

REVISED AGENDA
COOS COUNTY BOARD OF COMMISSIONERS
Owen Building Large Conference Room
January 20, 2015
8:30 A.M.

1. **EXECUTIVE SESSION under the authority of ORS 192.660**
 - A. (2)(d) Deliberations with Labor Negotiators
 - B. (2)(f) Records or Information Exempt from Public Inspection
 - C. (2)(h) Consultation with Counsel

PLEDGE OF ALLEGIANCE

2. **CITIZEN COMMENTS (agenda items or general comments) – limited to 3 minutes per person- scheduled to begin at 9:30 AM**

3. **DEPARTMENT HEADS**

- A. Update from South Coast Development Council- BOC
- B. Request Approval of Grant Agreement, Authorize Expenditures & Authorize Chair to Sign- Health & Human Services (HHS)
- C. Request Approval of Contract with The Mill Casino for Food Service Inspections/Consultation- HHS
- D. Request Approval of Contract with The Mill Casino for Pool/Spa Inspections/Consultations- HHS
- E. Request Approval of Contract with KCBY- HHS
- F. Request Approval of Transfer of Property from Office of Emergency Management to Coos County- Sheriff/Emergency Management
- G. Request to Revisit Quotes for Flooring Replacement at 911/Dispatch- Sheriff
- H. Request Approval to Advertise/Fill Forest Tech I Position- Forestry
- I. Request Adoption of Ordinance 14-09-012PL- Planning

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

- A. **Approval of Minutes**
Worksession- Parks Revenue- December 11, 2014
Regular Meeting Minutes- December 30, 2014
Regular Meeting Minutes- January 6, 2015
- B. **Ratification of All Routine Expenditures, Tax Overpayments and Adjustments and Transfer of Funds Within the Budget**
Transfer of Appropriations Within a Department- Sheriff- ARES/RACES station
- C. **Orders & Resolutions**
Resolution 15-01-002P, In the Matter of a Longevity Increase for Ernest Mitchell Effective January 1, 2015
Resolution 15-01-003P, In the Matter of a Longevity Increase for Tami Haagen Effective January 1, 2015
Resolution 15-01-004P, In the Matter of a Longevity Increase for Cindy Moody Effective January 1, 2015
Resolution 15-01-005P, In the Matter of Granting Salary Merit Step Increases for Various Coos County Employees Effective January 1, 2015
Resolution 15-01-006P, In the Matter of Classifying and Placement of Susan Hunt on the Regular Coos County Payroll Effective Her Hire Date
Resolution 15-01-007P, In the Matter of a Promotion for Scott Moore Effective January 1, 2015

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.

Resolution 15-01-008P, In the Matter of Reclassification for Shari Jackson Effective January 1, 2015

Resolution 15-01-009P, In the Matter of Granting Salary Merit Step Increase for Jan Carpenter Retroactive to November 1, 2014

Resolution 15-01-010P, In the Matter of a Personnel Transfer for Jonathan Holder Within the Sheriff's Department Effective January 1, 2015

Resolution 15-01-011P, In the Matter of a Personnel Transfer for Justin Clayburn Within the Sheriff's Department Effective January 1, 2015

Resolution 15-01-012P, In the Matter of a Promotion for Peter Cooley Effective Retroactive to December 1, 2014

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

Amendments #11 & 12 to State IGA #142005- HHS

Amendment #1 to Consulting Contract with ADAPT- HHS

Forest Tech 1 Job Description- Forestry/HR

Amendment to Contract with Bay Area Enterprises for Janitorial Services- Maintenance

Contract Renewal with Eden Advanced Pest Technologies- Maintenance

Contract Renewal with Ron Yockim for Legal Services- County Counsel

5. LATE AGENDA ITEMS

A. Request Approval of IGA Amendment for Household Hazardous Waste Program- Solid Waste

B. Request Approval of Contract for Glass Recycling Services- Solid Waste

C. Request Approval of Order re: Appeal of Violation- Planning

D. Request Approval of Resolution Appointing Commissioner Cribbins to Coos, Curry, Douglas Consortium- BOC

6. COMMISSIONERS REPORTS

BOC only:	
Consent Agenda	_____
Regular Agenda	_____

AGENDA ITEM COVERSHEET

Agenda Item Title: Intergovernmental Agreement Contract Amendment for Household Hazardous Waste for Coos and Curry Counties

Department: Solid Waste **Requested Agenda Date:** 01/20/15

Contact Person: Cheryl Westgaard **Phone/Ext.:** 541-396-7623

Background and description of need or problem: There is an Intergovernmental agreement that implemented the HHW Plan for Coos and Curry Counties that was signed by Coos and Curry County Commissioners and all the participating cities (Bandon, Brookings, Coos Bay, Coquille, Gold Beach, Myrtle Point and Port Orford) a few years ago.

In 2014 the City of Lakeside agreed to become a participant in the HHW Program and so a contract amendment was prepared by Counsel to include them in the HHW Program.

This contract amendment has now been signed by the Curry County Commissioners and representatives from all the participating cities in both Counties. We are bringing this amendment to you for your signature to complete the process of adding the City of Lakeside since Coos County is the lead agency in this program.

Funding Source: Monies received in this program will be placed in the Household Hazardous Waste Fee line item 17-302-322.04-01

Requested Action: Approve Household Hazardous Waste Intergovernmental Agreement Contract Amendment to include the City of Lakeside as a participant in the Coos and Curry Counties Household Hazardous Waste Management Plan

Date: 01-13-15 **Signature of Dept. Head:** Cheryl Westgaard

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?
 - Please return to Solid Waste for filing

Departments Affected: Counsel, Treasurer

✓ **COUNSEL:** OK-JS

TREASURER: me

BOC forwards signed Contract/Grant to: Solid Waste

SA

CONTRACT / GRANT SUMMARY FORM

Clerk's File C&A No.: _____ (complete after filed with Clerk) Internal Contract/Agreement or Grant No.: _____

Name/Agency Name and Address: Coos and Curry Counties along with participating cities in the Coos Curry Household Hazardous Waste Management Plan

Contact Person: Cheryl Westgaard Phone No. 541-396-7623

Amount of Contract/Grant Award: \$ n/a

Payment Terms: _____ (state lump sum or amount and time of payments)

Start Date: 7/1/14 End Date: _____

County Department and Employee Responsible for Performance: Solid Waste - Cheryl Westgaard

Description: amendment to Intergovernmental Agreement for Implementation of the Coos and Curry Counties Household Hazardous Waste Management Plan TO ADD CITY OF LAKEVIEW

FINANCIAL INFORMATION

STATE %	OTHER %	FEDERAL % (CFDA # Required)	Catalog of Federal Domestic Asst. *(CFDA) Number

*CFDA is a five digit number in the following format: xx.xxx. The first two digits designate the federal agency and the last three the grant description. The following is a partial listing of the two digit agency identifier:

10.xxx USDA 14.xxx HUD 20.xxx USDOT 66.xxx EPA 84.xxx Dept. of Education
11.xxx Dept. of Commerce 16.xxx USDOJ 39.xxx General Svs. Admin. 83.xxx FEMA 93.xxx USDHHS

NOTE: If the contract/grant is associated with more than one CFDA number, each segment must have it's own summary form.

New Renewal Modification

Previous Amount: \$

Original Amount: \$

Previous Date:

Original Date:

Automatic Renewal? Yes No

Staff Requirements: New Existing Subcontract

Will unemployment cost be incurred? Yes No

PUBLIC CONTRACTING INFORMATION

Method of Selection:

- Bid None
 Quote Other _____
 Proposal

Type of Contract:

- New (complete sections below)
 Renewal (no need to complete sections below)
 Modification (no need to complete sections below)

Type of Contract:

Goods and Services - If Not Using Bid or Proposal, Mark Exemption:

- | | |
|---|--|
| <input type="checkbox"/> Under \$5000 | <input type="checkbox"/> Equipment Maintenance |
| <input type="checkbox"/> Under \$50,000 for Quotes | <input type="checkbox"/> Office Supplies |
| <input type="checkbox"/> Under \$150,000 & Approval from Board for Quotes | <input type="checkbox"/> Used Vehicles |
| <input type="checkbox"/> Sole Source | <input type="checkbox"/> State Purchasing |
| <input type="checkbox"/> Contract with Public Agency | <input type="checkbox"/> Other _____ |

Public Improvement – If Not Using Bid, Mark Exemption:

- | | |
|--|---|
| <input type="checkbox"/> Under \$5000 | <input type="checkbox"/> Alternative Contracting Method Approved by Board |
| <input type="checkbox"/> Under \$50,000 for Quotes | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Under \$100,000 & Not a Transportation Project for Quotes | |

Personal Services Contract – If Not Using Proposal, Mark Exemption:

- Under \$50,000
 Under \$150,000 & Approval from Board

Will project be reported to Bureau of Labor for Prevailing Wages under ORS 279C.800? Yes No

Certificate of insurance required? Yes No

Form of contract: Oral Written (attach the written contract)

Date Approved by BOC: _____

Reviewed by Counsel: JS

BOC only:
Consent Agenda _____
Regular Agenda _____

AGENDA ITEM COVERSHEET

Agenda Item Title: Request Approval of Contract for Glass Recycling Service at Beaver Hill

Department: Solid Waste **Requested Agenda Date:** January 20, 2015

Contact Person: Cheryl Westgaard **Phone/Ext.:** 7623

Background and description of need or problem: Since the Solid Waste Department no longer has a need to use recyclable glass as road bed at Beaver Hill, we need to have it hauled off site for recycling on an 'as-needed' basis. Waste Connections of Oregon Inc. dba West Coast Recycling and Transfer Inc. hauls their recyclable glass they collect at their facilities to the Ecosort Facility in Springfield Oregon. They would be able to haul our glass along with what they collect. They would also provide us the bins for the collection of the glass.

Funding Source: 302-1700-432.36-01 contracted services

Requested Action: Approve Contract with Waste Connections of Oregon, Inc. dba West Coast Recycling & Transfer, Inc. to haul recyclable glass from Beaver Hill to the Ecosort Facility in Springfield Oregon for recycling. Contract will not exceed \$5,000 during the one-year contract.

Date: January 15, 2015

Signature of Dept. Head: Cheryl Westgaard
By e-mail

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.

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- 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

COUNSEL: Contract is in the process of obtaining contractor's signature.

TREASURER: _____

BOC forwards signed Contract/Grant to: n/a

CONTRACT / GRANT SUMMARY FORM

Clerk's File C&A No.: _____ (complete after filed with Clerk) Internal Contract/Agreement or Grant No.: _____

Name/Agency Name and Address: Waste Connections of Oregon, Inc. dba West Coast Recycling & Transfer, Inc. po box 956, Coos Bay, Oregon 97420

Contact Person: Bill Richardson Phone No. 541-297-3514

Amount of Contract/Grant Award: \$ less than \$5,000 for 1 year - \$97.50 per hour for hauling per trip (estimated 7 hour trip) and \$32.50 for handling charges and cost of transporting the recyclable glass to market

Payment Terms: invoiced by Waste Connections (state lump sum or amount and time of payments)

Start Date: upon signautre End Date: 1 year

County Department and Employee Responsible for Performance: Solid Waste Department - Cheryl Westgaard

Description: Contract for hauling recyclable glass from Beaver Hill to a glass recycling market

FINANCIAL INFORMATION

STATE %	OTHER %	FEDERAL % (CFDA # Required)	Catalog of Federal Domestic Asst. *(CFDA) Number

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10.xxx USDA 14.xxx HUD 20.xxx USDOT 66.xxx EPA 84.xxx Dept. of Education
11.xxx Dept. of Commerce 16.xxx USDOJ 39.xxx General Svs. Admin. 83.xxx FEMA 93.xxx USDHHS

NOTE: If the contract/grant is associated with more than one CDFA number, each segment must have it's own summary form.

New Renewal Modification

Previous Amount: \$

Original Amount: \$

Previous Date:

Original Date:

Automatic Renewal? Yes No

Staff Requirements: New Existing Subcontract

Will unemployment cost be incurred? Yes No

PUBLIC CONTRACTING INFORMATION

Method of Selection:

- Bid None
 Quote Other _____
 Proposal

Type of Contract:

- New (complete sections below)
 Renewal (no need to complete sections below)
 Modification (no need to complete sections below)

Type of Contract:

Goods and Services - If Not Using Bid or Proposal, Mark Exemption:

- Under \$5000
 Under \$50,000 for Quotes
 Under \$150,000 & Approval from Board for Quotes
 Sole Source
 Contract with Public Agency

- Equipment Maintenance
 Office Supplies
 Used Vehicles
 State Purchasing
 Other _____

Public Improvement - If Not Using Bid, Mark Exemption:

- Under \$5000
 Under \$50,000 for Quotes
 Under \$100,000 & Not a Transportation Project for Quotes

- Alternative Contracting Method Approved by Board
 Other _____

Personal Services Contract - If Not Using Proposal, Mark Exemption:

- Under \$50,000
 Under \$150,000 & Approval from Board

Will project be reported to Bureau of Labor for Prevailing Wages under ORS 279C.800? Yes No

Certificate of insurance required? Yes No

Form of contract: Oral Written (attach the written contract)

BOC only: _____
Consent Agenda _____
Regular Agenda _____

AGENDA ITEM COVERSHEET

Agenda Item Title: Request to approve order for appeal of a violation.

Department: Planning Department

Requested Agenda Date: January 20, 2015

Contact Person: Jill Rolfe, Planning Director

Phone/Ext.: 7770

Background and description of need or problem: An appeal ^{and an unpermitted permanent physical alteration} was held on a violation. The violation was an unauthorized commercial use in the Exclusive Farm Use. The Board found a violation to exist on the property but did not *impose* a fine. The property owner will be given 90 days from the date of the order to submit a plan of compliance or abate the use.

Funding Source: Planning

Requested Action: ^{Approve and} Sign the order and a decision notice will be issued.

Order No. 14-11-073PL

Date: December 1, 2014

Signature of Dept. Head: Jill Rolfe

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.**

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- Is the Contract/Grant Summary Form attached?
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- 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? Please returns to Planning do not file.

Departments Affected:

COUNSEL OM-35

TREASURER: Na

HUMAN RESOURCES: Na

Return signed Order to: Planning Dept.

50

1 BOARD OF COMMISSIONERS

2 COUNTY OF COOS

3 STATE OF OREGON

4

5 In the matter of an appeal of a land) Order No.: 14-11-073PL
6 use violation on property owned by)
7 Michael and Tanya McWilliam,) Final Decision and Order For
8 appellants in the matter.) AP-14-03, McWilliam
9)
10)

11 WHEREAS, On April 29, 2014, May 27, 2014 and June 2, 2014 the Coos
12 County Planning Department received written notice from Sean T. Malone,
13 Attorney representing Deborah and Kevin Houshour, Terry and Shari McWilliam,
14 Terry Magill, Dan and Kari Seals, Shawn O'Connor, Mike Meszaros, and Ellie
15 Winslow, informing the Planning Department that there were potential land use
16 violations occurring at 48922 McWilliams Pit Road.

17 WHEREAS, the alleged violations titled as Mud Mania and Red Rock MMX
18 were specifically identified by Mr. Malone as follows: (1) Permanent physical
19 alterations in the form of a water tank and motocross track; (2) Allowance of
20 commercial events that are prohibited by Exclusive Farm Use Zoning; and (3)
21 Allegations related to dust, traffic, noise and livability issues.

22 WHEREAS, on June 4, 2014, staff provided a notice of alleged violation
23 with copies of the letters from Mr. Malone to the property owners Michael and
24 Tanya McWilliam. The letter provided for a deadline to respond to the
25 violation allowing staff to make a determination of compliance.

26 WHEREAS, on June 19, 2014, Tanya McWilliam responded to the notice of
27 alleged violation. Staff reviewed all of the information and determined on
28 June 23, 2014 that the property was in violation of the Coos County Zoning

1 and Land Development Ordinance on two counts: (1) Operation of a nonfarm
2 commercial business on property zoned exclusive farm use (i.e., the
3 acceptance of fees for "mud-bogging" and "motocross" events that are open to
4 the public); and (2) Installation of permanent physical alterations on
5 property without obtaining prior approval from the Coos County Planning
6 Department. The determination provided resolutions for the violations as
7 well as an appeal option.

8 WHEREAS, on July 9, 2014, Tanya McWilliam filed an appeal of the
9 determination stating that the events were not commercial and there had been
10 no permanent alterations. A public hearing was scheduled before the Board of
11 Commissioners on September 18, 2014.

12 WHEREAS, the Board of Commissioners held a public hearing on this
13 matter on said date and the record was held open for additional written
14 testimony. The record closed and final written arguments were received from
15 the property owners by October 9, 2014. A notice of deliberation was
16 provided to all participants.

17 WHEREAS, on October 9, 2014, the Board of Commissioners was provided
18 all testimony and evidence as part of the summary report from Planning Staff,
19 and on October 16, 2014, the Board of Commissioners deliberated on the
20 matter.

21 NOW, THEREFORE, the Board of Commissioner has found the property to be
22 in violation of the Coos County Zoning and Land Development Ordinance. The
23 events that were occurring on the property are classified as an unauthorized
24 commercial use on EFU zoned property. The property owners developed the
25 property without proper permits with regard to the alteration to the property
26 regarding the motocross track, but not with regard to the water tank. The
27 property owners have ninety days from the date of the signing of this final
28 Order to submit a plan of compliance in writing to the Planning Department.

1 The plan of compliance must include one or a combination of the following
2 options:

- 3 1. Rezone the property to a zoning that will allow for the desired
4 use and complete any subsequent applications to bring the
5 property into compliance;
- 6 2. Submit an application for a use that is allowed within the
7 current zoning that would bring the property into compliance; or
- 8 3. Abate the use that has been determined to be in violation of the
9 CCZLDO.

10 The applicable fines for the violations described herein will be held in
11 abeyance during the period set forth above for submitting a plan of
12 compliance, but may be imposed if the property owners do not submit an
13 acceptable plan of compliance before the expiration of said time period. No
14 activity of the commercial nature described herein may occur on the property
15 until the property is brought into compliance with the CCZLDO and has
16 received proper approval for that use.

17
18 Dated this ____ of January, 2015

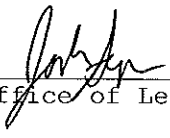
19
20 _____
21 Robert "Bob" Main, Board Chair

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23 _____
24 John Sweet, Board Vice Chair

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26 _____
27 Melissa Cribbins, Board of
28 Commissioners

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Approved as to Form:



Office of Legal Counsel

Attest:

Recording Secretary

BOC only:
Consent Agenda _____
Regular Agenda _____

AGENDA ITEM COVERSHEET

Agenda Item Title: Resolution 15-01-013L appointing Commissioner Melissa Cribbins to the Board of the Coos, Curry, Douglas County Consortium.

Department: BOC / Counsel

Requested Agenda Date: 01/20/2015

Contact Person: Melissa Cribbins / Josh Soper

Phone/Ext.: 7690

Background and description of need or problem: On 12/16/2014 the BOC approved the establishment of a Coos, Curry, Douglas County Consortium. The Agreement requires a local elected county commissioner from each county to serve on the board of the Consortium.

Funding Source: N/A

Requested Action: Approve Resolution 15-01-013L

Date: 01/16/2015

Signature of Dept. Head: _____



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Departments Affected:

COUNSEL: OK-JS

TREASURER: N/A

BOC forwards signed document to Counsel's office.



BOARD OF COMMISSIONERS
COUNTY OF COOS
STATE OF OREGON

) RESOLUTION
) 15-01-013L

In the Matter of an Appointment to the Board
of the Coos, Curry, Douglas Consortium

NOW BEFORE THE Board of Commissioners, sitting for the transaction of County
business on the 20th day of January, 2015, is the matter of appointing Commissioner Melissa
Cribbins to the Board of the Coos, Curry, Douglas Consortium.

WHEREAS on December 16, 2014, Coos County approved the Intergovernmental
Agreement between Coos, Curry, and Douglas Counties establishing the Coos, Curry, Douglas
Consortium; and

WHEREAS the purpose of the Agreement is to establish a Consortium of local elected
officials for the Coos, Curry, Douglas workforce area; and

WHEREAS Section 3 of the Agreement states that: "The Coos, Curry, Douglas
Consortium (the "Consortium") shall have a board consisting of one local elected county
commissioner from each county, chosen by each of the Counties that are parties to this
agreement;" and

WHEREAS Commissioner Cribbins is duly qualified to serve as a board member on the
Consortium;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Board of Commissioners
appoint Commissioner Melissa Cribbins to the Board of the Coos, Curry, Douglas Consortium,
with a term to expire on December 31, 2016.

Dated this _____ day of _____, _____.

BOARD OF COMMISSIONERS

Approved as to form:



Office of Legal Counsel

Chair

Commissioner

Commissioner