

REVISED A G E N D A
COOS COUNTY BOARD OF COMMISSIONERS
Owen Building Large Conference Room
October 16, 2012
8:30 A.M.

1. **EXECUTIVE SESSION under the authority of ORS 192.660 (small conference room)**
 - A. (2)(f) Exempt Public Records
 - B. (2)(e) Real Property Transactions

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 USDA- Board of Commissioners (BOC)
- B. Request Approval of Contract with Gisela Moreland- Mental Health
- C. Request Approval of Contract Modification with Coastal Center- Mental Health
- D. Request Approval of Contract Renewal with Waterfall Clinic- Mental Health
- E. Request Approval to Advertise & Fill Mental Health Specialist II Position #35- Mental Health
- F. Request Award of Contract for Pest Control Services- Maintenance
- G. Request Award of Contract for Elevator Services- Maintenance
- H. Request Approval of Caretaker Agreement for Bastendorff Beach Park- Parks
- I. Request Award of Contract for 2012 Guardrail Project- Road
- J. Request Acceptance of Grant from BLM for Guardrail Project- Road
- K. Request Award of Contract for Engineering Services for Charleston Safe Bikeway & Future Projects- Road
- L. Request Authorization to Close Community Service Program- Community Service
- M. Request Approval to Create, Advertise & Fill Half-Time Position & Transfer of Funds- Sheriff/Emergency Management
- N. Request Approval of Reclassification of Corporal Position- Sheriff
- O. Request Approval to Return Reimbursed Funds to Line Item in Assessor's Office- Human Resources
- P. Request Approval of Agreement with Judith Sanders- HR
- Q. Request Approval of Proposal to Support Coos County Hatcheries- BOC
- R. Request Approval of Proposed Project with National Policy Consensus Center/Portland State University- 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**

Worksession- Proposed Ordinance Amendment- August 14, 2012
Hearing- Bandon Marsh Advisory Vote & Proposed Ordinance- August 15, 2012

B. **Ratification of All Routine Expenditures, Tax Overpayments and Adjustments and Transfer of Funds Within the Budget**

Transfer of Appropriation Within a Department- Planning- \$10,000 to contracted services
PBS Engineering Invoice 0090026.009-40- Pipeline- \$10,352.75

C. **Orders & Resolutions**

Resolution 12-10-127P, In the Matter of a Wage Adjustment for Justin Sanne Effective October 1, 2012

Resolution 12-10-128P, In the Matter of a Promotion for Ronald Schaar Effective October 1, 2012

Resolution 12-10-129P, In the Matter of Granting Salary Merit Step Increases for Various Coos County Employees Effective October 1, 2012

Resolution 12-10-130P, In the Matter of Classifying and Placement of Various County Employees on the Regular Coos County Payroll Effective September 17, 2012

Resolution 12-10-131P, In the Matter of Classifying and Placement of Various County Employees on the Regular Coos County Payroll Effective October 1, 2012

D. **Maintenance/service Agreements (authorize Chairman to sign where necessary)**

Support/Maintenance Agreement with Dynamic Imaging Systems- Sheriff- \$5,275

E. **Items Previously Approved**

Award of Contract for Electrical Work in Assessor's Office- Maintenance

Award of Contract for Electrical Work in IT- Information Technology

Ratification of Administrator's Signature on Amendment #12 to State IGA- Public Health

F. **Temporary Liquor License Applications for Sharkbites & Walt's Pourhouse (2)**

5. **LATE AGENDA ITEMS**

A. Request Approval to Advertise & Fill WIC Office Specialist Position Up to Step 3- Public Health

B. Request Approval of Modification #1 to Forest Service Cooperative Agreement- Sheriff

C. Request Approval to Deposit SAIF Refund- Human Resources (HR)

D. Request Approval of Resolution to Continue Special Advocacy Fund for O&C- BOC

E. Request Discussion re: Surface Use Lease with Oregon Resources Corp- BOC/Counsel

6. **COMMISSIONERS REPORTS**

BOC only:
Consent Agenda _____
Regular Agenda _____

AGENDA ITEM COVERSHEET

Agenda Item Title: Executive Session Requested


Department: Counsel **Requested Agenda Date:** 10/16/12

Contact Person: Josh Soper **Phone/Ext.:** 7690

Background and description of need or problem: Need executive session for:
ORS 192.660(2)(e) – to negotiate real property transactions
ORS 192.660(2)(f) – to consider information or records that are exempt by law from public inspection

Funding Source: n/a

Requested Action: Go into Executive Session during Board meeting as stated above.

Date: 10/10/12 **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: _____

HUMAN RESOURCES: _____

BOC forwards signed Contract/Grant to: n/a

BOC only: Consent Agenda _____
Regular Agenda _____

AGENDA ITEM COVERSHEET

Agenda Item Title: Recruit and Hire WIC Office Specialist III or II

Department: Public Health

Requested Agenda Date: 10/16/12

Contact Person: Frances Smith

Phone/Ext.: 2425

Background and description of need or problem: One of the Department's key WIC employees, Rizalina (Lily) Mills, has submitted her letter of resignation, effective at the end of the day on October 31st. Our WIC program is currently stretched to handle the assigned caseload. Therefore, they cannot assume the responsibilities of Lily's position, which include intake, checkout, help desk, and other organization functions for the WIC program.

The Department hopes to hire an individual with the required WIC experience, which would result in filling this as an Office Specialist III. However, if such a candidate does not successfully apply, the Department would under fill as an Office Specialist II and train the individual. Depending upon the education and experience of the applicants, the Department requests authorization to hire up to step 3.

Funding Source: OHA grant funds.

Requested Action: Authorize the Department to recruit and hire an Office Specialist, with placement up to step 3.

Date: 10/12/12

Signature of Dept. Head: Frances Smith

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Departments Affected:

TREASURER: _____

HUMAN RESOURCES: Melvin for Mike

BOC forwards signed Contract/Grant to:

Commissioners Initials to Place on Agenda ONLY: _____

5A

BOC only:
Consent Agenda _____
Regular Agenda _____

AGENDA ITEM COVERSHEET

Agenda Item Title: Modification #1 of the Cooperative Law Enforcement Agreement for - #12-LE-11061000-007.

Department: Sheriff's Office

Requested Agenda Date: ~~10/16/11~~ 10/16/12

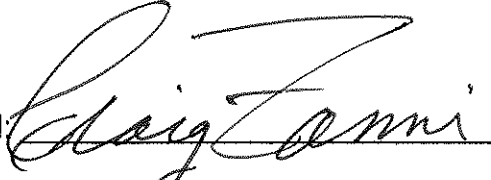
Contact Person: Det Sgt Dan Looney; Deputy Stone **Phone/Ext.:** 378

Background and description of need or problem: This is Modification #1 for the 2013 Annual Operating and Financial Plan which increases funds for the continuing law enforcement patrol on National Forest System lands. The funds have been increased to \$9,500.00 plus the previous year carry-over of approx \$7,388.29 for a total amount of \$16,888.29. This mod will be effective from the period beginning upon execution and ending December 31, 2013.

Funding Source: 001-1600-331.02-02

Requested Action: Board review, approval and signature.

Date: 10/10/12

Signature of Dept. Head: 

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Departments Affected:

COUNSEL: OK-JS

TREASURER: OK, B

HUMAN RESOURCES: _____

BOC forwards signed Contract/Grant to: Jackie McDaniel, CCSO



CONTRACT / GRANT SUMMARY FORM

Clerk's File C&A No.: _____ (complete after filed with Clerk) Internal Contract/Agreement or Grant No.: 12-LE-11061000-007;

Name/Agency Name and Address: U.S. Dept. of Agriculture, Fores Service, 3040 Biddle Road, Medford, OR 97501

Contact Person: Javier Masiel, Patrol Captain ^{19,000} Phone No. (541) 618-2152

Amount of Contract/Grant Award: \$ 16,888.29 (Not to Exceed)

Payment Terms: Monthly Payments after invoiced for services (state lump sum or amount and time of payments)

Start Date: When fully executed End Date: 12-31-2013

County Department and Employee Responsible for Performance: Det. Sgt. Looney and Deputy Stone *ANNUAL OPERATING*

Description: Modification #1 of the Cooperative Law Enforcement Agreement 12-LE-11061000-007. *2nd of 5 YRS*

FINANCIAL INFORMATION

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

*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 CDFA number, each segment must have it's own summary form.

- New Renewal Modification
 Previous Amount: \$ _____ Original Amount: \$ 9,500.00
 Previous Date: _____ Original Date: 2/14/12
 Automatic Renewal? Yes No Staff Requirements: New Existing Subcontract
 Will unemployment cost be incurred? Yes No

PUBLIC CONTRACTING INFORMATION

- Method of Selection:** **Type of Contract:**
 Bid None New (complete sections below)
 Quote Other _____ Renewal (no need to complete sections below)
 Proposal Modification (no need to complete sections below)

- Type of Contract:**
 Goods and Services - If Not Using Bid or Proposal, Mark Exemption:
 Under \$5000 Equipment Maintenance
 Under \$50,000 for Quotes Office Supplies
 Under \$150,000 & Approval from Board for Quotes Used Vehicles
 Sole Source State Purchasing
 Contract with Public Agency Other _____
 Public Improvement - If Not Using Bid, Mark Exemption:
 Under \$5000 Alternative Contracting Method Approved by Board
 Under \$50,000 for Quotes Other _____
 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 _____

LATE AGENDA ITEM COVERSHEET

Agenda Item Title: SAIF Dividend Check for Policy Periods ending 2011

Department: Human Resources

Requested Agenda Date: October 16, 2012

Contact Person: Mike Lehman

Phone/Ext.: 249

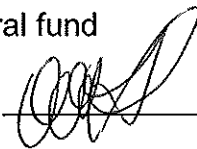
Background and description of need or problem: Need to deposit refund for \$139,083.00

Funding Source: All

Requested Action: Approval to deposit refund into the general fund

Date:

Signature of Dept. Head: _____



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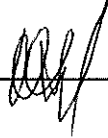
Departments Affected:

COUNSEL: _____

TREASURER: _____

NE, B

HUMAN RESOURCES: _____



BOC forwards signed Contract/Grant to:

Commissioners Initials to Place on Agenda ONLY: _____

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BOC only: Consent Agenda _____
Regular Agenda _____

LATE AGENDA ITEM COVERSHEET

Agenda Item Title: Resolution Authorizing Continuation of Special Advocacy Fund

Department: BOC

Requested Agenda Date: 10/16/12

Contact Person: Bob Main

Phone/Ext.: x7540

Background and description of need or problem: see attached letter and resolution

Funding Source:

Requested Action: Approval of Resolution 12-10-133C

Date:

Signature of Dept. Head: Robert "Bob" Main

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 Clerk's Coversheet attached or do you want it returned to you for filing?

County Counsel _____

Treasurer NC, B _____

Commissioners Initials to Place on Agenda ONLY: _____

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1 BOARD OF COMMISSIONERS
2 COUNTY OF COOS
STATE OF OREGON

3 In the Matter of Authorizing) Resolution
4 Continuation of the Special)
Advocacy Fund for O&C) 12-10-133C

5
6 NOW BEFORE the Board of Commissioners sitting regularly for the transaction of County
7 business on the 16th day of October, 2012 is the matter of the retention of the Special Advocacy
Fund by the Association of O&C Counties;

8 WHEREAS, the County has a statutory right to share in annual receipts from the O&C lands; and

9
10 WHEREAS, it is in the interest of the County to participate in legislative and administrative activities
11 affecting management of the O&C lands and revenues received on account of those lands, in order
to protect, preserve, and enhance the County's interests; and

12
13 WHEREAS, the County is a member of the Association of Oregon and California Land Grant
14 Counties (the "Association") and the Association, on behalf of its member counties, engages in
activities affecting the management of O&C lands and O&C related revenues in order to protect,
preserve, and enhance the interests of the Association's members; and

15
16 WHEREAS, members of the Association entered into an intergovernmental agreement in 2009 to
17 create a "Special Advocacy Fund," to carry out activities in furtherance of the County's interests, and
18 provide continued funding for the Association's efforts to protect the County's interests in the O&C
lands and O&C related revenues through November 1, 2012, when the Special Advocacy Fund
terminates and the remaining balances on deposit returned to the counties; and

19
20 WHEREAS, the Association's Board of Directors has voted unanimously to request all counties with
21 balances in the Special Advocacy Fund to approve continuation of the Fund, and to leave their
22 balances on deposit in the Fund for the purpose of funding the Association's advocacy for federal
legislation that provides payments to counties and associated land management solutions that
restore revenue sharing from productive activity on the O&C lands; and

23
24 WHEREAS, the County desires to maintain its balance in the Special Advocacy Fund on and after
25 November 1, 2012, for the purpose of funding the services of the Association and its forestry and
economics consultants, including advocating for legislation that provides payments to counties and
associated management solutions when direct payments are no longer a viable option; and

26
27 WHEREAS, the County will make its balance in the Fund available for the purposes stated, along
28 with all other counties who elect to maintain their balances in the Fund, upon the approval of
withdrawals in budgets submitted to and approved by the Association's membership at the
Association's annual meetings or approved at special meetings of the membership convened
pursuant to Article VII, Section 2 of the Association's Bylaws;

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NOW, THEREFORE, be it resolved as follows:

1. Coos County hereby approves a leaving the County's balance in the Special Advocacy Fund on and after November 1, 2012.
2. Withdrawals from the County's balance in the Special Advocacy Fund for use in supporting advocacy by the Association shall be only as part of budgets approved by vote of the Association's membership at the Association's annual meetings or approved at special meetings of the membership convened pursuant to Article VII, Section 2 of the Association's Bylaws.

IT IS HEREBY RESOLVED THAT

DATED this _____ day of _____, 20__ .

COOS COUNTY
BOARD OF COMMISSIONERS

Commissioner

Commissioner

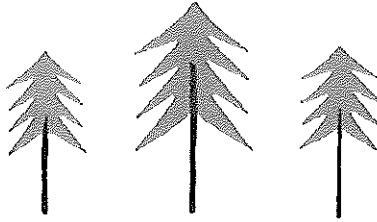
Commissioner

ASSOCIATION OF O & C COUNTIES

COMM. DOUG ROBERTSON, PRES.
DOUGLAS COUNTY COURTHOUSE
1036 S.E. DOUGLAS AVENUE
ROSEBURG, OREGON 97470
(541) 440-4201

COMM. TONY HYDE, VICE-PRES.
COLUMBIA COUNTY COURTHOUSE
230 STRAND STREET
ST. HELENS, OREGON 97051
(503) 397-4322

COMM. AL SWITZER, SEC.-TREAS.
KLAMATH COUNTY
305 MAIN STREET, SUITE 224
KLAMATH FALLS, OREGON 97601
(541) 883-5100



RECEIVED
OCT 10 2012

BOARD OF COMMISSIONERS

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16289 HWY. 101 SOUTH, SUITE A
BROOKINGS, OREGON 97415
(541) 412-1624
FAX (541) 412-8325
Email: rocky@blupac.com

KEVIN O. DAVIS, LEGAL COUNSEL
SUITE 1600, UMPQUA BANK PLAZA
ONE S.W. COLUMBIA
PORTLAND, OREGON 97258
(503) 517-2405

DAVID S. BARROWS, LEGIS. COUNSEL
1201 S.W. 12TH AVENUE, SUITE 200
PORTLAND, OREGON 97205
(503) 227-5591

TO: Boards of Commissioners for Clackamas, Columbia, Coos, Curry, Douglas, Jackson, Josephine, Klamath, Lincoln, Linn, Marion, Polk, Tillamook, Washington and Yamhill Counties.

FROM: Doug Robertson, President; Tony Hyde, Vice President; Al Switzer, Secretary/Treasurer

DATE: October 5, 2012

RE: Proposed Retention of Balances in the Special Advocacy Fund

In 2009 our Counties entered into an intergovernmental agreement for the creation of a Special Advocacy Fund, to provide the resources necessary to support efforts to reauthorize the Secure Rural Schools (SRS) safety-net legislation, and to fund development of a long-term management solution when SRS is no longer available. Participating Counties have authorized various withdrawals from the Fund, including one earlier this year. The balances held for each county are currently due to be distributed to the counties on November 1, 2012. By unanimous vote, the Board of Directors for this Association directed its Executive Committee to seek approval for the remaining balances to be retained for the purpose of supporting the advocacy of the Association.

The Special Advocacy Fund has allowed this Association to continue as the preeminent source of information and advocacy regarding the O&C Lands. The last SRS payments will be received following the conclusion of FFY 2012, with final payments to counties made at the end of 2012 or early 2013. The Association has been working diligently with national partners and Congressional offices in efforts to replace SRS with a long-term management solution on the O&C Lands. The Association shares credit for keeping that issue at the very front of the queue for action by Congress, so that SRS payments can be replaced in due course by funds generated from activity on the lands. The Association has been a central participant in development of the bipartisan proposal for an O&C Trust by Congressmen DeFazio, Schrader, and Walden. The O&C Trust proposal has been and will continue to be vigorously promoted by those Congressional leaders, this Association, and others. Governor Kitzhaber has convened a small committee to conduct an expedited review of the Trust proposal over the next 60 days, with the intention of joining in support of a bi-partisan management proposal that would be introduced in Congress early in 2013. The Counties are the key stakeholder group on Governor Kitzhaber's committee.

ASSOCIATION OF O&C COUNTIES'
SPECIAL ADVOCACY FUND
County Balances on Deposit

COUNTIES	BALANCE
Clackamas	\$21,294
Columbia	16,099
Coos	46,112
Curry	28,542
Douglas	195,765
Jackson	122,040
Josephine	92,922
Klamath	18,296
Lincoln	2,810
Linn	20,650
Marion	11,405
Polk	16,875
Tillamook	4,395
Washington	4,933
Yamhill	5,627
TOTALS:	\$607,765

BOC only: Consent Agenda _____
Regular Agenda _____

AGENDA ITEM COVERSHEET

Agenda Item Title: Surface Use Lease with Oregon Resources Corp. for Kimberly-Clark Land

Department: BOC/Counsel

Requested Agenda Date: 10/16/12

Contact Person: Fred Messerle/Josh Soper

Phone/Ext.: 7535

Background and description of need or problem: The County is the owner of certain lands subject to a reservation of "all oil, gas and mineral rights on, in and under the real property . . . together with the right of ingress and egress for the purpose of exploring for, mining, and producing any and all such oil, gas and minerals." Kimberly-Clark is successor-in-interest to that reservation and the County has dismissed its appeal of a court decision regarding the meaning and scope of that reservation. Oregon Resources Corp. (ORC) has a mineral lease with Kimberly-Clark for these lands. This Surface Use Lease would provide the terms and conditions under which ORC can access and use the surface of the property to mine the property. Key terms include:

- The primary term of the lease is 11 years. If ORC has commenced mining before the end of the primary term and is not in default of the lease, it may extend the lease for up to two additional terms of three years each.
- ORC will pay the County \$11,639.25 (465.57 acres at \$25 per acre) upon execution of the lease and an additional \$11,639.25 (465.57 acres at \$25 per acre) upon commencing mining. ORC will also pay the County an annual rent of \$2.00 per acre.
- Before undertaking any operations on the land, ORC must provide the County with a detailed plan of operations and obtain the County's approval of that plan.
- ORC must give the County six months' notice prior to initiating the application processes for approvals and permits to mine the land, specifying the area sought to be mined. During that six month period, the County has the opportunity to remove any timber from the area. When any such timber is not ready for commercial harvest, ORC must pay the County a clearance fee to compensate for the loss caused by cutting partially grown trees and replacing them with seedlings, which will equal the difference between the net present value of projected revenue that would have been received by the County for the timber at its normal harvest time and any money the County receives from the sale of the harvested timber, if applicable.
- Without the prior written consent of the County, ORC must conduct its operations on the land such that its active excavation cell(s) total no more than 10 acres in size at any one time.
- At the end of the lease, ORC must reclaim any previously forested lands to a condition as near as practicable to their original suitability for use for timber production.
- ORC must properly maintain all access roads so as to leave them in as good a condition as they were prior to ORC's use.
- ORC may not transfer, assign or sublease any or all of its interest in the lease without the County's prior written consent.

Funding Source: N/A

Requested Action: Discuss and Approve or Reject Surface Use Lease

Date: 10/15/12

Signature of Dept. Head: _____

BOC forwards signed Surface Use Lease to: County Counsel

No lease attached

SE