that connects JMP to the City of Coquille's industrial site.
2. Habitat. The Project must include preservation of natural areas.
3. Protection of Private Property Rights.
4. Private Contribution. The Project will seek private funding.
5. Maintenance and Security. The City will perform all maintenance, upkeep, and security.

6. Amenities and Programming. The Project will be a destination that reflects its unique character and draws visitors from around the State of Oregon.
7. Design Elements. The design components will be contained in the master plan for the Project. It will include significant historic and cultural interpretation. It will provide opportunities for recreation, including but not limited to fishing, boating, kayaking, walking, and biking.
- 8.

### Roles

All Parties will make contributions of staff support. All Parties share the responsibility of raising funds to complete the Project. All key decisions will be reported back to the Parties for a discussion of status and support.

1. Coos County
  - Provide easement access for the Project.
  - Work with affected landowners along the Project.
2. City
  - Develop estimated costs of the Project and outline a fundraising strategy for completion.
  - Lay the groundwork for expanding the "Friends of the Riverwalk" group to provide non-profit support for the Project.
  - Develop an ongoing maintenance, upkeep, and security plan to be shared with the public for the Project.

In witness whereof, and by the authority granted in ORS 190.110, whereby units of local government may enter into agreements with units of local government for the performance of any or all functions or activities that the parties to the agreement, its officers, or agents have the authority to perform, the parties have executed this MOU as of the date first written above.

COOS COUNTY

CITY OF COQUILLE

\_\_\_\_\_  
Robert "Bob" Main, Chair

\_\_\_\_\_  
Matt Rowe, Mayor

\_\_\_\_\_  
John Sweet, Commissioner

\_\_\_\_\_  
Melissa Cribbins, Commissioner