

REVISED AGENDA
COOS COUNTY BOARD OF COMMISSIONERS
Owen Building Large Conference Room
May 29, 2012
8:30 A.M.

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

- A. (2)(d) Labor Negotiations
- B. (2)(h) Consultation with Counsel

PLEDGE OF ALLEGIANCE

2. **CCAT GOVERNING BODY**

- A. Request Acceptance of Grant from City of Myrtle Point

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

4. **DEPARTMENT HEADS**

- A. Request Approval to Change Position #66, Advertise & Fill Position- Mental Health
- B. Request Approval of Lease Amendment with Westport Energy- Land Agent
- C. Request Approval of Transfer of Funds- Planning
- D. Request Approval of Short Term Loan- SCINT
- E. Request Approval of Transfer of Funds- SCINT
- F. Request Approval of Transfers of Funds- Sheriff
- G. Request Approval to Purchase 2012 Ford Expedition- Sheriff
- H. Request Approval of Contract with Nor-Pac Power Systems- Sheriff
- I. Request Acceptance of ODOT Public Transit Grant- Treasurer
- J. Request Approval of Order Delegating Authority to Assign Disposition of Special Revenue Funds- Treasurer
- K. Request Approval of Agreement with Frances Smith- Human Resources
- L. Request Approval of Collective Bargaining Agreement with Prosecuting Attorneys- Human Resources
- M. Request Approval of Collective Bargaining Agreement with Solid Waste- Human Resources
- N. Request Approval of Order Making Appointments to Local Alcohol & Drug Planning Committee- Commission on Children & Families
- O. Request Approval of Task Order #21.1 with PBS for Pipeline Matters- BOC

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

- A. **Approval of Minutes**
 - Regular Meeting Minutes- May 9, 2012
 - Regular Meeting Minutes- May 15, 2012

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.

- B. **Ratification of All Routine Expenditures, Tax Overpayments and Adjustments and Transfers of Funds Within the Budget**
Transfer of Appropriations Within a Department- DA Support- extra help
PBS Engineering Invoice #0090026.022-1- Pipeline- \$17,092.50
- C. **Resolutions & Orders**
Resolution 12-05-057P, In the Matter of Granting Salary Merit Step Increase for Josephine Morrison Effective to May 1, 2012
- D. **Ratification of Items Previously Approved**
Purchase of Lights & Sirens- SCINT- \$5,303.36
Purchase of Radios- SCINT- \$40,192.33
Radio Installation- SCINT- \$4,155
Disposal of Surplus Property- Jail
Trade/Purchase of ATV- Sheriff- \$1,028.99
- E. **Liquor License Renewals for the Following: Bachelor's Inn, VFW Post 3440 Bandon, Barview Market, Charleytown Marketplace, Davey Jones Locker, Misty Meadows, Laurel Grove Grocery, Oceanside RV Park, Bandon Dunes (2), Halfway Tavern,**

6. **LATE AGENDA ITEMS**

- A. Request Approval to Advertise & Fill Staff Psychiatrist Position- Mental Health
- B. Request Award of Contract for Incinerator Demolition- Solid Waste
- C. Request Approval of Order Setting First Hearing for Formation of Cedar Crest Special Road District- County Counsel
- D. Request Approval of Order Setting First Hearing for Formation of Bandon Community Swimming Pool Recreation District
- E. Request Approval of Contract Amendment with PBS for Food Bank Project- BOC

7. **COMMISSIONERS REPORTS**

BOC only:
Consent Agenda _____
Regular Agenda _____

LATE

AGENDA ITEM COVERSHEET

Agenda Item Title: Request to advertise and post until filled Staff Psychiatrist position #64

Department: Mental Health Department **Requested Agenda Date:** 05/29/2012

Contact Person: Ginger Swan **Phone/Ext.:** 663

Background and description of need or problem: Our staff psychiatrist has tendered her resignation effective June 7th. In order to meet the critical needs of the department CCMH must have sufficient medical staff to provide essential medical care of clients and comply with State and Federal requirements. We have historically found it difficult to recruit medical staff and have would like to begin advertising as soon as possible. We would like to advertise concurrently for a Psychiatrist and Psychiatric Mental Health Nurse Practitioner. This would allow us to broaden our search but we would only fill one position. Position #64 is for a Psychiatrist so if we hire a Nurse Practitioner this position would need to be downgraded. We currently have a job description for both positions. This position is currently a .6 FTE and we would like to change to 1FTE.

No County General Funds will be used for this contract.

Funding Source: 021-1302-444.10-01

Requested Action: Approve request to advertise and post until filled position #64, downgrade from MD to PMHNP if needed and change from .6 to 1 FTE.

Date: 05/23/2012

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.

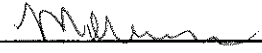
If this is a contract or grant:

- 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

GA

BOC only:
Consent Agenda _____
Regular Agenda _____

AGENDA ITEM COVERSHEET

Agenda Item Title: Award Contract for Beaver Hill Incinerator Demolition Project

Department: Solid Waste **Requested Agenda Date:** May 29, 2012

Contact Person: Cheryl or Scott **Phone/Ext.:** 541-396-7310

Background and description of need or problem: Coos County sent out an Invitation for Bid on the Demolition of the Incinerator Facilities at Beaver Hill. Six bids were received on the Bid Submission Deadline of May 16th.

Funding Source: N/A

Requested Action: Award contract to the lowest responsible bidder on the Beaver Hill Demolition Project

Date: May 23, 2012 **Signature of Dept. Head:** by- e-mail – Cheryl Westgaard

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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

COUNSEL: OK-JS

TREASURER: AKB

BOC forwards signed Contract/Grant to:

Commissioners Initials to Place on Agenda ONLY: _____

no bid summary attached

LB

BOC only: Consent Agenda _____
Regular Agenda _____

AGENDA ITEM COVERSHEET

Agenda Item Title: Order Setting First Hearing for Formation of Cedar Crest Special Road District

Department: Counsel

Requested Agenda Date: 5/29/12

Contact Person: Josh Soper

Phone/Ext.: 219

Background and description of need or problem: The Clerk's Office received a petition for formation of a new special district and the Assessor's Office verified that there were sufficient signatures. The Board of Commissioners now needs to set a date and location for the first of two required hearings, which must be between thirty and fifty days after the date the petition was filed, i.e. between May 31, 2012 and June 21, 2012. Counsel's Office suggests June 19, 2012 during the Board's regularly scheduled meeting. The Board also needs to order that the statutorily-required notices be given.

Funding Source: Costs will be charged to the special district if successfully formed, otherwise to the petitioner. Petitioner has made the required deposit with the Clerk.

Requested Action: Adopt Order #12-05-033L Setting First Hearing

Date: _____ Signature of Dept. Head: 

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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: OK-JS

TREASURER: OK, B

BOC forwards signed Contract/Grant to: County Counsel



1 BOARD OF COMMISSIONERS

2 COUNTY OF COOS

3 STATE OF OREGON

4 In the Matter of the Formation of the) ORDER SETTING FIRST
5 Cedar Crest Special Road District) HEARING
6)
7)

12-05-033L

8 NOW BEFORE THE Board of Commissioners sitting for the
9 transaction of County business on the 29th day of May, 2012 is the
10 matter of a petition for formation of the Cedar Crest Road
11 District;

12 AND IT APPEARING to the Board this matter is before the Board
13 pursuant to a petition bearing Coos County Clerk #2012 SD 16,
14 submitted by chief petitioner Theresa Lovasik and filed by the
15 County Clerk on May 7, 2012;

16 AND IT FURTHER APPEARING to the Board the petition seeks to
17 form a new special road district governed by ORS Chapter 371 (the
18 "Principal Act");

19 AND IT FURTHER APPEARING to the Board the petition was not
20 required to be approved by endorsement thereon by any agency
21 pursuant to the Principal Act, and that the petition is otherwise
22 sufficient under the Principal Act;

23 AND IT FURTHER APPEARING to the Board that, prior to
24 circulating the petition, the Chief Petitioner filed a Prospective
25 Petition and description of the boundaries of the proposed
26 district with the County Clerk;

27 AND IT FURTHER APPEARING to the Board that, prior to
28 circulating the petition, the Chief Petitioner completed an

1 economic feasibility statement that contains substantially all
2 information required by ORS 198.749;

3 AND IT FURTHER APPEARING to the Board the petition contains
4 substantially all information required by ORS 198.750;

5 AND IT FURTHER APPEARING to the Board the Coos County
6 Assessor's Office has certified that the petition contains the
7 qualified signatures required pursuant to ORS 198.755 to 198.770;

8 AND IT FURTHER APPEARING to the Board the petition includes a
9 proposed permanent rate limit for operating taxes, and the
10 petition was filed not later than 180 days before the date of the
11 next primary election or general election at which the petition
12 for formation will be voted upon;

13 AND IT FURTHER APPEARING to the Board that a \$100 cash
14 deposit was paid by the Chief Petitioner and accompanied by the
15 form prescribed by the Secretary of State;

16 AND IT FURTHER APPEARING to the Board a public hearing must
17 be held in this matter between 30 and 50 days after the date of
18 filing in order to determine, in accordance with the criteria
19 prescribed by ORS 199.462, whether the area could be benefited by
20 the formation of the district, and to consider whether to alter
21 the boundaries set forth in the petition to either include or
22 exclude territory;

23 AND IT FURTHER APPEARING to the Board that notice of this
24 hearing should be posted in at least three (3) public places and
25 published by two (2) insertions in a newspaper of general
26 circulation within the proposed district, and the notice shall
27 state:
28

1. The purpose for which the district is to be formed;
2. The name and boundaries of the proposed district;
3. The time and place of the hearing on the petition;
4. That all interested persons may appear and be heard;

NOW, THEREFORE, IT IS HEREBY ORDERED that a public hearing on the formation of the Cedar Crest Special Road District will be held on the 19th day of June, 2012 at 9:30 a.m. in the Commissioners' Courtroom in the Coos County Courthouse in Coquille, Oregon;

AND IT IS FURTHER ORDERED that County Counsel shall cause the required notices to be posted in at least three (3) public places and published by two (2) insertions in a newspaper of general circulation within the proposed district;

AND IT IS FURTHER ORDERED that the Coos County Planning Department shall submit a report to County Counsel, prior to the date of said hearing, indicating whether the proposed formation would, based on the criteria in ORS 199.462, benefit the area of the proposed district.

DATED this ____ day of _____, 2012.

BOARD OF COMMISSIONERS

Chair

Commissioner

Commissioner

Approved as to form:



Office of Legal Counsel

BOC only:
Consent Agenda _____
Regular Agenda _____

AGENDA ITEM COVERSHEET

Agenda Item Title: Order Setting First Hearing for Formation of Bandon Community Swimming Pool Recreation District

Department: Counsel **Requested Agenda Date:** 5/29/12

Contact Person: Josh Soper **Phone/Ext.:** 219

Background and description of need or problem: The Clerk's Office received a petition for formation of a new special district and verified that there were sufficient signatures. The Board of Commissioners now needs to set a date and location for the first of two required hearings, which must be between thirty and fifty days after the date the petition was filed, i.e. between June 10, 2012 and June 30, 2012. Counsel's Office suggests June 19, 2012 during the Board's regularly scheduled meeting. The Board also needs to order that the statutorily-required notices be given.

Funding Source: Costs will be charged to the special district if successfully formed, otherwise to the petitioners. Petitioners have made the required deposit with the Clerk.

Requested Action: Adopt Order #12-05-032L Setting First Hearing

Date: _____ **Signature of Dept. Head:** Andrew P. White

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- 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: OK- JS

TREASURER: OK B

BOC forwards signed Contract/Grant to: County Counsel

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1 BOARD OF COMMISSIONERS

2 COUNTY OF COOS

3 STATE OF OREGON

4 In the Matter of the Formation of the) ORDER SETTING FIRST
5 Bandon Community Swimming Pool) HEARING
6 Recreation District)
7)

12-05-032L

7 NOW BEFORE THE Board of Commissioners sitting for the
8 transaction of County business on the 29th day of May, 2012 is the
9 matter of a petition for formation of the Bandon Community
10 Swimming Pool District;

11 AND IT APPEARING to the Board this matter is before the Board
12 pursuant to a petition bearing Coos County Clerk #2012 SD 18,
13 submitted by chief petitioners Michael A. Sterling and David W.
14 Reed and filed by the County Clerk on May 11, 2012;

15 AND IT FURTHER APPEARING to the Board the petition seeks to
16 form a new park and recreation district governed by ORS Chapter
17 266 (the "Principal Act");

18 AND IT FURTHER APPEARING to the Board that the petition was
19 not required to be approved by endorsement thereon by any agency
20 pursuant to the Principal Act, and that the petition is otherwise
21 sufficient under the Principal Act;

22 AND IT FURTHER APPEARING to the Board that the territory
23 proposed to be included in the district includes territory within
24 a city, and that a certified copy of a resolution of the governing
25 body of the City of Bandon approving the petition was filed with
26 the County Clerk as required by ORS 198.720;

27 AND IT FURTHER APPEARING to the Board that, prior to
28

1 circulating the petition, the Chief Petitioners filed a
2 Prospective Petition and description of the boundaries of the
3 proposed district with the County Clerk;

4 AND IT FURTHER APPEARING to the Board that, prior to
5 circulating the petition, the Chief Petitioners completed an
6 economic feasibility statement that contains substantially all
7 information required by ORS 198.749;

8 AND IT FURTHER APPEARING to the Board the petition contains
9 substantially all information required by ORS 198.750;

10 AND IT FURTHER APPEARING to the Board the Coos County Clerk's
11 Office has certified that the petition contains the qualified
12 signatures required pursuant to ORS 198.755 to 198.770;

13 AND IT FURTHER APPEARING to the Board that the petition
14 includes a proposed permanent rate limit for operating taxes, and
15 the petition was filed not later than 180 days before the date of
16 the next primary election or general election at which the
17 petition for formation will be voted upon;

18 AND IT FURTHER APPEARING to the Board that a \$200 cash
19 deposit was paid by the Chief Petitioners and accompanied by the
20 form prescribed by the Secretary of State;

21 AND IT FURTHER APPEARING to the Board that a public hearing
22 must be held in this matter between 30 and 50 days after the date
23 of filing in order to determine, in accordance with the criteria
24 prescribed by ORS 199.462, whether the area could be benefited by
25 the formation of the district, and to consider whether to alter
26 the boundaries set forth in the petition to either include or
27 exclude territory;

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1 AND IT FURTHER APPEARING to the Board that notice of this
2 hearing should be posted in at least three (3) public places and
3 published by two (2) insertions in a newspaper of general
4 circulation within the proposed district, and the notice shall
5 state:

- 6 1. The purpose for which the district is to be formed;
- 7 2. The name and boundaries of the proposed district;
- 8 3. The time and place of the hearing on the petition;
- 9 4. That all interested persons may appear and be heard;

10 NOW, THEREFORE, IT IS HEREBY ORDERED that a public hearing on
11 the formation of the Bandon Community Swimming Pool Recreation
12 District will be held on the 19th day of June, 2012 at 9:30 a.m.
13 in the Commissioners' Courtroom in the Coos County Courthouse in
14 Coquille, Oregon;

15 AND IT IS FURTHER ORDERED that County Counsel shall cause the
16 required notices to be posted in at least three (3) public places
17 and published by two (2) insertions in a newspaper of general
18 circulation within the proposed district;

19 AND IT IS FURTHER ORDERED that the Coos County Planning
20 Department shall submit a report to County Counsel, prior to the
21 date of said hearing, indicating whether the proposed formation
22 would, based on the criteria in ORS 199.462, benefit the area of
23 the proposed district.
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1 DATED this ____ day of _____, 2012.

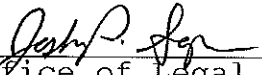
2 BOARD OF COMMISSIONERS

3 _____
4 Chair

5 _____
6 Commissioner

7 _____
8 Commissioner

9 Approved as to form:

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11 _____
12 Office of Legal Counsel

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BOC only: Consent Agenda _____
Regular Agenda _____

AGENDA ITEM COVERSHEET

Agenda Item Title: Contract Amendment for Environmental Engineering Services for County Food Bank Project

Department: Board **Requested Agenda Date:** 5/29/12

Contact Person: Fred Messerle **Phone/Ext.:** 247

Background and description of need or problem: An Amendment with PBS Engineering & Environmental has been drafted as additional independent soil testing is required and the not to exceed amount will be increased.

Funding Source: Community Development Block Grant Funds for Food Bank Project

Requested Action: Approve Contract Amendment (original attached for signing).

Date: 5/25/12 **Signature of Dept. Head:** *Fred Messerle/s/dd*

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- Is the contract or grant an original?
- 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?

Departments Affected:

COUNSEL: _____

TREASURER: _____

BOC forwards signed Contract Amendment to Counsel’s office.

LetE

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: PBS Engineering & Environmental, 271 N. Baxter, Coquille, OR 97423

Contact Person: Eric Oberbeck Phone No. 541.347.5923

Amount of Contract/Grant Award: \$ NTE \$8,500

Payment Terms: upon receipt of itemized invoice(s) (state lump sum or amount and time of payments)

Start Date: upon execution of contract End Date: automatically terminate upon completion of construction of Food Bank

County Department and Employee Responsible for Performance: Board of Commissioners/ Fred Messerle

Description: Contract Amendment for additional soil testing; increase NTE by \$3500.

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: _____