

REVISED AGENDA
COOS COUNTY BOARD OF COMMISSIONERS
Owen Building Large Conference Room
December 18, 2019
8:30 A.M.

1. **EXECUTIVE SESSION under the authority of ORS 192.660**

- A. (2)(e) Real Property Transactions
- B. (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. Request Approval of Agreement with DOCS, LLC & Authorize Chair to Sign- Coos Health & Wellness (CHW)
- B. Request Approval of Business Associate Agreement with DOCS & Authorize Chair to Sign- CHW
- C. Request Approval of Contract with Coquille Indian Tribe for Food Inspections- CHW
- D. Request Approval of Contract with Coquille Indian Tribe for Pool/Spa Inspections- CHW
- E. Request Approval of Order Incorporating Land into County Forest- Forestry
- F. Request Approval of Resolution to Transfer Appropriations- Jail
- G. Request Approval of MOU between City of Lakeside- County-Jim Wulfenstein & Authorize Chair to Sign- County Counsel
- H. Request Approval of IGA with City of Lakeside & Authorize Chair to Sign- County Counsel
- I. Request Approval of Order Appointing Members to Forestland Classification Committee- County Counsel

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

A. **Approval of Minutes**

- Regular Meeting Minutes- November 26, 2019
- Regular Meeting Minutes- December 3, 2019

B. **Orders & Resolutions**

- Order 19-12-077C, In the Matter of Reappointing Jim Risley to the Woods Road District
- Order 19-12-078C, In the Matter of Reappointing Barry Marcov to the Cedar Crest Special Road District Board
- Order 19-12-079C, In the Matter of Reappointing Janice Wilkerson to the Garden Drive Special Road District Board of Directors
- Amended Resolution 19-11-212P, In the Matter of Amending Resolution 19-11-212P
- Amended Resolution 19-11-215P, In the Matter of Amending Resolution 19-11-215P
- Resolution 19-12-230P, In the Matter of Granting Salary Merit Step Increase for Adam Gill Retroactive to September 1, 2019
- Resolution 19-12-231P, In the Matter of Granting Salary Merit Step Increases for Various Employees Effective December 1, 2019
- Resolution 19-12-232P, In the Matter of Classifying and Placement of Various Employees on the Regular Coos County Payroll Effective Their Hire Date
- Resolution 19-12-233P, In the Matter of a Salary Adjustment Due to Certification for Andrew Otton Effective November 1, 2019

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 19-12-234P, In the Matter of a Reclassification for EHR Supervisor Position and Arnold Hill Effective December 1, 2019
Resolution 19-12-235P, In the Matter of Granting Salary Merit Step Increase for Paul Slater Retroactive to September 1, 2019
Resolution 19-12-236P, In the Matter of Granting Salary Merit Step Increases for Various Employees Retroactive to November 1, 2019
Resolution 19-12-237P, In the Matter of a Salary Adjustment Due to Certification for Heather Hernandez Effective December 1, 2019
Resolution 19-12-239P, In the Matter of Granting Salary Merit Step Increase for Crystal Orr Retroactive to October 1, 2019
Resolution 19-12-240P, In the Matter of Granting Salary Merit Step Increases for Various Employees Effective December 1, 2019
Resolution 19-12-241P, In the Matter of Filling a Vacant Position Effective December 10, 2019
Resolution 19-12-244P, In the Matter of Granting Salary Merit Step Increase for Colton Totland Effective December 1, 2019

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

Contract with West Coast Fencing- CHW- repairs at LaClair location
Contract Amendment with WOA- CHW- claims processing
Contract Amendment to OHA IGA #159161- CHW- 3rd amendment
Contract Amendment to OHA IGA #159161- CHW- 4th amendment
Contract Amendment to OHA IGA #159806- CHW- 4th amendment
Agreement with Laurie Reis- CHW- relocation agreement
Contract Renewal with 3A Telecom- IT- voicemail software assurance
Agreement with PBS Engineering- Road- historical records review/environmental consulting

5. LATE AGENDA ITEMS

- A. Request Acceptance of Award from Rocky Mountain Elk Foundation- Forestry
- B. Request Approval of Resolution to Transfer Personnel- Sheriff
- C. Request Approval of Elevator Modernization Contract- Jail
- D. Request Approval of Ordinance 19-01-002PL & 19-01-003PL- Planning

6. COMMISSIONERS REPORTS

BOC only:
Consent Agenda _____
Regular Agenda _____

LATE AGENDA ITEM COVERSHEET

Agenda Item Title: Award letter from Rocky Mountain Elk Foundation (RMEF)

Department: Forestry Dept. / OLC

Requested Agenda Date: 12.18.19

Contact Person: Kathy Hathaway / Colton M. Totland

Phone/Ext.: 7750 / 7692

Background and description of need or problem: Rocky Mountain Elk Foundation (RMEF) has awarded Coos County \$75,000.00 for the purpose of reimbursing the County for its recent acquisition of forestland in the Seven Devils area.

Funding Source: Rocky Mountain Elk Foundation

Requested Actions: (1) Accept the \$75,000.00 award from RMEF and, if accepted, (2) Determine how the funds will be deposited. Options include the County's general fund and the forestland acquisition special fund.

Date:

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.

5A

BOC only:
Consent Agenda _____
Regular Agenda _____

LATE AGENDA ITEM COVERSHEET

Agenda Item Title: Transfer Positions from LNG to Criminal & Position Change to Sergeant in Criminal - Resolution 19-12-245P

Department: Sheriff's Office

Requested Agenda Date: 12/18/19

Contact Person: Craig Zanni

Phone/Ext.: 7827

Background and description of need or problem: As you are aware, due to insufficient funding from LNG, we are asking the Board of Commissioners to transfer the remaining two positions (currently held by Sergeants) back to the Criminal division. Attached are the transfer forms requesting that the transfer be effective as of January 1, 2020.

The Criminal division currently has one open Deputy position. Staff Sergeant Doug Strain has also advised that he will be retiring by January 15, 2020. This retirement will eliminate the long term need for one of the above requested positions.

We have estimated the budget of the Criminal Division's personnel services for the remainder of fiscal 19-20. Due to a current vacant deputy position and an actively deployed deputy we have the funding to incorporate both Deputy Strain's final retirement check and the transfer of Sergeant Toby Floyd back to patrol.

With our young staff the two Sergeant positions created by LNG have been helping to balance the supervisor to staff ratio. We have a young staff who are learning at a fast pace but still have a lot of questions and need closer supervision than a more seasoned staff. We are additionally asking that the one open Deputy position be changed to a Sergeant's position.

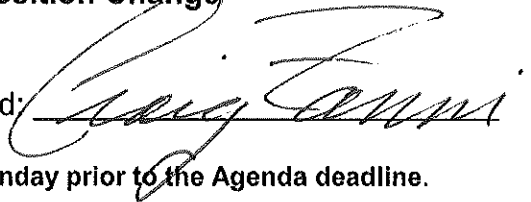
Funding Source: 001-1600-421-10-01 Regular Wages

Approve and sign Resolution 19-12-245P

Requested Action: ~~BOC approves the Transfers and Position Change~~

Date: 12/12/19

Signature of Dept. Head:



For all 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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1 BOARD OF COMMISSIONERS
2 COUNTY OF COOS/STATE OF OREGON

3 In the Matter of a Personnel) R E S O L U T I O N
4 Transfers within the Sheriff's) 19-12-245 P
5 Department Effective January 1, 2020)

6 THIS MATTER HAVING COME BEFORE the Board of Commissioners at regular
7 meeting held December 18, 2019, and whereas the Coos County Sheriff has made
8 transfers within his department, and the following employees will show the
9 necessary transfer, effective January 1, 2020;

<u>EMPLOYEE</u>	<u>CLASS</u>	<u>PAYGRADE/STEP</u>		<u>AMOUNT</u>
10 From: <u>SHERIFFS DEPT - LNG PLANNING DIVISION - 009-1610-421.10-01</u>				
11 Floyd, Toby	Sergeant	508	6+3%+9%	\$7,350
12 Strain, Douglas	Sergeant	508	5+12%	\$6,990
13 To: <u>SHERIFFS DEPT - CRIMINAL DIVISION - 001-1600-421.10-01</u>				
14 Floyd, Toby	Sergeant	508	6+3%+9%	\$7,350
15 Strain, Douglas	Sergeant	508	5+12%	\$6,990

16 DATED THIS _____ day of _____, 2019.

17 BOARD OF COMMISSIONERS

18 _____
19 Commissioner

20 _____
21 Commissioner

22 _____
23 Commissioner

BOC only: Consent Agenda _____
Regular Agenda _____

LATE AGENDA ITEM COVERSHEET

Agenda Item Title: 2019 Jail Elevator Modernization Contract with Centric Elevator

Department: Jail **Requested Agenda Date:** 12/18/19

Contact Person: Capt. Darius Mede / Randy Scott **Phone/Ext.:** 7852/7862

Background and description of need or problem: The current passenger elevator, US Elevator Ascension model is at end of life and needs to have modernization upgrades installed. This elevator was originally installed in the Jail in 1997 and recently we have had numerous problems with this elevator breaking down. The US Elevator company is no longer in business and new parts for this elevator are no longer made. In order to keep the elevator in service, our current elevator service provider is recommending a modernization of the elevator by replacing the existing controller with a new non-proprietary controller which would allow us flexibility for service in the future. Randy Scott, Jail Maintenance Supervisor obtained quotes for the modernization of the elevator and is recommending going with the low quote of \$61, 900 from Centric Elevator.

Funding Source: 001-1601-423.60-11 Major Repair & Improvement

Requested Action: Board to award the contract to the lowest quote, Centric Elevator for the amount of \$61, 900 and sign the 2019 Jail Elevator Modernization Contract.

Date: December 12, 2019 Signature of Dept. Head: *Nathaniel Johnson*

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 - 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: *NJ*

TREASURER: *[Signature]*

HUMAN RESOURCES: _____

50

SUMMARY OF QUOTES COOS COUNTY

County Department: Jail

Goods and/or Services Specifications: Modernization of US Elevator Ascension 1000

- 1) Removal of existing controller and purchase and install a new, non-proprietary controller and any associated hardware, software or programming;
- 2) Replacing traveling cables, hoistway and machine room wiring;
- 3) Remove existing leveling system and replace with new leveling system
- 4) Length of time for project to be completed;

How Solicited: ___ Written ___ State Purchasing ___ US Communities X - E-Mail

The Department requested quotes from the following firms:

Date	Firm	Contact Person	Quoted Price
11/15/19	Centric Elevator	William Mercer / Dan Lundberg	\$61,900.00
10/24/19	Otis Elevator	Reanna	No response
10/30/19	Willamette Elevator	Tom	#81,715
10/30/19	Sturm Elevator	Tim	No bid - not in coverage area
10/31/19	Schindler	Adam	\$70,000 and they would use proprietary parts

Solicitor: Randy Scott, Jail Maintenance Supervisor

Department's Recommendation: low quote, Centric Elevator for \$61,900.00

BOC only:	
Consent Agenda	_____
Regular Agenda	_____

AGENDA ITEM COVERSHEET

Agenda Item Title: Adoption of two ordinances.

Department: Planning Department

Requested Agenda Date: December 18, 2019

Contact Person: Jill Rolfe, Planning Director

Phone/Ext.: 7770

Background and description of need or problem: On December 4, 2019 The Board of Commissioners made tentative approvals for County File Numbers:

- File #'s AM-18-010/ HBCU-18-002 – Ordinance 19-01-002PL, In the matter of amending the Coos Bay Estuary Management Plan text to allow subsurface low-intensity utilities in the DDNC-DA CBEMP management unit and approve of a conditional use and floodplain permit to authorize a pipeline.
- File #'s AM-18-011 / HBCU-18-003 – Ordinance 19-01-003PL, In the matter of amending the Coos Bay Estuary Management Plan to rezone 10.53 Acres of 2-NA, 2.18 Acres of 3-DA, and 10.51 Acres of 59-CA to DDNC-DA, include a reasons exception to Statewide Planning Goal 16 to allow the rezone, amend the test of the boundary descriptions of the effected zones, and approve a conditional use to allow for new and maintenance dredging activities as applied for by applicant and accessory temporary dredge transport lines.

Funding Source: Applicant

Requested Action: Board to Adopt Ordinance 19-01-002PL and Ordinance 19-01-003PL

Date: December 11, 2019

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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- 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: NT

TREASURER: MSB

HUMAN RESOURCES: _____

BOC forwards signed Contract/Grant to:

See Original Packet for Attachments

SD

1 BOARD OF COMMISSIONERS

2 COOS COUNTY

3 STATE OF OREGON

4 IN THE MATTER OF AMENDING THE COOS BAY ESTUARY MANAGEMENT PLAN TEXT TO ALLOW
5 SUBSURFACE LOW-INTENSITY UTILITIES IN THE DDNC-DA MANAGEMENT UNIT AND APPROVAL A
6 CONDITIONAL USE AND FLOODPLAIN PERMIT TO AUTHORIZE A PIPELINE AND ASSOCIATED
7 IMPROVEMENTS AS DESCRIBED IN ATTACHMENT "A".
8
9
10
11

12
13 SECTION 1. TITLE

14 This Ordinance shall be known as the "Coos County Ordinance No. 19-01-002PL". Further known as
15 ordinance amending the Coos Bay Estuary Management Plan text to allow subsurface low-intensity
16 utilities in the DDNC-DA CBEMP management unit and approve of a conditional use and floodplain
17 permit to authorize pipeline and associated improvements as described in Attachment "A".

18 SECTION 2. AUTHORITY

19 This ordinance is adopted pursuant to ORS Chapter 215, including but not limited to ORS 215.060,
20 ORS 215.050 and ORS 215.223.

21 SECTION 3. PURPOSE

22 This ordinance amends Coos County Comprehensive Plan Volume II Coos Bay Estuary Management Plan
23 ("CBEMP"), Part 1 and the County Zoning and Land Development Ordinance to allow for low-intensity utilities
24 in the DDNC-DA Coos Bay Estuary Management Unit. The applicant applied for the following: (1) Text
25 amendment to allow subsurface low-intensity utilities in the DDNC-DA CBEMP management unit; (2)
26 Conditional use permit to authorize the Pipeline in the Forest zoning district; (3) Compliance
27 determinations for the Pipeline in the Exclusive Farm Use, Industrial, 7-D, 7-NA, 13A-NA, DDNC-DA,
28 45A-CA, 15-NA, 13B-NA, 14-DA, 14-WD and 15-RS, where the it is permitted, subject to compliance
29
30

1 with conditions; and (4) Floodplain development permit to permit grading and installation of a Pipeline in
2 a Special Flood Hazard Area in the Balance of County

3 SECTION 4. FINDINGS

4 The Board of Commissioners appointed a hearings officer to conduct the evidentiary hearing in this matter.
5 The public hearing was held on February 22, 2019 and the record was closed. The Board finds any testimony
6 received after the deadline was rejected. A deliberation hearing in the matter set for December 4, 2019.

7 At the December 4, 2019 hearing on the matter, the Board of Commissioner opened the meeting and
8 declared any conflicts of interest, bias, *ex parte* contacts as required for decision makers. The hearing was opened to
9 any challenges as consistent with ORS 244.120 and the general provisions of ORS Chapter 244. After the
10 procedural matters relate to conflicts of interest, bias and ex part contacts was resolved the Board of Commissioners
11 moved forward with review of the matter including all of the documents in the record and deliberated toward a
12 tentative decision. The Board of Commissioners reached a tentative decision that the Criteria had been met with the
13 conditions proposed by the hearing officer and staff's suggested amendments to the recommendation.

14 The approval was tentative to allow staff to convert the findings to final document for signatures.

15 SECTION 5. ADOPTION OF AMENDMENTS TO THE COOS BAY ESTUARY MANAGEMENT
16 PLAN AND IMPLEMENTING ORDINANCE

17 The documents attached hereto as Attachment "A", attached hereto and hereby adopted as portions of
18 the Coos Bay Estuary Management Plan, an element of the Coos County Comprehensive Plan, and necessary
19 amendment to the implementing ordinance shall be made.

20 SECTION 6. SEVERANCE CLAUSE

21 If any section, subsection, provision, clause or paragraph of this ordinance shall be adjudged or
22 declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect
23 the validity of the remaining portions of this ordinance; and it is hereby expressly declared that every other
24 section, subsection, provision, clause or paragraph of this ordinance enacted, irrespective of the enactment or
25 validity of the portion thereof declared to be unconstitutional or invalid, is valid.

26 SECTION 7. REPEAL OF INCONSISTENT ORDINANCES

27 Coos County Ordinances 82-8-016L, 84-4-012L, 86-01-001L, 86-01-002L, 99-10-008PL and 14-09-
28 011PL are repealed to the extent that they are in conflict with this ordinance.

SECTION 8. EMERGENCY CLAUSE

The Board of Commissioners for the County of Coos deems this Ordinance necessary for the immediate preservation and protection of the public peace, safety, health and general welfare for Coos County and declares an emergency exists, and this Ordinance shall be in full force and effective upon its passage.

Dated December 18, 2019

ATTEST

BOARD OF COMMISSIONERS

Recording Secretary

Chair

Approved as to form:

Office of Legal Counsel

Vice Chair

Commissioner

First Reading: December 4, 2019

Second Reading: December 18, 2019

Effective Date: December 18, 2019

1 BOARD OF COMMISSIONERS

2 COOS COUNTY

3 STATE OF OREGON

4 IN THE MATTER OF AMENDING THE COOS BAY ESTUARY MANAGEMENT PLAN OFFICIAL ZONE
5 MAP TO REZONE 10.53 ACRES OF 2-NA, 2.18
6 ACRES OF 3-DA, AND 10.51 ACRES OF 59-CA TO
7 DDNC-DA, INCLUDING A REASONS EXCEPTION
8 TO STATEWIDE PLANNING GOAL 16 TO ALLOW
9 THE REZONE, WHICH AMENDS THE TEXT OF THE
10 BOUNDARY DESCRIPTIONS OF THE EFFECTED
11 ZONES, AND APPROVE A CONDITIONAL USE AS
12 DESCRIBED IN ATTACHMENT "A".
13

ORDINANCE NO.: 19-01-003PL

14
15 SECTION 1. TITLE

16 This Ordinance shall be known as the "Coos County Ordinance No. 19-01-003PL". Further
17 known as an application to (1) Amend the official plan zone map for the to the Coos Bay Estuary Management
18 Plan to Change the Designations of 10.53 Acres of 2-NA, 2.18 Acres of 3-DA, and 10.51 Acres of 59-CA to
19 DDNC-DA; (2) an Amendment of the Coos County Comprehensive Plan to take a Reasons Exception to
20 Statewide Planning Goal 16 to allow for the three map amendments; (3) a text amendment to the Coos
21 Comprehensive Plan Volume II, Part I and the implementing County Zoning and Land Development Ordinance
22 to Refine the Location of the DDNC-DA Designation; and (4) Conditional Use Permit to allow new and,
23 maintenance dredging at the locations of the three map amendments, along with an accessory temporary dredge
24 transport line in the 59-CA, 55A-CA, 2-NA, DDNC-DA, and 3-DA Districts and an Accessory Buoy in the 5-
25 DA District as described in Attachment "A".

26 SECTION 2. AUTHORITY

27 This ordinance is adopted pursuant to ORS Chapter 215, including but not limited to ORS
28 215.060, ORS 215.050 and ORS 215.223.

29 SECTION 3. PURPOSE
30

1 This ordinance amends Coos County Comprehensive Plan Volume II Coos Bay Estuary Management Plan
2 (“CBEMP”), Part I, Volume II Part III, Exception #28 and the County Zoning and Land Development Ordinance to

3 SECTION 4. FINDINGS

4 The Board of Commissioners appointed a hearings officer to conduct the evidentiary hearing in this matter.
5 The public hearing was held on March 8, 2019 and the record was closed. The Board of Commissioners did take
6 additional comments after the hearings officer’s recommendation was made available. The Board finds any
7 testimony received after the noticed deadline was rejected. A deliberation hearing in the matter was conducted on
8 December 4, 2019.

9 At the December 4, 2019 hearing on the matter, the Board of Commissioner opened the meeting and
10 declared any conflicts of interest, bias, *ex parte* contacts as required for decision makers. The hearing was opened to
11 any challenges as consistent with ORS 244.120 and the general provisions of ORS Chapter 244. After the
12 procedural matters relate to conflicts of interest, bias and ex part contacts was resolved the Board of Commissioners
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4 Dated December 18, 2019

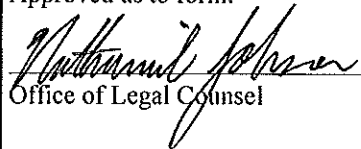
5 ATTEST

BOARD OF COMMISSIONERS

6 _____
7 Recording Secretary

_____ Chair

8 Approved as to form:

9 
Office of Legal Counsel

_____ Vice Chair

_____ Commissioner

12 First Reading: December 4, 2019

13 Second Reading: December 18, 2019

14 Effective Date: December 18, 2019