

REVISED AGENDA
COOS COUNTY BOARD OF COMMISSIONERS
Owen Building Large Conference Room
January 23, 2018
8:30 A.M.

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

- A. (2)(h) Consultation with Counsel
- B. (2)(e) Regarding Real Property

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. **PUBLIC HEARINGS**

- A. Annexation to Bunker Hill Sanitary District for Diane Clatty
- B. Annexation to Bunker Hill Sanitary District for Ronald & Deborah Halvorson
- C. Amending the Code to Add Division Two- Promulgate Definitions, Rules and Regulations to Enforce the Three Percent (3%) Tax on the Sale of Marijuana Items Under Article Twelve- County Taxes

4. **DEPARTMENT HEADS**

- A. Request Approval of Access Rights with ODOT for E. Beaver Hill & Highway 101- Road
- B. Request Approval to Purchase 2 New Vehicles- Community Corrections
- C. Request Approval of Dispatch Agreement with Millington RFPD- Sheriff
- D. Request Approval of Dispatch Agreement with Hauser RFPD- Sheriff
- E. Request Approval to Donate Vehicle to North Bay RFPD- Sheriff
- F. Request Approval of Revised Job Description for Deputy DA I- Human Resources
- G. Request Approval of Contract Amendment with Day Wireless- County Counsel
- H. Consideration for Initiation of Accelerated Redemption Period of Tax Foreclosed Properties- County Counsel
- I. Request Approval of Letter of Support for Disabled Fishing Area- BOC
- J. Request Approval to Revisit 10-Year Homeless Plan- BOC
- K. Legislative Updates- Rep. David Brock Smith/BOC

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

A. **Approval of Minutes**

Worksession- Forestry Fund- December 14, 2017
Regular Meeting Minutes- January 9, 2018

B. **Orders & Resolutions**

Order 18-01-006C, In the Matter of Appointing Robyn Greenlund to the Coos County Library Service District Board
Resolution 18-01-016B, In the Matter of Making an Additional Appropriation in the Amount of \$20,000 Within the General Fund
Resolution 18-01-017P, In the Matter of a Pay Grade Adjustment for the Administrative Services Supervisor Position Retroactive to September 1, 2017

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 18-01-018P, In the Matter of Granting a Merit Step Increase for Lance Morgan Effective Retroactive to October 1, 2017
Resolution 18-01-019P, In the Matter of Granting Salary Merit Step Increase for Kelly Olek, a Coos County Employee Effective January 1, 2018
Resolution 18-01-020P, In the Matter of Granting Salary Merit Step Increase for Diane Marsh Retroactive to September 1, 2017
Resolution 18-01-021P, In the Matter of a Merit Step Increase for Mike Crim Retroactive to December 1, 2017
Resolution 18-01-022P, In the Matter of Granting Salary Merit Step Increase for Loree Segen-Gehrke Retroactive to July 1, 2017
Resolution 18-01-023P, In the Matter of Granting Salary Merit Step Increases for Various Coos County Employees Effective January 1, 2018
Resolution 18-01-024P, In the Matter of Classifying and Placement of Various Employees on the Regular Coos County Payroll Effective Their Hire Date
Resolution 18-01-025P, In the Matter of a Salary Adjustment for Cheryl Westgaard Effective January 1, 2018

- C. Items Previously Approved (authorize Chair to sign where necessary)**
Contract Amendment with Cascade Metal Recycling- extension- Solid Waste
Contract with Special Waste Associates for HHW Training- Solid Waste
Contract Amendment for Traffic Booth Project at Beaver Hill- extension & compensation increase- Solid Waste
Brushing Contract with TJB Enterprises Inc- gorse clearing- Forestry
Agreement with J Herbert Stone Nursery- growing seedlings- Forestry
Contract with Centric Elevator- annual load testing- Maintenance
Contract Amendment with PBS Engineering for Consulting Services- County Counsel

6. LATE AGENDA ITEMS

- A. Request BOC to approve and adopt the Fair Housing Resolution for Community Development Block Grant- Counsel's Office.**
B. Request BOC to approve and sign Intergovernmental Agreement with Dora-Sitkum Rural Fire Protection District re: Vehicle Garage Project.

7. COMMISSIONERS REPORTS

BOC only: Consent Agenda _____ Regular Agenda _____

AGENDA ITEM COVERSHEET

Agenda Item Title: Executive Session Requested

Department: Counsel

Requested Agenda Date: 1/23/2018

Contact Person: Nathaniel Johnson

Phone/Ext.: 7690

Background and description of need or problem: Need executive session for:

ORS 192.660(2)(e) – deliberations with regard to real property transactions.

Funding Source: N/A

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

Date: 1/22/2018

Signature of Dept. Head: Nathaniel Johnson

Departments Affected:

COUNSEL: Nathaniel Johnson

BOC only:
Consent Agenda _____
Regular Agenda _____

LATE AGENDA ITEM COVERSHEET

Agenda Item Title: Adopting the Fair Housing Resolution

Department: Counsel's Office **Requested Agenda Date:** 1/23/2018

Contact Person: Caroline Barr **Phone/Ext.:** 7690

Background and description of need or problem: The Community Development Block Grant from the U.S. Department of Housing and Urban Development for the proposed Dora-Sitkum Rural Fire Department Vehicle Garage requires the County to adopt a Fair Housing Resolution.

Funding Source: N/A

Requested Action: Approve and sign Fair Housing Resolution

Date: 1/18/2018 **Signature of Dept. Head:** *Matthew John*

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: *NJ*

TREASURER: _____

HUMAN RESOURCES: *NJ*

BOC forwards signed document to Counsel's office.

1 BOARD OF COMMISSIONERS
2 COUNTY OF COOS
STATE OF OREGON

3 IN THE MATTER OF APPROVING THE FAIR) RESOLUTION
4 HOUSING RESOLUTION) 18-01-026 L

5
6 NOW BEFORE THE Board of Commissioners sitting for the transaction of County
7 business on the 23rd day of January, 2018, is the matter of approving the Fair Housing Policy;
8 and

9 LET IT BE KNOWN to all persons of Coos County that discrimination in the sale, rental,
10 lease, advertising of sale, rental or lease, financing of housing or land to be used for construction
11 of housing, or the provision of brokerage or rental services because of race, color, religion, sex,
12 disability (physical or mental), familial status (children) or national origin is prohibited by Title
13 VIII of the federal Fair Housing Amendments Act of 1988. It is the policy of Coos County to
14 support the Fair Housing Amendments Act of 1988 and to implement a Fair Housing Program to
15 ensure equal opportunity in housing for all persons regardless of race, color, religion, sex,
16 disability (physical or mental), familial status (1. Children, and 2. Actual or perceived sexual
17 orientation, gender identity of marital status or its members), or national origin. Therefore Coos
County does hereby adopt the following resolution:

18 BE IT RESOLVED that within the resources available to Coos County through city,
19 county, state, federal and community volunteer sources, the County will assist all persons who
20 feel they have been discriminated against because of race, color, religion, sex, disability
21 (physical or mental), familial status (children) or national origin in the process of filing a
22 complaint with the Oregon Civil Rights Division of the U.S. Department of Housing and Urban
23 Development, Seattle Regional Office Compliance Division, that they may seek equity under
federal and state laws.

24 BE IT FURTHER RESOLVED that Coos County shall publicize this Resolution and
25 through this publicity shall cause real estate brokers and sellers, private home sellers, rental
26 owners, rental property managers, real estate and rental advertisers, lenders, buildings,
27 developers, home buyers and home or apartment renters to become aware of their respective

1 responsibilities and rights under the Fair Housing Amendments Act of 1988 and any applicable
2 state or local laws or ordinances.

3 THE FAIR HOUSING PROGRAM, for the purpose of informing those affected of their
4 respective responsibilities and rights concerning Fair Housing law and compliant procedures,
5 will at a minimum include, but not limited to: 1) the printing, publicizing and distribution of this
6 Resolution; 2) the distribution of posters, flyers pamphlets, and other applicable Fair Housing
7 information provided by local, state and federal sources, through local media of community
8 contacts; and 3) the publicizing of locations where assistance will be provided to those seeking to
9 file a discrimination complaint.

10
11 Effective this _____ day of _____, 2018.

12
13 BOARD OF COMMISSIONERS
14 COOS COUNTY, OREGON

15 Approved as to form:

16 
17 Office of Legal Counsel

Chair

Commissioner

Commissioner

BOC only:
Consent Agenda _____
Regular Agenda _____

LATE AGENDA ITEM COVERSHEET

Agenda Item Title: Dora-Sitkum Rural Fire Protection District Vehicle Garage

Department: Counsel's Office **Requested Agenda Date:** 1/23/2018

Contact Person: Caroline Barr **Phone/Ext.:** 7690

Background and description of need or problem: Coos County is the recipient of a Community Development Block Grant from the U.S. Department of Housing and Urban Development for the proposed Dora-Sitkum Rural Fire Department Vehicle Garage. This IGA memorializes the understandings and obligations of the Dora-Sitkum RFPD and the County.

Funding Source: N/A

Requested Action: Approve and sign IGA with the Dora-Sitkum RFPD

Date: 1/18/2018 **Signature of Dept. Head:** CBarr

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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: NJ

TREASURER: _____

HUMAN RESOURCES: [Signature]

BOC forwards signed document to Counsel's office.

**INTERGOVERNMENTAL AGREEMENT
BETWEEN COOS COUNTY AND DORA-SITKUM RURAL FIRE PROTECTION DISTRICT
DORA-SITKUM VEHICLE GARAGE PROJECT**

This agreement is made and entered into and is effective on the date last set forth below between Coos County (the County), and the Dora-Sitkum Rural Fire Protection District (the District).

WHEREAS, this Agreement is entered into pursuant to ORS 190.010 that allows units of local government to enter into written agreements with other units of local government for the performance of functions and activities that a party to the Agreement has the authority to perform; and

WHEREAS, Coos County is a political subdivision of the state of Oregon and the Dora-Sitkum Rural Fire Protection District is a duly formed rural fire protection district; and

WHEREAS, both the County and the District desire to cooperate and work together to construct a new Vehicle Garage; and

WHEREAS, the planned Vehicle Garage will improve emergency preparedness in the event of road wash-outs and natural disasters for residents living in Sitkum, greatly reducing response time for emergency responders; and

WHEREAS, property owners, Mark and Shirleen Stoller, wish to enter into a fifty-year lease with the District for a portion of their property located at 18022 Sitkum Lane, Myrtle Point, OR 97458 for the purposes set forth herein; and

WHEREAS, the County is supportive of the efforts by the District to construct the vehicle garage; and

WHEREAS, in order to qualify for Community Development Block Grant (CDBG) funds which are administered by the Oregon Business Development Department (OBDD), it was necessary for the County to apply to be the recipient of the \$444,950 grant instead of the District; and

WHEREAS, the District will be providing \$1,000 in additional funding; and

WHEREAS, the County has been awarded Community Development Block Grant (CDBG) funds in the amount of \$444,950 for the building of the Vehicle Garage; and

WHEREAS, the County has approved the acceptance of the \$444,950 Community Development Block Grant funds for the construction of the Vehicle Garage; and

WHEREAS, the County has entered into a contract with CCD Business Development Corporation (CCD) for grant administration of the project; and

WHEREAS, the County, with the cooperation and services of CCD, will administer the total funding of the project including the Community Development Block Grant (CDBG) funds in the amount of \$444,950 and the \$1,000 in funds from the District for a total of \$445,950; and

WHEREAS, the County and District shall be responsible for complying with the

covenants of the CDBG Contract; and

WHEREAS, the County and the District, with the assistance of CCD, intends to solicit and contract with an architectural consultant for the preparation of construction documents, to coordinate the bidding process, and administer the construction process; and

WHEREAS, the County and the District shall execute any required documents for the work to be done and record or file them with the Coos County Clerk, which may include a Performance Lien, Security Agreement, and other documents relating to the 50-year lease between the District and Mark & Shirleen Stoller; and

WHEREAS, the County and District are aware that the CDBG program requires that the County's policies control the entire project, including that all contracts and agreements for the project be approved and signed by the County and that the County approve all invoices and change orders; and

WHEREAS, both the County and the District desire to memorialize their understandings and obligations in an intergovernmental agreement;

NOW, THEREFORE, the County and the District hereto mutually agree as follows:

1. County, with the assistance of CCD, shall be responsible for soliciting and obtaining architectural services for the preparation of construction documents, coordinating the bidding process, and administering the construction process.
2. The County and the District shall have final control concerning the project, including the design of the Vehicle Garage building and the progress of the work. The County and the District will work cooperatively to bring about a successful conclusion to the construction of the new Vehicle Garage.
3. The County will administer and account for the \$445,950 in project funds by way of the Vehicle Garage Construction Fund which can only be used for the construction project. Pursuant to the CDBG regulations, the County shall have the responsibility for how the funds are expended.
4. The County will maintain the financial records pertaining to the project. The District shall maintain an additional set of records in compliance with the CDBG rules.
5. If the project does not go forward, any funds remaining that were contributed by the District shall be returned to the District.
6. It is agreed and understood by the County and the District that the County's financial liability in the Vehicle Garage project is limited to the \$444,950 grant funds.
7. The County and the District agree that the County will not be liable or responsible for any cost overruns or liabilities created by the project.
8. The County and the District agree that this intergovernmental agreement in no way creates a new or separate entity for purposes of the construction project and that this intergovernmental agreement does not make the County a partner or joint venturer with the District in connection with this construction project. The County will have no obligation with

respect to the District's debts or other liabilities arising from this project.

9. The District agrees to indemnify and defend the County from, and reimburse the County for, any cost, claim, loss, or liability suffered directly or from a third-party claim arising out of or related to the funding and completion of the construction of the Vehicle Garage building.

IN WITNESS WHEREOF, the authorized representatives of the County and the District as parties hereto pursuant to the authority granted to them hereby approve the Intergovernmental Agreement and accept the provisions contained herein.

DORA-SITKUM RURAL FIRE
PROTECTION DISTRICT

Richard Kirk

Signature

Richard Kirk

Name (Printed)

Chair

Title

56129 Goldbrick Road
Address

Myrtle Point, OR 97458
City, State and Zip

541-572-2491
Telephone

1-8-2018
Date

BOARD OF COMMISSIONERS OF
COOS COUNTY, OREGON

Chair

Commissioner

Commissioner

Coos County Courthouse
Coquille, OR 97423
(541) 396-3575

Date