



# CURRY COUNTY BOARD OF COMMISSIONERS

## GENERAL MEETING

Wednesday, May 04, 2016 – 10:00 A.M.  
Commissioners' Hearing Room, Courthouse Annex  
94235 Moore Street, Gold Beach, Oregon

[www.co.curry.or.us](http://www.co.curry.or.us)

### AGENDA

*Items may be taken out of sequence to accommodate staff availability and the public.  
For public comment, a completed speaker's slip must be submitted.*

- 1. CALL TO ORDER & PLEDGE OF ALLEGIANCE**
- 2. AGENDA AMENDMENTS**
- 3. APPROVAL OF AGENDA**
- 4. PRESENTATIONS TO THE BOARD**
- 5. PUBLIC COMMENTS**
- 6. NEW BUSINESS**
- 7. OLD BUSINESS**
  - a. Letter to the Bureau of Land Management (BLM) Concerning Road Closures – Commissioner Smith (2min)
  - b. Real Property Task Force Recommendations Group 4 – Economic Development (30min)
  - c. Continue the Discussion of Employment-Related Performance With Respect to GIS – Commissioner Huxley (60min)
- 8. PROCLAMATIONS/RESOLUTIONS/ LEGISLATIVE ACTIONS**
  - a. Second Reading of an Ordinance Repealing Article Two, Division Fifteen of the Curry County Code – Regulating Medical Marijuana Dispensary Facilities in Unincorporated Area – Counsel (15min)
  - b. Second Reading of an Ordinance Imposing a Marijuana Retail Sales Tax in the Unincorporated Area of the County and Referring It to the People – Counsel (20min)
  - c. Second Reading of an Ordinance Implementing a Marijuana Retail Sales Tax in the Unincorporated Area of the County – Counsel (20min)
- 9. ADMINISTRATIVE ACTIONS/ APPOINTMENTS**
  - a. 5<sup>th</sup> and 6<sup>th</sup> Amendments to OHA 2015-2017 Agreement #148007 for the Financing of Public Health Services – Curry Community Health (10min)
  - b. Bid Award – Annual Road Paint Striping Project – Roads (5min)
  - c. VOCA One Time Allocation – District Attorney, Victims Advocate, and Child Advocacy (15min)
  - d. Compensation Board Appointment K. McHugh – Administration (5min)

**Curry County does not discriminate against individuals with disabilities and all public meetings are held in accessible locations. Auxiliary aids will be provided upon request with 48 hours advance notification. Please call 541-247-3296 if you have questions regarding this notice.**

- e. Update Signature Cards for CDBG Grant H131011 NeighborWorks Umpqua and H14014 Brookings HeadStart – Economic Development (5min)
- f. Order Re-Appointing Nine Members to the CCD Business Development Board of Directors – Commissioner Brown (2min)
- g. Curry County Public Transit (CCPT) Bus Purchase Reimbursement Requests – Commissioner Brown (5min)
- h. Acceptance of a Resignation Memo from a Safety Committee Member – Counsel (5min)
- i. Appointment to the Safety Committee J. Huttl – Counsel (5min)

## **10. CONSENT CALENDAR**

## **11. COMMISSIONER UPDATES/ LIAISON & STAFF REPORTS**

- a. April Activity Report – Surveyor

## **12. ANNOUNCEMENTS**

- a. Anyone who would like to be included on the email list for County Public Notices can do so by contacting the Board of Commissioners Office.
- b. The videos of this meeting are available at the County website and are now **MOBILE FRIENDLY!** You can watch us from anywhere 😊
- c. A member is needed for CCD Business Development, contact Commissioner Brown at 541-247-3229
- d. Budget Committee Meetings will be on Monday May 09, 2016 at 10:00 a.m. and may run until Friday May 13, 2016 as needed. The public is welcome to come.

## **13. EXECUTIVE SESSION**

## **14. ADJOURN**

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 03-02-2016

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Letter the Bureau of Land Management (BLM) Road Concerning Road Closures

**AGENDA DATE<sup>a</sup>:** 05-04-16 **DEPARTMENT:** Comms **TIME NEEDED:** 2min

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** Smith **PHONE/EXT:** 3260 **TODAY'S DATE:** 04-27-16

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:**

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:**

**SUBMISSION TYPE:** Letter

- (1) Letter
- (2)

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name: \_\_\_\_\_ on letter

Send Printed Copy to:

Address: \_\_\_\_\_

Email a Digital Copy to:

City/State/Zip: \_\_\_\_\_

Other Email Rocky, Com Smith, BLM. Orig to BLM and Clerk

Phone: \_\_\_\_\_

Due date to send:        /        /

Email: \_\_\_\_\_

<sup>c</sup>Note: Most signed documents are filed/recorded with the Clerk per standard process.

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A   
(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment: \_\_\_\_\_
2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment: \_\_\_\_\_
3. If job description, Salary Committee reviewed: Yes  No  N/A
4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** Old Business

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No   
(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Susan Brown Yes  No

Commissioner Thomas Huxley Yes  No

Commissioner David Brock Smith Yes  No

Not applicable to Sheriff's Department since they do not have a liaison



**Curry County  
Board of Commissioners**

Thomas Huxley, *Chair*  
Susan Brown, *Vice Chair*  
David Brock Smith, *Commissioner*

94235 Moore Street/Suite #122  
Gold Beach, OR 97444  
541-247-3296, 541-247-2718 Fax  
800-243-1996 [www.co.curry.or.us](http://www.co.curry.or.us)

5400/1792 (ORC040)  
Six Twigs Environmental Analysis (EA)  
DOI-BLM-OR-C040-2013-0003-EA

May 4<sup>th</sup>, 2012

Patricia M. Burke  
Coos Bay District Manager  
Bureau of Land Management  
1300 Airport Ln, North Bend, OR 97459

Dear Manager Burke,

The Curry County Board of Commissioners reviewed the supplemental information Kathy Westenskow provided Rocky McVay, Executive Director of the Association of O&C Counties dated March 21, 2016 in the above referenced proposed roads decommissioning and closure within Curry County at the regularly scheduled Board meeting May 4, 2016. This letter will formally express our opposition to the proposed road decommissioning action in the Six Twigs EA. The Board feels infrastructure within the forest road systems in Curry County plays a critical role in the management and access of the federal resource to mitigate and fight wildfires within the County. The Curry County Board of Commissioners respectfully request that this letter be included in the official comments as an objection to the Finding of No Significant Impact (FONSI) to the proposed road decommissioned in the Six Twigs Environmental Assessment. Thank you for your consideration of our request.

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Thomas Huxley, Chair

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Susan Brown, Vice Chair

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David Brock Smith, Commissioner

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 03-02-2016

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Real Property Task Force Recommendations-Group 4

**AGENDA DATE<sup>a</sup>:** May 4, 2016 **DEPARTMENT:** Admin **TIME NEEDED:** 30 min.

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** Julie Schmelzer **PHONE/EXT:** 3253 **TODAY'S DATE:** 04/26/2016

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** These parcels were presented in December 2015, and reviewed at a May 2016 Workshop

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:**

**SUBMISSION TYPE:** Discussion/Decision

- (1) Letter
- (2)

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail) Assessor, Counsel
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

- File with County Clerk
- Send Printed Copy to:
- Email a Digital Copy to:
- Other

Name:  
Address:  
City/State/Zip:

Phone:

Due date to send:        /        /

Email:

<sup>c</sup>Note: Most signed documents are filed/recorded with the Clerk per standard process.

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A   
(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
3. If job description, Salary Committee reviewed: Yes  No  N/A
4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** Old Business

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No   
(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

- Commissioner Susan Brown Yes  No
- Commissioner Thomas Huxley Yes  No
- Commissioner David Brock Smith Yes  No

Not applicable to Sheriff's Department since they do not have a liaison



**Julie A. Schmelzer**  
**Director of Administration and Economic Development**

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94235 Moore Street/Suite #122  
Gold Beach, OR 97444  
Ph. 541-247-3253  
schmelzerj@co.curry.or.us  
www.co.curry.or.us

April 26, 2016

Curry County Commissioners  
94235 Moore St., Ste. 122  
Gold Beach, OR 97444

Re: County Properties, Group 4

Dear Commissioners:

At the upcoming May 4, 2016 Regular Meeting I propose the Board approve the following recommendations made by the 2015 Real Property Task Force. These recommendations will also be reviewed at the May 3, 2016 Workshop.

Specifics are as follows:

Vacate the following (Counsel/Asst. Counsel):

- R27502 (Between Arizona St. and Idaho St., Port Orford)
- R24856 R24855, R24855 (So. Of 19th St., Port Orford)
- R33966 (13th St., Port Orford)
- R35695 (0 acres, 8.4' wide piece between 11 St. and 12 St. in Port Orford)
- R25093 (0 acre/20.5' wide 'alley' by hardware store in Port Orford)
- R15452 (.03 acre triangle between Myrtle Lane and Oregon St./Hwy. 101, Port Orford)
- R33998 (.23 acres off Elk River Rd. used for access purposes by a private party)
- R24685 (12' x 12' square, Edson Creek Rd.)
- R24687 (.51 acre along Eagleview Dr.)
- R24778 (.05 acre strip near Russell St., Gold Beach)
- R12398 (0 acre strip off 2nd St. in Gold Beach)
- R27341 (.03 acre 'nub' in access off Hassett St., Brookings)
- R22516 (.01 acre strip off Chapman Lane, Brookings)
- R22514 (.08 acre Merrill Lane/used as a private drive, Brookings)
- R24761 (.06 acre 'alley' off Pioneer Rd. in Brookings)
- R22553 (.54 acre Carson Lane/private drive, Brookings)
- R35333 (.2 acre Morrison Lane/private drive, Brookings)
- R15669 (0 acre strip off Alder St., Brookings)
- R27138 (.17 acre triangle at intersection of Coho Dr. and N Bank Chetco River Rd.)
- R26015 (.03 acre culvert off Oceanview Dr.)

Sell the following (Assessor/Counsel):

- Boice Cope Area Parcels (offer to neighbors first)

- R19905 (.12 Ac. lone parcel by Floras Lake, off Avenue G—offer to adjacent neighbors first—have a letter from neighbor already who wants to purchase it)
- R24630 (1.15 acres south of landfill, appears landlocked, may need deed restriction on drilling a well)
- R14709, R14653 (.13 and .15 acres, two parcels county ‘bought out’, squatter needs to be removed, may need deed restriction on drilling a well)
- R24826 (.13 acre parcel off of Nicholson Dr.—offer to neighbors first)
- R15635 (.4 acres acquired by Sheriff’s Dept., sell with all proceeds going to Sheriff’s Dept. for SAR, doesn’t sell, then offer to Habitat for Humanity)
- R24678 (.71 acre on Coy Creek Rd. ODOT transferred to Roads; Roads recommends selling)
- R17273 (Purported .14 acre piece at end of Hayden Rd., most of which has eroded away, used by adjacent neighbor as private beach access—offer to adjacent neighbor first)
- R19996 (0 acre parcel between Rush Building and Marstall Building, if doesn’t sell in twelve months, gift to a non-profit for use as a bike station or other county approved public land use, or, retain for Veteran’s center/gallery)
- R18108 (1.6 acre off Hunter Creek Ht./Laurel Lane, put in county’s name until sold—have a letter from neighbor who wants to purchase the property)
- R36551 (3.35 acre off Hunter Creek Ht., with mobile home, sell ‘as is’, put in county’s name until sold—have a letter from neighbor who wants to purchase the property)
- R12248 (1.81 acre off Henderson Road)
- R12801 (.1 acre near Harris Creek, offer to adjacent neighbors first)
- R13298 (.12 acre triangle near Harris Creek, offer to adjacent neighbors first)
- R24760 (1.1 acre on the Chetco River, under the overpass)

Gift (State Parks):

- R24769 (4.8 acres of submerged land near Oceanshores in Harbor, gift to State)

Retain the Following with Intent to Trade for Other Public Lands:

- R23867 (34.83 acre wetland, oceanside, north of Floras Lake)
- R18951, R19144 (10 and 20 acre forested pieces for county forest, or, trade for more accessible forestland)
- R24625 (40 acre forested land for county forest, or, trade for more accessible forestland)
- R22344 (33.6 acre sand and gravel bar on east and west side of Chetco River, adjacent to Federal land)
- R24743 (that portion of the 30 acre Road Dept. east of Hunter Creek to be traded for public land)

Retain:

- R24628 (Parcel at north of end of Port Orford area landfill/retain with the exception of current ‘negotiations’)
- R24267, R24631, R24629 (Landfill, retain for landfill purposes, and, use for SAR and/or tsunami storage purposes)
- R23869 (64 acre triangle by Cape Blanco Airport, retain for future industrial or other use, per study, and consider leasing to neighbors, and, use for SAR and/or tsunami storage purposes)
- R25525 (.09 acre ‘Blue Building’ in Port Orford)
- R23305 (3.63 acre wetland along Nesika Rd., retain until Nature Conservancy can demonstrate in writing they have documentation the county has agreed to let them use the property, if not, sell, offering to neighbors first)

- R27161 (10 acre Nesika Beach Dump)
- R24671 (.48 acre cemetery and easement off of Oak Flat Rd.)
- R14882 (4.84 acre slide parcel on Cedar Valley Rd. from FEMA, must stay in open space, consider for forestry potential, if viable)
- R24733, R24688, R24732, R24734, R24737, R24736, R24735 ('County Complex', retain until a new county complex can be developed outside the inundation zone, and then sell—reuse ideas presented at April 13 workshop)
- R11663 (.13 acre 'Pocket Park' at Moore and Ellensburg in Gold Beach, work with Gold Beach or individually on grants for a new fountain highlighting area gold panning history—example given at April 13 workshop)

Task Force:

- R10915, R24746 (Brookings Airport; create separate task force to determine whether it should be retained, returned to the state, or sold back to the City of Brookings or Port of Brookings Harbor)
- Floras Lake parcels discussed at April 20 General Meeting, as well as others warranting additional study

Thank you for your consideration.

Sincerely,



Julie A. Schmelzer  
Director of Administration and Economic Development

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 03-02-2016

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Continue the discussion of employment-related performance with respect to GIS.

**AGENDA DATE<sup>a</sup>:** 05-04-16 **DEPARTMENT:** CommHuxley **TIME NEEDED:** 60 min.

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** Huxley **PHONE/EXT:** 3213 **TODAY'S DATE:** 04-27-16

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** Evaluate Employee Related Performance. This began as an Executive Session ORS192.660(2)(i) Evaluate Employee Related Performance. The employee opted to have it as an open session. It continued as Old Business and does such again.

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:** **SUBMISSION TYPE:** Discussion/Decision

- (1)
- (2)

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

- 1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
- 2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
- 3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

- File with County Clerk
- Send Printed Copy to:
- Email a Digital Copy to:
- Other

Name:  
Address:  
City/State/Zip:

Phone:

Due date to send:        /        /

Email:

<sup>c</sup>Note: Most signed documents are filed/recorded with the Clerk per standard process.

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A   
(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

- 1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
- 2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
- 3. If job description, Salary Committee reviewed: Yes  No  N/A
- 4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** Old Business

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No   
(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

- Commissioner Susan Brown Yes  No
- Commissioner Thomas Huxley Yes  No
- Commissioner David Brock Smith Yes  No

Not applicable to Sheriff's Department since they do not have a liaison

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 03-02-2016

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Second Reading Ordinance Repealing Article Two, Division Fifteen of the Curry County Code - Regulating Medical Marijuana Dispensary Facilities in Unincorporated Area

**AGENDA DATE<sup>a</sup>:** 04-20-16 **DEPARTMENT:** Counsel **TIME NEEDED:** 15

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** John Huttl **PHONE/EXT:** 3218 **TODAY'S DATE:** 04-13-16

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** This Ordinance would Repeal Article Two, Division Fifteen effective in 90 days

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:**

**SUBMISSION TYPE:** Ordinance

- (1)Ordinance 16-420-1
- (2)

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Send Printed Copy to:

Email a Digital Copy to:

Other

Name:

Address:

City/State/Zip:

Phone:

Due date to send:        /        /

Email:

**\*Note: Most signed documents are filed/recorded with the Clerk per standard process.**

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A   
(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
3. If job description, Salary Committee reviewed: Yes  No  N/A
4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** Legislative Actions

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No   
(If Yes, brief detail) Removes Regulation of Medical Marijuana Dispensary Facilities.

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

- Commissioner Susan Brown Yes  No
- Commissioner Thomas Huxley Yes  No
- Commissioner David Brock Smith Yes  No

Not applicable to Sheriff's Department since they do not have a liaison

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
IN AND FOR THE COUNTY OF CURRY, OREGON

In the Matter of an Ordinance    )  
Repealing Article Two, Division    )  
Fifteen of the Curry County        )  
Code                                        )                                        ORDINANCE NO. 16-420-1

The Board of Commissioners for the County of Curry ordains as follows:

SECTION ONE    TITLE

This Ordinance shall be known as Ordinance No.16-420-1, an Ordinance amending the Curry County Code.

SECTION TWO    FINDINGS

- 1) The current Article Two, Division Fifteen of the Curry County Code is entitled “Regulating Medical Marijuana Dispensary Facilities in the Unincorporated Area of Curry County, establishing a permit process and declaring an emergency **(Ordinance 14-03)**”; “Amendment to Ordinance 14-03 re Medical Marijuana Dispensary Facilities **(Ordinance 14-09)**; **(Ordinance No. 15-02)** Amending Ordinance No. 14-03 (as amended by Ordinance No. 14-09) Regarding Medical Marijuana Dispensary Facilities); and **(Ordinance No. 15-04)** Correcting a Scrivener’s Error on the Ordinance Amending Ordinance No. 14-03 as Amended Regarding Medical Marijuana Dispensary Facilities.
- 2) Since the adoption of the above Ordinances, the State of Oregon has made lawful the retail sale of recreational marijuana.
- 3) The state law allows counties to adopt reasonable time, place and manner regulations of recreational marijuana retailers.
- 4) Curry County has decided to adopt retail marijuana regulations.
- 5) In equity and fairness, the Curry County Board of Commissioners repeals its Regulating Medical Marijuana Dispensary Facilities Ordinances.

SECTION THREE    REPEALER

Article Two, Division Fifteen of the Curry County Code concerning “Regulating Medical Marijuana Dispensary Facilities in the Unincorporated Area of Curry County” is repealed in its entirety, effective 90 days after passage of this Ordinance.

Dated this 04 day of May, 2016.

Curry County Board of Commissioners

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Thomas Huxley, Chair

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Susan Brown, Vice Chair

---

David Brock Smith, Commissioner

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Recording Secretary

Approved as to Form:

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John HuttI,  
Curry County Counsel

First Reading: \_\_\_\_\_ April 20, 2016 \_\_\_\_\_

Second Reading and Adoption: \_\_\_\_\_ May 04, 2016 \_\_\_\_\_

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 03-02-2016

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Second Reading of Ordinance Imposing a Marijuana Retail Sales Tax in the Unincorporated area of the County and Referring It to the People

**AGENDA DATE<sup>a</sup>:** May 04, 2016 **DEPARTMENT:** Counsel **TIME NEEDED:** 20 min

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** John Huttl **PHONE/EXT:** 3218 **TODAY'S DATE:** 04-13-16

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** If approved by Board of Commissioners, this Ordinance would go to a vote of the people November 8, 2016

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:**

**SUBMISSION TYPE:** Ordinance

- (1)Ordinance Imposing, Variations
- (2)Exhibit "A"

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

- 1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
- 2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
- 3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other BOC Decision on version

Phone:

Due date to send:        /        /

Email:

**\*Note: Most signed documents are filed/recorded with the Clerk per standard process.**

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A

(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

- 1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
- 2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
- 3. If job description, Salary Committee reviewed: Yes  No  N/A
- 4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** Legislative Actions

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No

(If Yes, brief detail) Required to place Marijuana Retail Sales Tax on the November, 2016 Ballot

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Susan Brown Yes  No

Commissioner Thomas Huxley Yes  No

Commissioner David Brock Smith Yes  No

Not applicable to Sheriff's Department since they do not have a liaison

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
IN AND FOR THE COUNTY OF CURRY, OREGON

In the Matter of an Ordinance Imposing            )  
A Marijuana Retail Sales Tax within                )  
Curry County; Authorizing Rule                    )        ORDINANCE NO. 16-420-2  
Making; And Referring it to the People            )

The Board of Curry County Commissioners hereby ordains as follows:

SECTION I        TITLE

This Ordinance shall be known 16-420-2 and may be cited as the "Marijuana Retail Sales Tax Ordinance of Curry County."

SECTION II       AUTHORITY

ORS 475B.110 and ORS 475B.345, and ORS 203.035 to 203.055.

SECTION III       PURPOSE

The purpose of this Ordinance is to impose a tax on the retail sales of marijuana items, and authorize local Ordinance administering rules and procedures to administer tax Ordinance.

SECTION IV       ADOPTION AND REFERRAL

Exhibit "A", the text of this Ordinance, which is attached hereto and incorporated by reference, is hereby adopted, subject to and effective on approval by a majority of Curry County voters at an election on November 8, 2016.

SECTION V        SEVERANCE CLAUSE

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance, or any part thereof, is for any reason held to be unconstitutional (or otherwise invalid), such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The legislative body hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional (or otherwise invalid).

SECTION VI       EFFECTIVE DATE

This Ordinance, if approved by the voters at the November 8, 2016, election, shall become effective at 12:01 A.M. on the 1<sup>st</sup> day of January, 2017.

DATED this 4<sup>th</sup> day of May, 2016.

BOARD OF CURRY COUNTY COMMISSIONERS:

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Thomas Huxley, Chair

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Susan Brown, Vice Chair

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David Brock Smith, Commissioner

Attest:

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Recording Secretary

Approved as to Form:

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John HuttI  
Curry County Legal Counsel

First Reading: April 20, 2016

Second Reading and Adoption: May 04, 2016



## MEMORANDUM

FROM: John R. HuttI, Curry County Counsel  
TO: Board of Commissioners  
RE: Marijuana Tax and Implementing Ordinances Second Reading  
DATE: April 27, 2016

---

This memorandum describes the changes in the Marijuana Tax and Implementing ordinances since the last Board Meeting and the options for the Board.

### Changes

The changes to the Ordinance are essentially clerical in nature and not substantive. The changes can be summarized as follows:

- Amend section numbers to reconcile the two ordinances. The prior two ordinances each had a separate section for definitions. The changes eliminate one of the definitions sections in one of the ordinances to eliminate duplication.
- Code section cross-references needed to be corrected. Some of the cross-referencing in certain code sections referenced the wrong section of the code.

The changes to the text did not change the substance of the ordinances.

### Options for the Board

At the first reading and the work session, two main issues arose: Who would administer the tax; and whether 25% of the proceeds would be dedicated to special economic development fund.

Two separate sets of ordinances are presented for consideration. One set of ordinances has the "Economic Development Director or designee" as the collector and administrator of the tax, with the corresponding 25% of the tax proceeds dedicated to economic development.

The other set of ordinances has "the Board or its designee" as the collector of the tax, and eliminates the dedication of 25% of the proceeds to a fund for economic development.

A handwritten signature in black ink, appearing to read "John R. HuttI".

John R. HuttI  
County Legal Counsel

Exhibit "A"

ARTICLE TWO

DIVISION SIXTEEN - IMPOSING MARIJUANA RETAIL SALES TAX

Section 2.16.010 Title

This Ordinance shall be known as the Marijuana Retail Sales Tax Ordinance No. 16-420-2

Section 2.16.020 Definitions

As used herein, words shall have such meaning as defined in ORS 475B.015 and ORS475B.700. A non-exhaustive list of definitions is set forth below for example. State of Oregon administrative rules can be used to further interpret the definitions.

- (1) "Board of Commissioners / BOC" means the Curry County Board of County Commissioners, or its designee.
- (2) "Cannabinoid" means any of the chemical compounds that are the active constituents of marijuana.
- (3)(a) "Cannabinoid product" means a cannabinoid edible and any other product intended for human consumption or use, including a product intended to be applied to the skin or hair, that contains cannabinoids or dried marijuana leaves or flowers.
  - (b) "Cannabinoid product" does not include:
    - (1) Usable marijuana by itself;
    - (2) A cannabinoid concentrate by itself;
    - (3) A cannabinoid extract by itself; or
    - (4) Industrial hemp, as defined in ORS 571.300.
- (4) "Consumer" means a person who purchases, acquires, owns, holds or uses marijuana items other than for the purpose of resale.
- (5) "Board of Commissioners or its designee" means the Board of Commissioners or its designee of the Curry County, Oregon, or designee.
- (6)(a) "Financial consideration" means value that is given or received either directly or indirectly through sales, barter, trade, fees, charges, dues, contributions or donations.
  - (b) "Financial consideration" does not include:

(1) Homegrown marijuana that is given or received when nothing is given or received in return; or

(2) Homemade cannabinoid products or cannabinoid concentrates that are given or received when nothing is given or received in return.

(7) “Licensee” means a holder of a recreational marijuana retail license under ORS 475B.110 and the rules promulgated thereunder.

(8) “Licensee representative” means an owner, director, officer, manager, employee, agent or other representative of a licensee, to the extent that the person acts in a representative capacity.

(9)(a) “Marijuana” means the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae.

(b) “Marijuana” does not include industrial hemp, as defined in ORS 571.300.

(10) “Marijuana flowers” means the flowers of the plant genus Cannabis within the plant family Cannabaceae.

(11) “Marijuana items” means marijuana, cannabinoid products, cannabinoid concentrates and cannabinoid extracts.

(12) “Marijuana leaves” means the leaves of the plant genus Cannabis within the plant family Cannabaceae.

(13) “Marijuana retailer” means a licensee who sells marijuana items to a consumer in this state.

(14) “Marijuana Retail Facility” means an establishment, physical or virtual, where a marijuana retailer makes marijuana items available to consumers for financial consideration.

(15) “Mature marijuana plant” means a marijuana plant that is not an immature marijuana plant.

(16) “Noncommercial” means not dependent or conditioned upon the provision or receipt of financial consideration.

(17) “Person” means any individual, firm, partnership, joint venture, association, social club, fraternal organization, fraternity, sorority, public or private dormitory, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

(18)(a) “Premises” or “licensed premises” includes the following areas of a location licensed under 475B.110:

(1) All public and private enclosed areas at the location that are used in the business operated at the location, including offices, kitchens, rest rooms and storerooms;

(2) All areas outside a building specifically licensed for the production, processing, wholesale sale or retail sale of marijuana items; and

(3) "Premises" or "licensed premises" does not include a primary residence.

(19) "Public place" means a place to which the general public has access and includes, but is not limited to, hallways, lobbies and other parts of apartment houses and hotels not constituting rooms or apartments designed for actual residence, and highways, streets, schools, places of amusement, parks, playgrounds and areas used in connection with public passenger transportation.

(20) "Retail sale" means any transfer, exchange, gift or barter of a marijuana item by any person to a consumer.

(21) "Retail sales price" means the price paid for a marijuana item, excluding tax, to a marijuana retailer by or on behalf of a consumer of the marijuana item. [2015 c.699 §1]

(22) "Tax" means either the tax payable by the consumer, or the aggregate amount of taxes due from a retailer during the period for which he is required to report his collections.

(23)(a) "Usable marijuana" means the dried leaves and flowers of marijuana.

(b) "Usable marijuana" does not include:

(1) The seeds, stalks and roots of marijuana; or

(2) Waste material that is a by-product of producing or processing marijuana.

#### Section 2.16.030 Implementing Ordinance Authorization

The Board may by separate Ordinance promulgate additional definitions, rules and regulations necessary or convenient for the administration, collection, refund, and enforcement of this Ordinance.

#### Section 2.16.040 Tax Imposed

(1) For the privilege of operating a marijuana retail facility in Curry County, a tax of three percent (3%) is imposed on any consideration rendered for the sale or transfer of Marijuana Items from a licensee to a consumer.

(a) The tax must be computed on the total retail sales price, including all charges other than taxes, paid by a person for marijuana items.

(b) The tax shall be collected by the licensee that receives the consideration rendered for the marijuana item.

(c) The tax imposed by this subsection is in addition to and not in lieu of any state tax on marijuana items, or any other sales taxes after adopted by the County.

#### Section 2.16.050 Effective Date

This Ordinance shall become effective at 12:01A.M. on the 1<sup>st</sup> day of January, 2017, if it is approved by voters at the November 8, 2016 election.

Exhibit "A"

ARTICLE TWO

DIVISION SIXTEEN - IMPOSING MARIJUANA RETAIL SALES TAX

Section 2.16.010 Title

This Ordinance shall be known as the Marijuana Retail Sales Tax Ordinance No. 16-420-2

Section 2.16.020 Definitions

As used herein, words shall have such meaning as defined in ORS 475B.015 and ORS475B.700. A non-exhaustive list of definitions is set forth below for example. State of Oregon administrative rules can be used to further interpret the definitions.

- (1) "Board of Commissioners / BOC" means the Curry County Board of County Commissioners, or its designee.
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    - (1) Usable marijuana by itself;
    - (2) A cannabinoid concentrate by itself;
    - (3) A cannabinoid extract by itself; or
    - (4) Industrial hemp, as defined in ORS 571.300.
- (4) "Consumer" means a person who purchases, acquires, owns, holds or uses marijuana items other than for the purpose of resale.
- (5) "Economic Development Director" means the Economic Development Director of Curry County, Oregon.
- (6)(a) "Financial consideration" means value that is given or received either directly or indirectly through sales, barter, trade, fees, charges, dues, contributions or donations.
  - (b) "Financial consideration" does not include:
    - (1) Homegrown marijuana that is given or received when nothing is given or received in return; or

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(7) “Licensee” means a holder of a recreational marijuana retail license under ORS 475B.110 and the rules promulgated thereunder.

(8) “Licensee representative” means an owner, director, officer, manager, employee, agent or other representative of a licensee, to the extent that the person acts in a representative capacity.

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(b) “Marijuana” does not include industrial hemp, as defined in ORS 571.300.

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(14) “Marijuana Retail Facility” means an establishment, physical or virtual, where a marijuana retailer makes marijuana items available to consumers for financial consideration.

(15) “Mature marijuana plant” means a marijuana plant that is not an immature marijuana plant.

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(17) “Person” means any individual, firm, partnership, joint venture, association, social club, fraternal organization, fraternity, sorority, public or private dormitory, joint stock company, corporation, estate, trust, business trust, receiver, trustee, syndicate, or any other group or combination acting as a unit.

(18)(a) “Premises” or “licensed premises” includes the following areas of a location licensed under 475B.110:

(1) All public and private enclosed areas at the location that are used in the business operated at the location, including offices, kitchens, rest rooms and storerooms;

(2) All areas outside a building specifically licensed for the production, processing, wholesale sale or retail sale of marijuana items; and

(3) "Premises" or "licensed premises" does not include a primary residence.

(19) "Public place" means a place to which the general public has access and includes, but is not limited to, hallways, lobbies and other parts of apartment houses and hotels not constituting rooms or apartments designed for actual residence, and highways, streets, schools, places of amusement, parks, playgrounds and areas used in connection with public passenger transportation.

(20) "Retail sale" means any transfer, exchange, gift or barter of a marijuana item by any person to a consumer.

(21) "Retail sales price" means the price paid for a marijuana item, excluding tax, to a marijuana retailer by or on behalf of a consumer of the marijuana item. [2015 c.699 §1]

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The Board may by separate Ordinance promulgate additional definitions, rules and regulations necessary or convenient for the administration, collection, refund, and enforcement of this Ordinance.

#### Section 2.16.040 Tax Imposed

(1) For the privilege of operating a marijuana retail facility in Curry County, a tax of three percent (3%) is imposed on any consideration rendered for the sale or transfer of Marijuana Items from a licensee to a consumer.

(a) The tax must be computed on the total retail sales price, including all charges other than taxes, paid by a person for marijuana items.

(b) The tax shall be collected by the licensee that receives the consideration rendered for the marijuana item.

(c) The tax imposed by this subsection is in addition to and not in lieu of any state tax on marijuana Items, or any other sales taxes after adopted by the County.

#### Section 2.16.060 Effective Date

This Ordinance shall become effective at 12:01A.M. on the 1<sup>st</sup> day of January, 2017, if it is approved by voters at the November 8, 2016 election.

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 03-02-2016

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Second Reading of Ordinance Implementing a Marijuana Retail Sales Tax in the Unincorporated area of the County

**AGENDA DATE<sup>a</sup>:** May 04, 2016 **DEPARTMENT:** Counsel **TIME NEEDED:** 20 min

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** John Huttl **PHONE/EXT:** 3218 **TODAY'S DATE:** 04-13-16

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** This Ordinance would implement the Marijuana Retail Sales Tax Ordinance for Curry County

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:** **SUBMISSION TYPE:** Ordinance

- (1)Ordinance Implementing, Variations
- (2)Exhibit "A"

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other Decision of Variation by BOC

Phone:

Due date to send:        /        /

Email:

**\*Note: Most signed documents are filed/recorded with the Clerk per standard process.**

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A

(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
3. If job description, Salary Committee reviewed: Yes  No  N/A
4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** Legislative Actions

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No

(If Yes, brief detail) If approved, this would implement the Imposing Ordinance for the Marijuana Retail Sales Tax

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Susan Brown Yes  No

Commissioner Thomas Huxley Yes  No

Commissioner David Brock Smith Yes  No

Not applicable to Sheriff's Department since they do not have a liaison

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
IN AND FOR THE COUNTY OF CURRY, OREGON

In the Matter of an Ordinance Implementing	)	
The Marijuana Retail Sales Tax Ordinance	)	
for Curry County; Providing Administrative	)	
Procedures for Collection; Refunds;	)	ORDINANCE NO. 16-420-3
Enforcement; and Establishing Penalties for	)	
ORDINANCE NO. 16-420-2.	)	

The Board of Curry County Commissioners hereby ordains as follows:

SECTION I      TITLE

This Ordinance shall be known as the Marijuana Retail Sales Tax Ordinance, Ordinance No. 16-420-3.

SECTION II      AUTHORITY

This Ordinance is enacted pursuant to ORS 203.035 through ORS 203.055, and ORS 475B.345.

SECTION III      PURPOSE

The purpose of this Ordinance is to implement Ordinance No. 16-420-2, and to provide for certain administrative procedures to carry out its purposes.

SECTION IV      SEVERANCE CLAUSE

If any section, subsection, provision, clause or paragraph of the Ordinance shall be adjudged or declared by any court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect the validity of the remaining portions of this Ordinance. It is expressly declared that every other section, subsection, provision, clause or paragraph of the Ordinance enacted, irrespective of the enactment or validity of the portion thereof declared to be unconstitutional or invalid, is valid.

SECTION V      EFFECTIVE DATE

This Ordinance, if the Marijuana Retail Sales Tax is approved by the voters at the November 8, 2016 election, shall become effective at 12:01 A.M. on the 1<sup>st</sup> day of January, 2017.

DATED this 4th day of May, 2016.

BOARD OF CURRY COUNTY COMMISSIONERS

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Thomas Huxley, Chair

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Susan Brown, Vice Chair

---

David Brock Smith, Commissioner

Attest:

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Recording Secretary

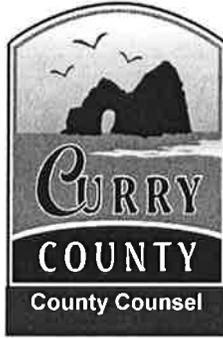
Approved as to Form:

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John Hutt  
Curry County Legal Counsel

First Reading: April 20, 2016

Second Reading and Adoption: May 04, 2016



## MEMORANDUM

FROM: John R. HuttI, Curry County Counsel  
TO: Board of Commissioners  
RE: Marijuana Tax and Implementing Ordinances Second Reading  
DATE: April 27, 2016

---

This memorandum describes the changes in the Marijuana Tax and Implementing ordinances since the last Board Meeting and the options for the Board.

### Changes

The changes to the Ordinance are essentially clerical in nature and not substantive. The changes can be summarized as follows:

- Amend section numbers to reconcile the two ordinances. The prior two ordinances each had a separate section for definitions. The changes eliminate one of the definitions sections in one of the ordinances to eliminate duplication.
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### Options for the Board

At the first reading and the work session, two main issues arose: Who would administer the tax; and whether 25% of the proceeds would be dedicated to special economic development fund.

Two separate sets of ordinances are presented for consideration. One set of ordinances has the “Economic Development Director or designee” as the collector and administrator of the tax, with the corresponding 25% of the tax proceeds dedicated to economic development.

The other set of ordinances has “the Board or its designee” as the collector of the tax, and eliminates the dedication of 25% of the proceeds to a fund for economic development.

John R. HuttI  
County Legal Counsel

**Exhibit "A"**  
**ARTICLE TWO**

**DIVISION SIXTEEN - IMPLEMENTATION OF MARIJUANA RETAIL SALES TAX**

**Section 2.16.020 Definitions**

For definitions, refer to Ordinance No. 16-420-2 Section 2.16.020

**Section 2.16.070 Title and Effective Date**

This Ordinance shall be known and may be cited as the "Marijuana Retail Sales Tax Ordinance of Curry County Implementing Ordinance, and as Ordinance No. 16-420-3. This Implementing Ordinance shall be effective on January 1, 2017 only upon passage of Ordinance Imposing a Marijuana Retail Sales Tax by voters.

**Section 2.16.080 Registration of Licensee; Form and Contents; Execution; Certification of Authority**

1) Every person engaging or about to engage in business as a licensee in this County shall register with the Board of Commissioners or its designee on a form provided by the Board.

(a) Licensees engaged in business at the time this Ordinance is adopted must register not later than thirty (30) calendar days after this adoption.

(b) Licensees starting business after this Ordinance is adopted must register within fifteen (15) calendar days after commencing business.

(2) The privilege of registration after the date of imposition of such tax shall not relieve any person from the obligation of payment or collection of tax regardless of registration.

(3) Registration shall set forth:

(a) the name under which a licensee transacts or intends to transact business;

(b) the location of its place or places of business; and,

(c) the name of a natural person personally responsible for payment of taxes, in addition to the business;

(d) such other information to facilitate the collection of the tax as the Board may require.

The registration shall be signed by the licensee. The Board of Commissioners or its designee shall, within ten days after registration, issue without charge a certificate of authority to each licensee to collect the tax from consumer. Certificates shall be non-assignable and nontransferable and shall be surrendered immediately to the Board of Commissioners or its designee upon the cessation of business at the location named or upon its sale or

transfer. Each certificate shall state the place of business to which it is applicable and shall be prominently displayed therein so as to be seen and come to the notice readily of all occupants and persons seeking occupancy. Said certificate shall, among other things, state the following:

- (a) The name of the licensee;
- (b) The address of the business;
- (c) The date upon which the certificate was issued;

(d) "This Marijuana Retail Registration Certificate signifies that the person named on the face hereof has fulfilled the requirements of the Recreational Marijuana Retail Tax Ordinance of Curry County by registration with the Board of Commissioners or its designee for the purpose of collecting from consumers the three percent (3%) tax imposed by said County and remitting said tax to the Board of Commissioners or its designee. This certificate does not authorize any person to conduct any unlawful business or to conduct any lawful business in an unlawful manner, or to operate a marijuana retail business without strictly complying with all local applicable laws including but not limited to those requiring a permit from any board, commission, department or office of Curry County. This certificate does not constitute a permit."

#### Section 2.16.090 Due Date and Form of Returns

(1) On or before the last day of each month a return for the preceding month's tax collections shall be filed with the Board of Commissioners or its designee. The return shall be filed in such form as the Board of Commissioners or its designee may prescribe by every licensee liable for payment of tax.

(2) Returns shall show the amount of tax collected or otherwise due for the related period. The Board of Commissioners or its designee may require returns to show the total sales upon which tax was collected or otherwise due, gross receipts of licensee for such period and an explanation in detail of any discrepancy between such amounts, if any.

(3) The person required to file the return shall deliver the return, together with the remittance of the amount of the tax due, to the Board of Commissioners or its designee at its office either by personal delivery by mail or by any commercially reasonable means, including but not limited to electronic or telephonic transfer, or private delivery service(PDS). For purposes of determining delinquencies, the date of delivery is the later of receipt of the return or receipt of the tax by the Board of Commissioners or its designee. If the return is mailed, the postmark date from the United States Postal Service shall be considered the date of delivery for determining delinquencies. (PDS) shipping date may be treated as an equivalent to the United States Postal Service for purposes of the postmark rule. If the return is delivered in person, it must be received on or before the due date during business hours (8am-12 Noon and 1pm-5pm, Monday-Friday). For purposes of imposing penalties and interest for delinquent filing, a 5 day grace period shall be given. This means that any return and tax remittance delivered within 5 days of the due date will not be assessed penalties and or interest.

(4) For good cause, the Board of Commissioners or its designee may extend for not to exceed one month the time for making any return or payment of tax. No further extension shall be granted, except by the Curry County Board of Commissioners upon appeal. Any licensee to whom an extension is granted shall pay interest at the rate of one percent (1%) per month on the amount of tax due without proration for a fraction of a month. If a return is not filed, and the tax and interest due is not paid by the end of the extension granted, then the interest shall become a part of the tax for computation of penalties described elsewhere in this Ordinance.

### Section 2.16.100 Tax Collection

For the privilege of selling marijuana goods after the effective date of this Ordinance, each Marijuana Licensee shall pay a tax in the amount required by Curry County Ordinance No. 16-420-2. The tax constitutes a debt owed by the Marijuana Licensee to the County, which is extinguished only by payment by the Marijuana Licensee tax collector to the County. The tax shall be collected at the point of sale of a marijuana item by a marijuana retailer at the time at which the retail sale occurs and remitted by each marijuana retailer that engages in the retail sale of marijuana items.

### Section 2.16.110 Marijuana Licensee Tax Collector's Duties

Each Marijuana Licensee tax collector shall collect the tax imposed by this Ordinance at the same time as the tax is collected from every consumer. The amount of tax shall be separately stated upon the Marijuana Licensee's tax collector's records, and any receipt rendered by the Marijuana Licensee tax collector. No Marijuana Licensee tax collector of a Marijuana Licensee shall advertise that the tax or any part of the tax will be assumed or absorbed by the Marijuana Licensee tax collector, or that it will not be added to the "marijuana product", or that, when added, any part will be refunded, except in the manner provided by this Ordinance.

### Section 2.16.120 Penalties and Interest

(1) Original Delinquency. Any licensee who has not been granted an extension of time for remittance of tax due and who fails to remit any tax imposed by this Ordinance prior to delinquency shall pay a penalty of ten percent (10%) of the amount of the tax due in addition to the amount of the tax.

(2) Continued Delinquency. Any licensee who has not been granted an extension of time for remittance of tax due, and who failed to pay any delinquent remittance on or before a period of thirty days following the date on which the remittance first became delinquent shall pay a second delinquency penalty of fifteen percent (15%) of the amount of the tax due plus the amount of the tax and the ten percent (10%) penalty first imposed.

(3) Fraud. If the Board of Commissioners or its designee determines that the nonpayment of any remittance due under this Ordinance is due to fraud or intent to evade the provisions thereof, a penalty of twenty-five percent (25%) of the amount of the tax shall be added thereto in addition to the penalties stated in paragraphs (1) and (2) of this section.

(4) Interest. In addition to the penalties imposed, any licensee who fails to remit any tax imposed by this Ordinance shall pay interest at the rate of one percent (1%) per month or fraction thereof without proration for portions of a month, on the amount of the tax due, exclusive of penalties, from the date on which the remittance first became delinquent until paid.

(5) Penalties Merged With Tax. Every penalty imposed and such interest as accrues under the provisions of this section shall be merged with and become a part of the tax herein required to be paid.

(6) Petition for Waiver. Any licensee who fails to remit the tax herein levied within the time herein stated shall pay the penalties herein stated provided, however, the licensee may petition the Board of Commissioners for waiver and refund of the penalty or any portion thereof and the Board of Commissioners may, if a good and sufficient reason is shown, waive and direct a refund of the penalty or any portion thereof.

(7) Notwithstanding the provisions of this section, failure to remit taxes constitutes a violation of this Ordinance subject to citation and fine under Article Ten of the Curry County Ordinances. Further, the County reserves all rights at law or in equity to enforce the provisions of this Ordinance.

#### Section 2.16.130 Deficiency Determinations; Evasion; Marijuana Retail Sales Tax Collector Delay

(1) Deficiency Determination. If the Board of Commissioners or its designee determines that the returns are incorrect, the Board may compute and determine the amount required to be paid upon the basis of the facts contained in the return or returns or upon the basis of any information within its possession or that may come into its possession. One or more deficiency determinations may be made of the amount due for one, or more than one period, and the amount so determined shall be due and payable immediately upon service of notice as herein provided after which the amount determined is delinquent. Penalties or deficiencies shall be applied as set forth in Section 2.16.120.

(a) In making a determination the Board of Commissioners or its designee may offset overpayments, if any, which may have been previously made for a period or periods, against any underpayment for a subsequent period or periods, or against penalties, and interest, on the underpayments. The interest on underpayments shall be computed in the manner set forth in Section 2.16.120

(b) The Board of Commissioners or its designee shall give to the licensee or occupant a written notice of its determination. The notice may be served personally or by mail; if by mail, the notice shall be addressed to the licensee at its address as it appears in the records of the Board of Commissioners or its designee. In the case of service by mail of any notice required by this Ordinance the service is complete at the time of deposit in the United States Post Office.

(c) Except in the case of fraud, intent to evade this Ordinance or authorized rules and regulations, every deficiency determination shall be made and notice thereof mailed within three years after the last day of the month following the close of the monthly period for which the amount is proposed to be determined or within three years after the return is filed, whichever period expires later.

(d) Any determination shall become due and payable immediately upon receipt of notice and shall become final within ten days after the Board of Commissioners or its designee has given notice thereof, provided, however, the licensee may petition for redemption and refund if the petition is filed before the determination becomes final as herein provided.

(2) Fraud, Refusal to Collect, Evasion. If any licensee shall fail or refuse to collect said tax or to make, within the time provided in this Ordinance, any report and remittance of said tax or any

portion thereof required by this Ordinance, or makes a fraudulent return or otherwise willfully attempts to evade this Ordinance, the Board of Commissioners or its designee shall proceed in such manner as it may deem best to obtain facts and information on which to base an estimate of the tax due. As soon as the Board of Commissioners or its designee has determined the tax due that is imposed by this Ordinance from a licensee who has failed or refused to collect the same and to report and remit said tax, it shall proceed to determine and assess against such licensee the tax, interest, and penalties, provided for by this Ordinance. In case such determination is made, the Board of Commissioners or its designee shall give a notice in the manner aforesaid of the amount so assessed. Such determination and notice shall be made and mailed within three years after discovery by the Board of Commissioners or its designee of any fraud, intent to evade or failure or refusal to collect said tax, or failure to file return. Any determination shall become due and payable immediately upon receipt of notice and shall become final within ten days after the Board of Commissioners or its designee has given notice thereof, provided, however, the licensee may petition for redemption and refund if the petition is filed before the determination becomes final as herein provided.

(3) Licensee Delay. If the Board of Commissioners or its designee believes that the collection of any tax or any amount of tax required to be collected and paid to the County will be jeopardized by delay, or if any determination will be jeopardized by delay, it shall thereupon make a determination of the tax or amount of tax required to be collected, noting the fact upon the determination. The amount so determined as herein provided shall be immediately due and payable, and the licensee shall immediately pay same determination to the Board of Commissioners or its designee after service of notice thereof, provided, however, the licensee may petition, after payment has been made, for redemption and refund of such determination, if the petition is filed within ten days from the date of service of notice by the Board of Commissioners or its designee.

#### Section 2.16.140 Redeterminations

(1) Any person against whom a determination is made under Section 2.16.130, or any person directly interested, may petition for a redetermination and redemption and refund within the time required in Section 2.16.130(1)(d). If a petition for redetermination and refund is not filed within the time required therein, the determination becomes final at the expiration of the allowable time.

(2) If a petition for redetermination and refund is filed within the allowable period, the Board of Commissioners or its designee shall reconsider the determination, and, if the person has so requested in its petition, shall grant the person an oral hearing and shall give him ten day notice of the time and place of the hearing. The Board of Commissioners or its designee may continue the hearing from time to time as may be necessary.

(3) The Board of Commissioners or its designee may decrease or increase the amount of the determination as a result of the hearing and if an increase is determined such increase shall be payable immediately after the hearing.

(4) The order or decision of the Board of Commissioners or its designee upon a petition for redetermination of redemption and refund becomes final ten (10) days after service upon the petitioner of notice thereof, unless appeal of such order or decision is filed with the Board of Commissioners within the ten (10) days after service of such notice.

(5) No petition for redetermination of redemption and refund or appeal therefrom shall be effective for any purpose unless the licensee has first complied with the payment provisions hereof.

#### Section 2.16.150 Security for Collection of Tax

(1) The Board of Commissioners or its designee, whenever he deems it necessary to insure compliance with this Ordinance, may require any licensee subject thereto to deposit with it such security in the form of cash, bond, or other security as the Board of Commissioners or its designee may determine. The amount of the security shall be fixed by the Board of Commissioners or its designee but shall not be greater than twice the licensee's estimated average monthly liability for the period for which it files returns, determined in such manner as the Board of Commissioners or its designee deems proper, or Five Thousand Dollars (\$5,000), whichever amount is less. The amount of the security may be increased or decreased by the Board of Commissioners or its designee subject to the limitations herein provided. The licensee has a right to appeal to the Board of Commissioners any decision of the Board of Commissioners or its designee made under this section.

(2) Any time within three years after any tax or any amount of tax required to be collected becomes due and payable or at any time within three years after any determination becomes final, the Board of Commissioners or its designee may bring an action in the courts of this State, or any other state, or of the United States in the name of the Curry County to collect the amount delinquent together with penalties and interest.

#### Section 2.16.160 Lien

The tax imposed by this Ordinance together with the interest and penalties herein provided and the filing fees paid to the County Clerk of Curry County, Oregon, and advertising costs which may be incurred when same becomes delinquent as set forth in this Ordinance shall be and, until paid, remain a lien from the date of its recording with the County Clerk of Curry County, Oregon, and superior to all subsequent recorded liens on all tangible personal property used in the Recreational Marijuana Retail operations of a licensee within Curry County and may be foreclosed on and sold as may be necessary to discharge said lien, if the lien has been recorded with the County Clerk of Curry County, Oregon. Notice of lien may be issued by the Board of Commissioners or its designee whenever the licensee is in default in the payment of said tax, interest and penalty and shall be recorded with the County Clerk of Curry County, Oregon and a copy sent to the delinquent licensee. The personal property subject to such lien may be foreclosed on and sold as provided by law.

Any lien for taxes as shown on the records of the proper County Official shall, upon the payment of all taxes, penalties, and interest thereon, be released by the Board of Commissioners or its designee when the full amount determined to be due has been paid to the County and the licensee or person making such payment shall receive a receipt therefor stating that the full amount of taxes, penalties, and interest thereon have been paid and that the lien is thereby released and the record of lien is satisfied.

### Section 2.16.170 Refunds

(1) Licensee Refunds. Whenever the amount of any tax, penalty, or interest has been paid more than once or has been erroneously or illegally collected or received by the Board of Commissioners or its designee under this Ordinance, it may be refunded, provided a verified claim in writing therefor stating the specific reason upon which the claim is founded, is filed with the Board of Commissioners or its designee within three years from the date of payment. The claim shall be made on forms provided by the Board of Commissioners or its designee. If the claim is approved by the Board of Commissioners or its designee, the excess amount collected or paid may be refunded or may be credited on any amounts due and payable from the licensee from whom it was collected or by whom paid and the balance may be refunded to such licensee, its administrators, executors or assignees.

(2) Consumer Refunds. Whenever the tax required by this Ordinance has been collected by the licensee, and deposited by the licensee with the Board of Commissioners or its designee, and it is later determined that the tax was erroneously or illegally collected or received by the Board of Commissioners or its designee, it may be refunded by it to the consumer, provided a verified claim in writing therefore, stating the specific reason on which the claim is founded, is filed with said Board of Commissioners or its designee within three years from the date of payment.

### Section 2.16.180 Administration of Funds

(1) The Board of Commissioners or its designee shall forward taxes to the County Treasurer for deposit of the proceeds of the Recreational Marijuana Retail tax into the General Fund.

(2) Records Required from Licensees; Form. Every licensee shall keep guest records of sales and accounting books and records of the sales. All records shall be retained by the licensee for a period of three years and six months after they come into being.

(3) Examination of Records; Investigations. The Board of Commissioners or its designee or any person authorized in writing by the Board may examine during normal business hours, the books, papers and accounting records relating to sales of marijuana items of any licensee after notification to the licensee liable for the tax and may investigate the business of the licensee in order to verify the accuracy of any return made, or if no return is made by the licensee, to ascertain and determine the amount required to be paid. To assist in this process, the Board of Commissioners or its designee may request certified copies of annual tax returns covering licensee.

(4) Confidential Character of Information Obtained - Disclosure Unlawful. It shall be unlawful for the Board of Commissioners or its designee or any person having an administrative or clerical duty under the provisions of this Ordinance to make known in any manner whatsoever the business affairs, operations, or information obtained by an investigation of records and equipment of any person required to obtain a Licensee Registration Certificate, or pay taxes herein, or any other person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth in any statement or application, or to permit any statement or application, or copy of either, or any book containing any abstract or particulars thereof to be seen or examined by any person, provided that nothing in this subsection shall be construed to prevent:

(a) The disclosure to, or the examination of records and equipment by another Curry County official, employee, or agent for collection of taxes for the sole purpose of administering or enforcing any provisions of this Ordinance; or collecting taxes imposed hereunder.

(b) The disclosure after the filing of a written request to that effect, to the taxpayer himself, receivers, trustees, executors, administrators, assignees, and guarantors, if directly interested, of information as to any paid tax, any unpaid tax or amount of tax required to be collected, or interest, and penalties; further provided, however, that the County Counsel approves each such disclosure referred to in this paragraph when in his opinion the public interest would suffer thereby;

(c) The disclosure of the names and addresses of any persons to whom Licensee Registration Certificates have been issued.

(d) The disclosure of general statistics regarding taxes collected or business done in the County.

#### Section 2.16.190 Penalties

Violation of any of the provisions of this Ordinance shall be a Class A violation, with a maximum penalty of \$2,000 in fines. Penalties may be enforced in accordance with Article Ten of the Curry County Code. Enforcement under Article Ten of Curry County Code does not preclude enforcement by any other legal or equitable means.

#### Section 2.16.200 Alternative Collection Methods

In the alternative to the collection methodologies set forth herein, the County may employ any other method to collect the tax imposed, including but not limited to, contracting with a private or public entity for collection.

#### Section 2.16.210 Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance, or any part thereof, is for any reason held to be unconstitutional (or otherwise invalid), such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The legislative body hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional (or otherwise invalid).

#### Section 2.16.220 Effective Date

This Ordinance shall become effective at 12:01 A.M. on the 1<sup>st</sup> day of January, 2017, if Ordinance No. 16-420-2 is approved by voters at the November 8, 2016 election.

**Exhibit “A”**  
**ARTICLE TWO**

DIVISION SIXTEEN - IMPLEMENTATION OF MARIJUANA RETAIL SALES TAX

Section 2.16.020 Definitions

For definitions, refer to Ordinance No. 16-420-2, Section 2.16.020

Section 2.16.070 Title and Effective Date

This Ordinance shall be known and may be cited as the “Marijuana Retail Sales Tax Ordinance of Curry County Implementing Ordinance, and as Ordinance No. 16-420-3. This Implementing Ordinance shall be effective on January 1, 2017 only upon passage of Ordinance Imposing a Marijuana Retail Sales Tax by voters.

Section 2.16.080 Registration of Licensee; Form and Contents; Execution; Certification of Authority

- 1) Every person engaging or about to engage in business as a licensee in this County shall register with the Economic Development Director on a form provided by the Director.
  - (a) Licensees engaged in business at the time this Ordinance is adopted must register not later than thirty (30) calendar days after this adoption.
  - (b) Licensees starting business after this Ordinance is adopted must register within fifteen (15) calendar days after commencing business.
- (2) The privilege of registration after the date of imposition of such tax shall not relieve any person from the obligation of payment or collection of tax regardless of registration.
- (3) Registration shall set forth:
  - (a) the name under which a licensee transacts or intends to transact business;
  - (b) the location of its place or places of business; and,
  - (c) the name of a natural person personally responsible for payment of taxes, in addition to the business;
  - (d) such other information to facilitate the collection of the tax as the Director may require.

The registration shall be signed by the licensee. The Economic Development Director shall, within ten days after registration, issue without charge a certificate of authority to each licensee to collect the tax from consumer. Certificates shall be non-assignable and nontransferable and shall be surrendered immediately to the Economic Development Director upon the

cessation of business at the location named or upon its sale or transfer. Each certificate shall state the place of business to which it is applicable and shall be prominently displayed therein so as to be seen and come to the notice readily of all occupants and persons seeking occupancy. Said certificate shall, among other things, state the following:

- (a) The name of the licensee;
- (b) The address of the business;
- (c) The date upon which the certificate was issued;
- (d) "This Marijuana Retail Registration Certificate signifies that the person named

on the face hereof has fulfilled the requirements of the Recreational Marijuana Retail Tax Ordinance of Curry County by registration with the Economic Development Director for the purpose of collecting from consumers the three percent (3%) tax imposed by said County and remitting said tax to the Economic Development Director. This certificate does not authorize any person to conduct any unlawful business or to conduct any lawful business in an unlawful manner, or to operate a marijuana retail business without strictly complying with all local applicable laws including but not limited to those requiring a permit from any board, commission, department or office of Curry County. This certificate does not constitute a permit."

#### Section 2.16.090 Due Date and Form of Returns

(1) On or before the last day of each month a return for the preceding month's tax collections shall be filed with the Economic Development Director. The return shall be filed in such form as the Economic Development Director may prescribe by every licensee liable for payment of tax.

(2) Returns shall show the amount of tax collected or otherwise due for the related period. The Economic Development Director may require returns to show the total sales upon which tax was collected or otherwise due, gross receipts of licensee for such period and an explanation in detail of any discrepancy between such amounts, if any.

(3) The person required to file the return shall deliver the return, together with the remittance of the amount of the tax due, to the Economic Development Director at its office either by personal delivery by mail or by any commercially reasonable means, including but not limited to electronic or telephonic transfer, or private delivery service(PDS). For purposes of determining delinquencies, the date of delivery is the later of receipt of the return or receipt of the tax by the Economic Development Director. If the return is mailed, the postmark date from the United States Postal Service shall be considered the date of delivery for determining delinquencies. (PDS) shipping date may be treated as an equivalent to the United States Postal Service for purposes of the postmark rule. If the return is delivered in person, it must be received on or before the due date during business hours (8am-12 Noon and 1pm-5pm, Monday-Friday). For purposes of imposing penalties and interest for delinquent filing, a 5 day grace period shall be given. This means that any return and tax remittance delivered within 5 days of the due date will not be assessed penalties and or interest.

(4) For good cause, the Economic Development Director may extend for not to exceed one month the time for making any return or payment of tax. No further extension shall be granted, except by the Curry County Board of Commissioners upon appeal. Any licensee to whom an extension is granted shall pay interest at the rate of one percent (1%) per month on the amount of tax due without proration for a fraction of a month. If a return is not filed, and the tax and interest due is not paid by the end of the extension granted, then the interest shall become a

part of the tax for computation of penalties described elsewhere in this Ordinance.

#### Section 2.16.100 Tax Collection

For the privilege of selling marijuana goods after the effective date of this Ordinance, each Marijuana Licensee shall pay a tax in the amount required by Curry County Ordinance No. \_\_\_\_\_. The tax constitutes a debt owed by the Marijuana Licensee to the County, which is extinguished only by payment by the Marijuana Licensee tax collector to the County. The tax shall be collected at the point of sale of a marijuana item by a marijuana retailer at the time at which the retail sale occurs and remitted by each marijuana retailer that engages in the retail sale of marijuana items.

#### Section 2.16.110 Marijuana Licensee Tax Collector's Duties

Each Marijuana Licensee tax collector shall collect the tax imposed by this Ordinance at the same time as the tax is collected from every consumer. The amount of tax shall be separately stated upon the Marijuana Licensee's tax collector's records, and any receipt rendered by the Marijuana Licensee tax collector. No Marijuana Licensee tax collector of a Marijuana Licensee shall advertise that the tax or any part of the tax will be assumed or absorbed by the Marijuana Licensee tax collector, or that it will not be added to the "marijuana product", or that, when added, any part will be refunded, except in the manner provided by this Ordinance.

#### Section 2.16.120 Penalties and Interest

(1) Original Delinquency. Any licensee who has not been granted an extension of time for remittance of tax due and who fails to remit any tax imposed by this Ordinance prior to delinquency shall pay a penalty of ten percent (10%) of the amount of the tax due in addition to the amount of the tax.

(2) Continued Delinquency. Any licensee who has not been granted an extension of time for remittance of tax due, and who failed to pay any delinquent remittance on or before a period of thirty days following the date on which the remittance first became delinquent shall pay a second delinquency penalty of fifteen percent (15%) of the amount of the tax due plus the amount of the tax and the ten percent (10%) penalty first imposed.

(3) Fraud. If the Economic Development Director determines that the nonpayment of any remittance due under this Ordinance is due to fraud or intent to evade the provisions thereof, a penalty of twenty-five percent (25%) of the amount of the tax shall be added thereto in addition to the penalties stated in paragraphs (1) and (2) of this section.

(4) Interest. In addition to the penalties imposed, any licensee who fails to remit any tax imposed by this Ordinance shall pay interest at the rate of one percent (1%) per month or fraction thereof without proration for portions of a month, on the amount of the tax due, exclusive of penalties, from the date on which the remittance first became delinquent until paid.

(5) Penalties Merged With Tax. Every penalty imposed and such interest as accrues under

the provisions of this section shall be merged with and become a part of the tax herein required to be paid.

(6) Petition for Waiver. Any licensee who fails to remit the tax herein levied within the time herein stated shall pay the penalties herein stated provided, however, the licensee may petition the Economic Development Director for waiver and refund of the penalty or any portion thereof and the Economic Development Director may, if a good and sufficient reason is shown, waive and direct a refund of the penalty or any portion thereof.

(7) Notwithstanding the provisions of this section, failure to remit taxes constitutes a violation of this Ordinance subject to citation and fine under Article Ten of the Curry County Ordinances. Further, the County reserves all rights at law or in equity to enforce the provisions of this Ordinance.

#### Section 2.16.130 Deficiency Determinations; Evasion; Marijuana Retail Sales Tax Collector Delay

(1) Deficiency Determination. If the Economic Development Director determines that the returns are incorrect, the Director may compute and determine the amount required to be paid upon the basis of the facts contained in the return or returns or upon the basis of any information within its possession or that may come into its possession. One or more deficiency determinations may be made of the amount due for one, or more than one period, and the amount so determined shall be due and payable immediately upon service of notice as herein provided after which the amount determined is delinquent. Penalties or deficiencies shall be applied as set forth in Section 2.16.120.

(a) In making a determination the Economic Development Director may offset overpayments, if any, which may have been previously made for a period or periods, against any underpayment for a subsequent period or periods, or against penalties, and interest, on the underpayments. The interest on underpayments shall be computed in the manner set forth in Section 2.16.120.

(b) The Economic Development Director shall give to the licensee or occupant a written notice of its determination. The notice may be served personally or by mail; if by mail, the notice shall be addressed to the licensee at its address as it appears in the records of the Economic Development Director. In the case of service by mail of any notice required by this Ordinance the service is complete at the time of deposit in the United States Post Office.

(c) Except in the case of fraud, intent to evade this Ordinance or authorized rules and regulations, every deficiency determination shall be made and notice thereof mailed within three years after the last day of the month following the close of the monthly period for which the amount is proposed to be determined or within three years after the return is filed, whichever period expires later.

(d) Any determination shall become due and payable immediately upon receipt of notice and shall become final within ten days after the Economic Development Director has given notice thereof, provided, however, the licensee may petition for redemption and refund if the petition is filed before the determination becomes final as herein provided.

(2) Fraud, Refusal to Collect, Evasion. If any licensee shall fail or refuse to collect said tax or to make, within the time provided in this Ordinance, any report and remittance of said tax or any portion thereof required by this Ordinance, or makes a fraudulent return or otherwise willfully attempts to evade this Ordinance, the Economic Development Director shall proceed in such

manner as he/she may deem best to obtain facts and information on which to base an estimate of the tax due. As soon as the Economic Development Director has determined the tax due that is imposed by this Ordinance from a licensee who has failed or refused to collect the same and to report and remit said tax, he/she shall proceed to determine and assess against such licensee the tax, interest, and penalties, provided for by this Ordinance. In case such determination is made, the Economic Development Director shall give a notice in the manner aforesaid of the amount so assessed. Such determination and notice shall be made and mailed within three years after discovery by the Economic Development Director of any fraud, intent to evade or failure or refusal to collect said tax, or failure to file return. Any determination shall become due and payable immediately upon receipt of notice and shall become final within ten days after the Economic Development Director has given notice thereof, provided, however, the licensee may petition for redemption and refund if the petition is filed before the determination becomes final as herein provided.

(3) Licensee Delay. If the Economic Development Director believes that the collection of any tax or any amount of tax required to be collected and paid to the County will be jeopardized by delay, or if any determination will be jeopardized by delay, he/she shall thereupon make a determination of the tax or amount of tax required to be collected, noting the fact upon the determination. The amount so determined as herein provided shall be immediately due and payable, and the licensee shall immediately pay same determination to the Economic Development Director after service of notice thereof, provided, however, the licensee may petition, after payment has been made, for redemption and refund of such determination, if the petition is filed within ten days from the date of service of notice by the Economic Development Director .

#### Section 2.16.140 Redeterminations

(1) Any person against whom a determination is made under Section 2.16.130, or any person directly interested, may petition for a redetermination and redemption and refund within the time required in Section 2.16.130(1)(d). If a petition for redetermination and refund is not filed within the time required therein, the determination becomes final at the expiration of the allowable time.

(2) If a petition for redetermination and refund is filed within the allowable period, the Economic Development Director shall reconsider the determination, and, if the person has so requested in its petition, shall grant the person an oral hearing and shall give him ten day notice of the time and place of the hearing. The Economic Development Director may continue the hearing from time to time as may be necessary.

(3) The Economic Development Director may decrease or increase the amount of the determination as a result of the hearing and if an increase is determined such increase shall be payable immediately after the hearing.

(4) The order or decision of the Economic Development Director upon a petition for redetermination of redemption and refund becomes final ten (10) days after service upon the petitioner of notice thereof, unless appeal of such order or decision is filed with the Economic Development Director within the ten (10) days after service of such notice.

(5) No petition for redetermination of redemption and refund or appeal therefrom shall be

effective for any purpose unless the licensee has first complied with the payment provisions hereof.

#### Section 2.16.150 Security for Collection of Tax

(1) The Economic Development Director, whenever he deems it necessary to insure compliance with this Ordinance, may require any licensee subject thereto to deposit with it such security in the form of cash, bond, or other security as the Economic Development Director may determine. The amount of the security shall be fixed by the Economic Development Director but shall not be greater than twice the licensee's estimated average monthly liability for the period for which it files returns, determined in such manner as the Economic Development Director deems proper, or Five Thousand Dollars (\$5,000), whichever amount is less. The amount of the security may be increased or decreased by the Economic Development Director subject to the limitations herein provided. The licensee has a right to appeal to the Board of Commissioners any decision of the Economic Development Director made under this section.

(2) Any time within three years after any tax or any amount of tax required to be collected becomes due and payable or at any time within three years after any determination becomes final, the Economic Development Director may bring an action in the courts of this State, or any other state, or of the United States in the name of the Curry County to collect the amount delinquent together with penalties and interest.

#### Section 2.16.160 Lien

The tax imposed by this Ordinance together with the interest and penalties herein provided and the filing fees paid to the County Clerk of Curry County, Oregon, and advertising costs which may be incurred when same becomes delinquent as set forth in this Ordinance shall be and, until paid, remain a lien from the date of its recording with the County Clerk of Curry County, Oregon, and superior to all subsequent recorded liens on all tangible personal property used in the Recreational Marijuana Retail operations of a licensee within Curry County and may be foreclosed on and sold as may be necessary to discharge said lien, if the lien has been recorded with the County Clerk of Curry County, Oregon. Notice of lien may be issued by the Economic Development Director whenever the licensee is in default in the payment of said tax, interest and penalty and shall be recorded with the County Clerk of Curry County, Oregon and a copy sent to the delinquent licensee. The personal property subject to such lien may be foreclosed on and sold as provided by law.

Any lien for taxes as shown on the records of the proper County Official shall, upon the payment of all taxes, penalties, and interest thereon, be released by the Economic Development Director when the full amount determined to be due has been paid to the County and the licensee or person making such payment shall receive a receipt therefor stating that the full amount of taxes, penalties, and interest thereon have been paid and that the lien is thereby released and the record of lien is satisfied.

## Section 2.16.170 Refunds

(1) Licensee Refunds. Whenever the amount of any tax, penalty, or interest has been paid more than once or has been erroneously or illegally collected or received by the Economic Development Director under this Ordinance, it may be refunded, provided a verified claim in writing therefor stating the specific reason upon which the claim is founded, is filed with the Economic Development Director within three years from the date of payment. The claim shall be made on forms provided by the Economic Development Director. If the claim is approved by the Economic Development Director, the excess amount collected or paid may be refunded or may be credited on any amounts due and payable from the licensee from whom it was collected or by whom paid and the balance may be refunded to such licensee, its administrators, executors or assignees.

(2) Consumer Refunds. Whenever the tax required by this Ordinance has been collected by the licensee, and deposited by the licensee with the Economic Development Director, and it is later determined that the tax was erroneously or illegally collected or received by the Economic Development Director, it may be refunded by it to the consumer, provided a verified claim in writing therefore, stating the specific reason on which the claim is founded, is filed with said Economic Development Director within three years from the date of payment.

## Section 2.16.180 Administration Special Fund (OPTIONAL)

(1) Special Fund. The Economic Development Director shall forward taxes to the County Treasurer for deposit of twenty-five percent (25%) of the proceeds of the Recreational Marijuana Retail tax as they are received in a special fund to be known as the "Curry County Community Promotions Fund" and the balance of the proceeds shall be deposited in the General Fund. The Community Promotions Fund shall be used for the purpose of promoting, directly or through contract, the use of the Curry County for recreational, cultural, convention and tourist related activities and services. However, the County Economic Development Director may by resolution transfer all or part of the balance remaining in the Community Promotions Fund at the end of any fiscal year to the General Fund.

(2) Records Required from Licensees; Form. Every licensee shall keep guest records of sales and accounting books and records of the sales. All records shall be retained by the licensee for a period of three years and six months after they come into being.

(3) Examination of Records; Investigations. The Economic Development Director or any person authorized in writing by the Director may examine during normal business hours, the books, papers and accounting records relating to sales of marijuana items of any licensee after notification to the licensee liable for the tax and may investigate the business of the licensee in order to verify the accuracy of any return made, or if no return is made by the licensee, to ascertain and determine the amount required to be paid. To assist in this process, the Economic Development Director may request certified copies of annual tax returns covering licensee.

(4) Confidential Character of Information Obtained - Disclosure Unlawful. It shall be unlawful for the Economic Development Director or any person having an administrative or clerical duty under the provisions of this Ordinance to make known in any manner whatsoever the business affairs, operations, or information obtained by an investigation of records and equipment of any person required to obtain a Licensee Registration Certificate, or pay taxes herein, or any other

person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth in any statement or application, or to permit any statement or application, or copy of either, or any book containing any abstract or particulars thereof to be seen or examined by any person, provided that nothing in this subsection shall be construed to prevent:

(a) The disclosure to, or the examination of records and equipment by another Curry County official, employee, or agent for collection of taxes for the sole purpose of administering or enforcing any provisions of this Ordinance; or collecting taxes imposed hereunder.

(b) The disclosure after the filing of a written request to that effect, to the taxpayer himself, receivers, trustees, executors, administrators, assignees, and guarantors, if directly interested, of information as to any paid tax, any unpaid tax or amount of tax required to be collected, or interest, and penalties; further provided, however, that the County Counsel approves each such disclosure referred to in this paragraph when in its opinion the public interest would suffer thereby;

(c) The disclosure of the names and addresses of any persons to whom Licensee Registration Certificates have been issued.

(d) The disclosure of general statistics regarding taxes collected or business done in the County.

#### Section 2.16.190 Penalties

Violation of any of the provisions of this Ordinance shall be a Class A violation, with a maximum penalty of \$2,000 in fines. Penalties may be enforced in accordance with Article Ten of the Curry County Code. Enforcement under Article Ten of Curry County Code does not preclude enforcement by any other legal or equitable means.

#### Section 2.16.200 Alternative Collection Methods

In the alternative to the collection methodologies set forth herein, the County may employ any other method to collect the tax imposed, including but not limited to, contracting with a private or public entity for collection.

#### Section 2.16.210 Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance, or any part thereof, is for any reason held to be unconstitutional (or otherwise invalid), such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The legislative body hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional (or otherwise invalid).

#### Section 2.16.220 Effective Date

This Ordinance shall become effective at 12:01 A.M. on the 1<sup>st</sup> day of January, 2017, if Ordinance No. 16-420-2 is approved by voters at the November 8, 2016 election.

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC\\_Office@CO.CURRY.OR.US](mailto:BOC_Office@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** 5<sup>th</sup> and 6<sup>th</sup> Ammendments to OHA 2015-2017 Agreement #148007 for the financing of Public Health services with signature authority to the BOC Chair

**AGENDA DATE<sup>a</sup>:** May 4, 2016      **SUBMITTING DEPARTMENT:** CCH

<sup>a</sup>Submit **5:00 p.m. on the Wednesday** prior to the next General meeting.

**CONTACT PERSON:** Ken Dukek      **PHONE/EXT:** 373-8012

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:**

<sup>b</sup>indicate if more than one copy to be signed

**FILES ATTACHED:**      **SUBMISSION TYPE:** Agreement

- (1)148007-5 Ammded Agreement
- (2)148007-6 Ammded Agreement
- (3)
- (4)

Are there originals in route (paper copies with pre-existing signatures) **Yes**  **No**

**QUESTIONS:**

- 1. Would this item be a departure from the Annual Budget if approved?      **Yes**  **No**   
(If Yes, brief detail)
- 2. Does this agenda item impact any other County department?      **Yes**  **No**   
(If Yes, brief detail)
- 3. If Land Transaction, filed with the clerk?      **Yes**  **No**  **N/A**

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other Return to CCH for processing

Phone:

Due date to send:      /      /

Email:

**\*Note: Most signed documents are filed/recorded with the Clerk per standard process.**

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? **Yes**  **No**  **N/A**

(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

- 1. Confirmed Submitting Department's finance-related responses      **Yes**  **No**   
Comment:
- 2. Confirmed Submitting Department's personnel-related materials      **Yes**  **No**  **N/A**   
Comment:
- 3. If job description, Salary Committee reviewed:      **Yes**  **No**  **N/A**
- 4. If hire order requires an UA, is it approved?      **Yes**  **No**  **Pending**  **N/A**

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:**      **Adminstrative Actions**

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact?      **Yes**  **No**

(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Susan Brown      **Yes**  **No**

Commissioner Thomas Huxley      **Yes**  **No**

Commissioner David Brock Smith      **Yes**  **No**

Comment:



**Agreement #148007**

**FIFTH AMENDMENT TO OREGON HEALTH AUTHORITY  
2015-2017 AGREEMENT FOR THE  
FINANCING OF PUBLIC HEALTH SERVICES**

In compliance with the Americans with Disabilities Act, this document is available in alternate formats such as Braille, large print, audio recordings, Web-based communications and other electronic formats. To request an alternate format, please send an e-mail to [dhs-oha.publicationrequest@state.or.us](mailto:dhs-oha.publicationrequest@state.or.us) or call 503-378-3486 (voice) or 503-378-3523 (TTY) to arrange for the alternative format.

This Fifth Amendment to Oregon Health Authority 2015-2017 Agreement for the Financing of Public Health Services (the “Agreement”) is between the State of Oregon acting by and through its Oregon Health Authority (“OHA”), Curry County (“County”), and Curry Community Health, an Oregon non-profit public benefit corporation (“LPHA”), the entity County has contracted with, pursuant to ORS 431.375(2), to act as the local public health authority in County.

**RECITALS**

WHEREAS OHA, County, and LPHA wish to modify the set of Program Element Descriptions set forth in Exhibit B of the Agreement.

NOW, THEREFORE, in consideration of the premises, covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows

**AGREEMENT**

- 1.** Exhibit B “Program Element Descriptions” is modified as follows:
  - a.** Program Element #09 “Public Health Emergency Preparedness Program (PHEP) Ebola Supplement 2” is hereby superseded and replaced in its entirety by Attachment 1 “Program Element #09: Public Health Emergency Preparedness Program (PHEP) Ebola Supplement 2” attached hereto and hereby incorporated into the Agreement by this reference.
  - b.** Program Element #10 “Sexually Transmitted Disease (STD) Case Management Services” is hereby superseded and replaced in its entirety by Attachment 2 “Program Element #10: Sexually Transmitted Disease (STD) Client Services” attached hereto and hereby incorporated into the Agreement by this reference.

2. County represents and warrants to OHA that the representations and warranties of County set forth in Section 2 of Exhibit E of the Agreement are true and correct on the date hereof with the same effect as if made on the date hereof.
3. LPHA represents and warrants to OHA that the representations and warranties of LPHA set forth in Section 2 of Exhibit E of the Agreement are true and correct on the date hereof with the same effect as if made on the date hereof.
4. Capitalized words and phrases used but not defined herein shall have the meanings ascribed thereto in the Agreement.
5. Except as amended hereby, all terms and conditions of the Agreement remain in full force and effect.
6. This Amendment may be executed in any number of counterparts, all of which when taken together shall constitute one agreement binding on all parties, notwithstanding that all parties are not signatories to the same counterpart. Each copy of this Amendment so executed shall constitute an original.
7. This Amendment becomes effective on the date of the last signature below.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the dates set forth below their respective signatures.

**8. Signatures.**

**STATE OF OREGON ACTING BY AND THROUGH ITS OREGON HEALTH AUTHORITY (OHA)**

By: \_\_\_\_\_  
Name: /for/ Lillian Shirley, BSN, MPH, MPA  
Title: Public Health Director  
Date: \_\_\_\_\_

**CURRY COUNTY (COUNTY)**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**CURRY COMMUNITY HEALTH (LPHA)**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**DEPARTMENT OF JUSTICE – APPROVED FOR LEGAL SUFFICIENCY**

*Amendment form group-approved by D. Kevin Carlson, Senior Assistant Attorney General, by email on October 2, 2015. A copy of the emailed approval is on file at OCP.*

REVIEWED:

**OHA PUBLIC HEALTH ADMINISTRATION**

Reviewed by: \_\_\_\_\_  
Name: Karen Slothower (or designee)  
Title: Program Support Manager  
Date: \_\_\_\_\_

**OFFICE OF CONTRACTS & PROCUREMENT**

By: \_\_\_\_\_  
Name: Phillip G. McCoy, OPBC, OCAC  
Title: Contract Specialist  
Date: \_\_\_\_\_

**Attachment 1 to Amendment 5 to Agreement #148007**

**Program Element #09: Public Health Emergency Preparedness Program (PHEP)**  
**Ebola Supplement 2**

**1. Description and Purpose.**

- a. Funds provided under this Agreement to Local Public Health Authorities (LPHA) for Program Element (PE) 09 Public Health Emergency Preparedness Program (PHEP) Ebola Supplement 2 may only be used in accordance with, and subject to, the requirements and limitations set forth in this PE 09.
- b. PHEP Ebola Supplement 2 funding is targeted to address one or more of the following Public Health Preparedness Capabilities:
  - (1) Community Preparedness (Capability 1),
  - (2) Public Health Surveillance and Epidemiological Investigation (Capability 12),
  - (3) Public Health Laboratory Testing (Capability 13),
  - (4) Non-Pharmaceutical Interventions (Capability 11),
  - (5) Responder (Worker) Safety and Health (Capability 14),
  - (6) Emergency Public Information and Warning (Capability 4),
  - (7) Information Sharing (Capability 6), and
  - (8) Medical Surge (Capability 10).

**2. Definitions Relevant to PHEP and Ebola Supplement 2.**

- a. Budget Period: Budget Period is defined as the intervals of time into which a multi-year project period is divided for budgetary/funding purposes. For purposes of this Program Element, Budget Period is July 1, 2015 through June 30, 2016. The funding period for the PHEP Ebola Supplement is 18 months. (Fiscal Year (FY) 2015 (04/15-06/15), FY 2016 (07/15-06/16), and FY 2017 (07/16-06/17)).
- b. CDC: the U.S. Department of Health and Human Services, Centers for Disease Control and Prevention.
- c. CDC Public Health Capabilities: as described online at:  
<http://www.cdc.gov/phpr/capabilities/>
- d. Health Security, Preparedness and Response (HSPR): A state level program that is a joint effort with the Conference of Local Health Officials (CLHO) and Native American tribes to develop plans and procedures to prepare Oregon to respond to, mitigate, and recover from public health emergencies.
- e. Public Health Emergency Preparedness (PHEP): local public health systems designed to better prepare Oregon to respond to, mitigate, and recover from, public health emergencies.

- 3. General Requirements.** All of LPHA’s PHEP Ebola Supplement 2 services and activities supported in whole or in part with funds provided under this Agreement and particularly as described in this Program Element Description shall be delivered or conducted in accordance with the following requirements and to the satisfaction of OHA:
- a. Non-Supplantation.** Funds provided under this Agreement for this Program Element shall not be used to supplant state, local, other non-federal, or other federal funds.
  - b. Use of Funds.** Funds awarded to LPHA under this Agreement for this Program Element may only be used for activities related to the CDC Public Health Preparedness Capabilities (Community Preparedness, Public Health Surveillance and Epidemiological Investigation, Public Health Laboratory Testing, Non-Pharmaceutical Interventions, Responder Safety and Health, Emergency Public Information and Warning/Information Sharing, and Medical Surge) in accordance with an approved Budget using the template set forth as Attachment 1 to this Program Element Description. Modifications to the budget totaling \$5,000 or more require submission of a revised budget to the HSPR liaison and receive final approval by OHA HSPR.
  - c. Conflict between Documents.** In the event of any conflict or inconsistency between the provisions of the PHEP Ebola Supplement 2 work plan or budget (as set forth in Attachments 1 and 2) and the provisions of this Agreement, this Agreement shall control.
  - d. Work Plan.** LPHA shall implement its Ebola Supplemental Fund activities in accordance with its HSPR approved work plan using the example set forth in Attachment 2 to this Program Element. Dependent upon extenuating circumstances, modifications to this work plan may only be made with HSPR agreement and approval. Proposed work plan will be due on or before August 1. Final approved work plan will be due on or before September 1
- 4. Work Plan.** PHEP work plans must be written with clear and measurable objectives with timelines and include:
- a.** At least three broad program goals that address gaps and guide work plan activities. These can be the same as those outlined in Program Element (PE) #12 “Public Health Emergency Preparedness (PHEP)” as related to Ebola or other infectious diseases.
  - b.** Any of the following:
    - i.** Planning activities in support of any of the 8 CDC PHP Capabilities listed in 1(b).
    - ii.** Training and Education in support of any of the 8 CDC PHP Capabilities listed in 1(b).
    - iii.** Exercises in support of any of the 8 CDC PHP Capabilities listed in 1(b).
    - iv.** Community Education and Outreach and Partner Collaboration in support of any of the 8 CDC PHP Capabilities listed in 1(b).
    - v.** Administrative and Fiscal activities in support of any of the 8 CDC PHP Capabilities listed in 1(b).

**5. Budget and Expense Reporting.**

- a.** Proposed Budget for Award Period (July 1, 2015 – June 30, 2016). Using the Proposed Budget Template set forth as Attachment 1, Part 1 to this PE 09 (also available through the HSPR liaison) and incorporated herein by this reference, LPHA shall provide to OHA **by September 1, 2015**, a budget, based on actual award amounts, detailing LPHA’s expected costs to operate its PHEP Ebola Supplement 2 program during the FY 16 award period.
- b.** Actual Expense to Budget for FY 16 Award Period. Using the Actual Expense to Budget Template set forth as Attachment 1, Part 2 to this PE 09 (also available through the HSPR liaison) and incorporated herein by this reference, LPHA shall provide to OHA **by September 15, 2016** the actual expenses for operation of its PHEP Ebola Supplement 2 program during the FY 16 award period.
- c.** Formats other than the proposed budget and expense to budget templates set forth in Attachment 1 to this PE will not satisfy the reporting requirements of this Program Element Description.
- d.** All capital equipment purchases of \$5,000 or more using PHEP Ebola Supplemental 2 funds will be identified under the “Capital Equipment” line item category.

**ATTACHMENT 1**  
**TO PROGRAM ELEMENT #09 - PART 1: PROPOSED BUDGET TEMPLATE**  
**PE 09 Preparedness Program Ebola Supplement 2 FY 2016**

\_\_\_\_\_ County

July 1, 2015 - June 30, 2016

	Proposed		Actual	12 Mos Total
<b>PERSONNEL</b>			Subtotal	<b>\$0.00</b>
	Annual Salary	% FTE		
<i>(Position Title and Name)</i>	\$0	0.00%		\$0
Brief description of activities, for example, This position has primary responsibility for _____ County PHEP activities.				
	\$0	0.00%		\$0
	\$0	0.00%		\$0
<b>Fringe Benefits @ ( )%</b> of describe rate or method				\$0
<b>TRAVEL</b>				<b>\$0</b>
<b>Total In-State Travel:</b> (describe travel to include meals, registration, lodging and mileage)	\$0			\$0
<b>Out-of-State Travel:</b> (describe travel to include location, mode of transportation with cost, meals, registration, lodging and incidentals along with number of travelers)	\$0			\$0
<b>CAPITAL EQUIPMENT (individual items that cost \$5,000 or more)</b>				<b>\$0</b>
				\$0
				\$0
<b>SUPPLIES, MATERIALS and SERVICES (office, printing, phones, IT support, etc.)</b>				<b>\$0</b>
	\$0			\$0
	\$0			\$0
<b>CONTRACTUAL (list each Contract separately and provide a brief description)</b>				<b>\$0</b>
				\$0
				\$0
<b>OTHER</b>				<b>\$0</b>
	\$0			\$0
	\$0			\$0
	\$0			\$0
<b>TOTAL DIRECT CHARGES</b>				<b>\$0</b>
TOTAL INDIRECT CHARGES @ ____% of Direct Expenses:	\$0			\$0
<b>TOTAL BUDGET:</b>			<b>\$0</b>	

Date, Name and phone number of person who prepared budget

**ATTACHMENT 1**  
**TO PROGRAM ELEMENT #09 - PART 2: ACTUAL EXPENSE TO BUDGET TEMPLATE**  
**PE 09 Preparedness Program Ebola Supplement 2 FY 2016**

\_\_\_\_\_ County

Period of the Report July 1, 2015-June 30, 2016)

	Budget	Expense to date	Variance
<b>PERSONNEL</b>			
Salary (Administrative & Support Staff)	\$0		\$0
Fringe Benefits	\$0		\$0
<b>TRAVEL</b>			
In-State Travel:	\$0		\$0
Out-of-State Travel:	\$0		\$0
<b>CAPITAL EQUIPMENT</b>	\$0		\$0
<b>SUPPLIES</b>	\$0		\$0
<b>CONTRACTUAL</b>	\$0		\$0
<b>OTHER</b>	\$0		\$0
<b>TOTAL DIRECT</b>	\$0	\$0	\$0
<b>TOTAL INDIRECT</b>	\$0		\$0
<b>TOTAL:</b>	\$0	\$0	\$0

Date, name and phone number of person who prepared expense to budget report

**Notes:**

**ATTACHMENT 2**  
**TO PROGRAM ELEMENT #09**

**Part 1 - Work Plan Instructions**  
**Oregon HSPR Public Health Emergency Preparedness Program**

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FOR GRANT CYCLE: JULY 1, 2015 – JUNE 30, 2016

**DUE DATE**

Proposed work plan will be due on or before August 1. Final approved work plan will be due on or before September 1.

**REVIEW PROCESS**

Your approved work plan will be reviewed with your PHEP liaison.

**WORKPLAN CATEGORIES: Only complete those categories that you plan to address with the Ebola Supplemental Funds**

**GOALS:** At least three broad program goals that address gaps and guide work plan activities will be developed. These can be the same as the PE12 goals in relation to Ebola.

**TRAINING AND EDUCATION:** List all preparedness trainings, workshops conducted or attended by preparedness staff.

**DRILLS and EXERCISES:** List all drills you plan to conduct in accordance with your three-year training and exercise plan. For an exercise to qualify under this requirement the exercise must a.) Be part of a progressive strategy, b.) Involve public health staff in the planning process, and c.) Involve more than one county public health staff and/or related partners as active participants. A real incident involving a coordinated public health response may qualify as an exercise.

**PLANNING:** List all plans, procedures, updates, and revisions that need to be conducted this year in accordance with your planning cycle. You should also review all after action reports completed during the previous grant year to identify planning activities that should be conducted this year.

**OUTREACH AND PARTNER COLLABORATION:** In addition to prefilled requirements, list all meetings regularly attended and/or led by public health preparedness program staff.

**COMMUNITY EDUCATION:** List any community outreach activities you plan conduct that that enhance community preparedness or resiliency.

**COLUMN DESCRIPTION EXAMPLE:**

CDC Cap. #s	Planning Objective	Planned Activity	Date Completed	Actual Outcome	Notes
12	By October 15, 2015, LPHA increases CD health capacity by increasing the Health Officer's hours in order to capture subject matter expertise and leadership around ID.	Build staffing plan and increase hours for Health Officer around CD duties and ID planning.	10/15/15	Increased by 5 hours a month, subject matter expertise around CD and ID planning efforts as well as increased ability to respond to ID and CD events.	

**CDC CAPABILITY:** Indicate the target capability number(s) addressed by this activity.

**OBJECTIVE:** Use clear and measurable objectives with identified time frames to describe what the LPHA will complete during the grant year.

**PLANNED ACTIVITY:** Describe the planned activity. Where activity is pre-filled you may customize, the language to describe your planned activity more clearly.

**DATE COMPLETED:** When updating the work plan, record date of the completed activities and/or objective.

**ACTUAL OUTCOMES:** To be filled in after activity is conducted. Describe what is actually achieved and/or the products created from this activity.

**NOTES:** For additional explanation.

**INCIDENTS AND RESPONSE ACTIVITIES:** Explain what incidents and response activities that occurred during the FY16 grant cycle. If an OERS Number was assigned, please include the number. Identify the outcomes from the incident and response activities, include date(s) of the incident and action taken.

**UNPLANNED ACTIVITY:** Explain what activities or events occurred that was not described when work plan was first approved. Please identify outcomes for the unplanned activity, include date(s) of occurrence and actions taken.

**Part 2 - Work Plan Template**  
**Oregon HSPR Public Health Emergency Preparedness Program**  
 \_\_\_\_\_ **Public Health Preparedness Program**  
**Ebola Supplemental 2**

Goal 1:  
 Goal 2:  
 Goal 3:

**Ongoing and Goal Related Ebola Supplemental 2 Work**

**Training and Education**

CDC Cap. #s	Objectives	Planned Activities	Date Completed	Actual Outcome	Notes

**Drills and Exercises**

CDC Cap. #s	Objectives	Planned Activities	Date Completed	Actual Outcomes	Notes

**Planning**

CDC Cap. #s	Objectives	Planned Activities	Date Completed	Actual Outcomes	Notes

**Outreach and Partner Collaboration**

CDC Cap. #s	Objectives	Planned Activities	Date Completed	Actual Outcome	Notes

**Community Education**

CDC Cap. #s	Objectives	Planned Activities	Date Completed	Actual Outcome	Notes

**INCIDENT AND RESPONSE ACTIVITIES**

CDC Cap. #s	Incident Name/OERS #	Date(s)	Outcomes	Notes

**UNPLANNED ACTIVITY**

CDC Cap. #s	Activity	Date(s)	Outcomes	Notes

<b>CDC Cap. #s</b>	<b>FISCAL/ADMINISTRATIVE</b>	<b>Due Dates</b>	<b>Notes</b>
<b>CDC Cap. #s</b>	<b>TRAINING and EDUCATION</b>	<b>Due Date</b>	<b>Notes</b>
<b>CDC Cap. #s</b>	<b>DRILLS AND EXERCISES</b>	<b>Due Date</b>	<b>Notes</b>
<b>CDC Cap. #s</b>	<b>PLANNING</b>	<b>Due Date</b>	<b>Notes</b>
<b>CDC Cap. #s</b>	<b>OUTREACH AND PARTNER COLLABORATION</b>	<b>Due Date</b>	<b>Notes</b>

CDC Cap. #s	COMMUNITY EDUCATION	Due Date	Notes

## Attachment 2 to Amendment 5 to Agreement #148007

### Program Element #10: Sexually Transmitted Disease (STD) Client Services

1. **Description.** Resources provided under this Agreement for this Program Element may only be used, in accordance with and subject to the requirements and limitations set forth below, to deliver Sexually Transmitted Disease related client services to protect the health of Oregonians from infectious disease and to prevent the long-term adverse consequences of failing to identify and treat STDs. Services may include, but are not limited to, case finding and disease surveillance, partner services, medical supplies, health care provider services, examination rooms, clinical and laboratory diagnostic services, treatment, prevention, intervention, education activities, and medical follow-up.
  
2. **Report Process:**
  - a. Local Public Health Authority (LPHA) shall review laboratory and health care provider case reports by the end of the calendar week in which initial laboratory or physician report is made. All confirmed and presumptive cases shall be reported to the Public Health Division HIV/ STD/TB (HST) Program by recording the case in the Oregon Public Health Epi User System (Orpheus), the State's online integrated disease reporting system. If LPHA is unable to record case directly into Orpheus, they may fax a completed case report form to HST.  
  
Paper case report forms for some STDs can be found online at: (<https://bitly.com/CaseReport>). LPHA may choose to fax their own case report form provided it includes the minimum information required to be collected by the case entry layout in Orpheus.
  - b. **Reportable STDs:** A reportable STD is the diagnosis of an individual infected with any of the following infections or syndromes: Chancroid, Chlamydia, Gonorrhea, acute Pelvic Inflammatory Disease, and Syphilis, as further described in Division 18 of OAR Chapter 333, and HIV, as further described in ORS 433.045.
  
3. **Type of Resources.** OHA may provide, pursuant to this Agreement, any or all of the types of resources described below to assist LPHA in delivering Sexually Transmitted Disease client services. The resources may include:
  - a. **In-Kind Resources:** Tangible goods or supplies having a monetary value that is determined by OHA. Examples of such in-kind resources include goods such as condoms, lubricant packages, pamphlets, and antibiotics for treating STDs. If the LPHA receives in-kind resources under this agreement in the form of medications for treating STDs, the LPHA shall use those medications to treat individuals for STDs in accordance with the Health Resources and Services Administration (HRSA) Office of Pharmacy Affairs regulations regarding "340-B Drug Pricing Program." In the event of a non-STD related emergency, with notification to the STD program, the LPHA may use these medications to address the emergent situation.

- b. **Technical Assistance Resources:** Those services of a OHA Disease Intervention Specialist (DIS), that OHA makes available to LPHA to support the LPHA's delivery of STD client services which include advice, training, problem solving and consultation in applying standards, protocols, investigative and/or treatment guidelines to STD case work and partner services follow-up.

The local health authority determines priorities and activities of its STD case work. DIS assignments are not for routine staffing or casework and DIS are not available for conducting field work that LPHA has determined is not allowable for LPHA staff.

Services of a DIS may include onsite provision of shadowing and demonstration opportunities as a learning tool for STD case work and/or partner services follow-up, as well as field assistance. Field assistance may be requested after one or more of the following criteria has been met: 1) Three documented attempts have been made to gather further information from a provider related to demographics, risk, screening and/or treatment, 2) Three documented attempts have been made to locate client that meets the criteria of a priority case and 3) Case is unusual, challenging, or potentially risky and collaborative work on the case is needed. This also includes instances where there may be a suspected or confirmed STD outbreak.

- c. **Definition of STD Outbreak:** The occurrence of an increase in cases of previously targeted priority disease type in excess of what would normally be expected in a defined community, geographical area or season, and, by mutual agreement of the individual LPHA and OHA, exceeds the expected routine capacity of the local health authority to address.

4. **Procedural and Operational Requirements.** All STD related client services supported in whole or in part with resources provided to LPHA under this Agreement must be delivered in accordance with the following procedural and operational requirements:

- a. LPHA acknowledges and agrees that the LPHA bears the primary responsibility, as described in Divisions 17, 18, and 19, of Oregon Administrative Rules (OAR) Chapter 333, for identifying potential outbreaks of STDs within LPHA's service area, for preventing the incidence of STDs within LPHA's service area, and for reporting in a timely manner (as in 2.a.) the incidence of reportable STDs within LPHA's service area.
- b. LPHA must provide or refer client for STD services in response to an individual seeking such services from LPHA. STD client services consist of screening individuals for reportable STDs and treating individuals infected with reportable STDs and their sexual partners for the disease.
- c. As required by applicable law, LPHA must provide STD client services including case finding, treatment (not applicable for HIV) and prevention activities, to the extent that local resources permit, related to HIV, syphilis, gonorrhea, and chlamydia in accordance with:

- i. Oregon Administrative Rules (OAR), Chapter 333, Divisions 17, 18, and 19;

- ii. “OHA Investigative Guidelines for Notifiable Diseases” which can be found at: <http://bit.ly/OR-IG>; and,
  - iii. Oregon Revised Statutes (ORS) 433.045.
- d. If LPHA receives in-kind resources under this Agreement in the form of medications for treating STDs, LPHA may use those medications to treat individuals infected with, or suspected of having reportable STDs or to treat the sex partners of individuals infected with reportable STDs, subject to the following requirements:
- i. The medications must be provided at no cost to the individuals receiving treatment.
  - ii. LPHA must perform a monthly medication inventory and maintain a medication log of all medications supplied to LPHA under this Agreement. Specifically, LPHA must log-in and log-out each dose dispensed.
  - iii. LPHA must log and document appropriate disposal of medications supplied to LPHA under this Agreement which have expired and thereby, prevent their use.
  - iv. LPHA shall only use “340-B medications” to treat individuals for STDs in accordance with the Health Resources and Services Administration (HRSA) Office of Pharmacy Affairs regulations regarding “340-B Drug Pricing Program”.
- e. If LPHA receives in-kind resources under this Agreement in the form of condoms, and lubricants, LPHA may distribute those supplies at no cost to individuals infected with an STD and to other individuals who are at risk for STDs. LPHA may not, under any circumstances, sell condoms supplied to LPHA under this Agreement.
5. **Reporting Obligations and other Requirements.** LPHA shall submit data regarding STD client services, risk criteria and demographic information to OHA via direct entry into the centralized ORPHEUS database or some equivalent mechanism for data reporting deemed acceptable by OHA as outlined in section 2a of this Program Element 10.



**Agreement #148007**

**SIXTH AMENDMENT TO OREGON HEALTH AUTHORITY  
2015-2017 AGREEMENT FOR THE  
FINANCING OF PUBLIC HEALTH SERVICES**

In compliance with the Americans with Disabilities Act, this document is available in alternate formats such as Braille, large print, audio recordings, Web-based communications and other electronic formats. To request an alternate format, please send an e-mail to [dhs-oha.publicationrequest@state.or.us](mailto:dhs-oha.publicationrequest@state.or.us) or call 503-378-3486 (voice) or 503-378-3523 (TTY) to arrange for the alternative format.

This Sixth Amendment to Oregon Health Authority 2015-2017 Agreement for the Financing of Public Health Services (the "Agreement") is between the State of Oregon acting by and through its Oregon Health Authority ("OHA"), Curry County ("County"), and Curry Community Health, an Oregon non-profit public benefit corporation ("LPHA"), the entity County has contracted with, pursuant to ORS 431.375(2), to act as the local public health authority in County.

**RECITALS**

WHEREAS, OHA, County, and LPHA wish to modify the Financial Assistance Award set forth in Exhibit C of the Agreement.

WHEREAS, OHA, County, and LPHA wish to modify the information required by CFR Subtitle B with guidance at 2 CFR Part 200.

NOW, THEREFORE, in consideration of the premises, covenants and agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows

**AGREEMENT**

1. Section 1 of Exhibit C entitled "Financial Assistance Award" of the Agreement is hereby superseded and replaced in its entirety by Exhibit 1 attached hereto and incorporated herein by this reference. Exhibit 1 must be read in conjunction with Section 4 of Exhibit C, entitled "Explanation of Financial Assistance Award" of the Agreement.
2. Exhibit J "Information required by CFR Subtitle B with guidance at 2 CFR Part 200" is amended to supersede and replace selected federal award information datasheets as set forth in Exhibit 2 "Information required by CFR Subtitle B with guidance at 2 CFR Part 200" attached hereto and incorporated herein by this reference.

3. County represents and warrants to OHA that the representations and warranties of County set forth in Section 2 of Exhibit E of the Agreement are true and correct on the date hereof with the same effect as if made on the date hereof.
4. LPHA represents and warrants to OHA that the representations and warranties of LPHA set forth in Section 2 of Exhibit E of the Agreement are true and correct on the date hereof with the same effect as if made on the date hereof.
5. Capitalized words and phrases used but not defined herein shall have the meanings ascribed thereto in the Agreement.
6. Except as amended hereby, all terms and conditions of the Agreement remain in full force and effect.
7. This Amendment may be executed in any number of counterparts, all of which when taken together shall constitute one agreement binding on all parties, notwithstanding that all parties are not signatories to the same counterpart. Each copy of this Amendment so executed shall constitute an original.
8. This Amendment becomes effective on the date of the last signature below.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the dates set forth below their respective signatures.

**9. Signatures.**

**STATE OF OREGON ACTING BY AND THROUGH ITS OREGON HEALTH AUTHORITY (OHA)**

By: \_\_\_\_\_  
Name: Priscilla M. Lewis  
Title: Deputy Public Health Director  
Date: \_\_\_\_\_

**CURRY COUNTY (COUNTY)**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**CURRY COMMUNITY HEALTH (LPHA)**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**DEPARTMENT OF JUSTICE – APPROVED FOR LEGAL SUFFICIENCY**

*Amendment form group-approved by D. Kevin Carlson, Senior Assistant Attorney General, by email on October 2, 2015. A copy of the emailed approval is on file at OCP.*

REVIEWED:

**OHA PUBLIC HEALTH ADMINISTRATION**

Reviewed by: \_\_\_\_\_  
Name: Karen Slothower (or designee)  
Title: Program Support Manager  
Date: \_\_\_\_\_

**OFFICE OF CONTRACTS & PROCUREMENT**

By: \_\_\_\_\_  
Name: Phillip G. McCoy, OPBC, OCAC  
Title: Contract Specialist  
Date: \_\_\_\_\_

**Exhibit 1 to Amendment 6 to Agreement #148007  
FINANCIAL ASSISTANCE AWARD**

State of Oregon Oregon Health Authority Public Health Division		Page 1 of 2	
<b>1) Grantee</b> Name: Curry Community Health  Street: 94235 Moore St., Suite 121 City: Gold Beach State: OR      Zip Code: 97444		<b>2) Issue Date</b> March 31, 2016	<b>This Action</b> Amendment FY2016
		<b>3) Award Period</b> From July 1, 2015 Through June 30, 2016	
<b>4) OHA Public Health Funds Approved</b>			
Program	Previous Award	Increase/ (Decrease)	Grant Award
PE 01 State Support for Public Health	25,117	0	25,117
PE 03 TB Case Management	404	0	404
PE 09 PHEP -- EBOLA	10,572	0	10,572
PE 12 Public Health Emergency Preparedness	68,993	0	68,993
PE 13 Tobacco Prevention & Education	58,125	0	58,125
PE 27 Prescription Drug Overdose Prevention	79,580	0	79,580 (j)
PE 40 Women, Infants and Children FAMILY HEALTH SERVICES	89,500	0	89,500 (b,c,f)
PE 41 Reproductive Health Program FAMILY HEALTH SERVICES	10,324	1,205	11,529 (d,e,k)
PE 42 MCH/Child & Adolescent Health -- General Fund FAMILY HEALTH SERVICES	3,740	0	3,740 (a)
PE 42 MCH-TitleV -- Child & Adolescent Health FAMILY HEALTH SERVICES	5,023	0	5,023 (a)
PE 42 MCH-TitleV -- Flexible Funds FAMILY HEALTH SERVICES	11,720	0	11,720 (a)
PE 42 MCH/Perinatal Health -- General Fund FAMILY HEALTH SERVICES	1,994	0	1,994 (a)
<b>5) FOOTNOTES:</b>			
a) Funds will not be shifted between categories or fund types. The same program may be funded by more than one fund type, however, federal funds may not be used as match for other federal funds (such as Medicaid). b) July -September grant is \$23,154 ; and includes \$4,631 of minimum Nutrition Education: and \$1,062 for Breastfeeding Promotion. c) October-June grant is \$66,347 ; and includes \$13,269 of minimum Nutrition Education amount and \$3,187 for Breastfeeding Promotion. d) \$810 reflects the phase-out of the Title V supplement for Reproductive Health. Title V funding in support of Reproductive Health is for the period July 1, 2015 through December 31, 2015. e) \$9,514 represents Title X funding which may change due to availability of funds and funding calculation based on clients served in FY2014. f) \$ 1,038 increase is at the funding rate of \$2 per participant. This is done according to the certified caseload effective July 1st, 2015.			
<b>6) Capital Outlay Requested in This Action:</b>			
Prior approval is required for Capital Outlay. Capital Outlay is defined as an expenditure for equipment with a purchase price in excess of \$5,000 and a life expectancy greater than one year.			
PROGRAM	ITEM DESCRIPTION	COST	PROG. APPROV



**Exhibit 2 to Amendment 6 to Agreement #148007  
Information required by CFR Subtitle B with guidance at 2 CFR Part 200**

<b>PE 41 Reproductive Health - FY16 (July 15 - June 16)</b>				
	<b>Federal Award Identification Number(FAIN):</b>	FPHPA106038		
	<b>Federal Award Date:</b>	6/9/2015		
	<b>Performance Period:</b>	06/30/15-06/29/2016		
	<b>Federal Awarding Agency:</b>	DHHS/PHS/PA		
	<b>CFDA Number:</b>	93.217		
	<b>CFDA Name:</b>	Family Planning Services		
	<b>Total Federal Award:</b>	\$2,923,913		
	<b>Project Description:</b>	Oregon Reproductive Health Program		
	<b>Awarding Official:</b>	Robin Fuller, robin.fuller@hhs.gov		
	<b>Indirect Cost Rate:</b>	17.45%		
	<b>Research And Development(Y/N):</b>	N		
	<b>Index/PCA</b>	50333/52545		
<b>Agency/Contractors Name</b>	<b>DUNS</b>	<b>Initial Award</b>	<b>March Amendment</b>	<b>Total SFY 16 Award</b>
CURRY	042631270	\$9,514.00	\$1,205.00	\$10,719.00

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 03-02-2016

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Bid Award - Annual Road Paint Striping Project with Signatory Authority to Roadmaster.

**AGENDA DATE<sup>a</sup>:** May 4, 2016 **DEPARTMENT:** Road **TIME NEEDED:** 5

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** Doug Robbins **PHONE/EXT:** 3393 **TODAY'S DATE:** 4/20/16

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** Three bids were received for this years County Road Paint Striping work. Summary is attached. The City of Brookings has requested to be part of this project as they have the past 4 years. I recommend this bid be awarded to the low bidder - Hicks Striping & Curbing, Inc.

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:** **SUBMISSION TYPE:** Contract

- (1) Road Striping - 2016 Bid Summary
- (2)

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

- 1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
- 2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
- 3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

- File with County Clerk
- Send Printed Copy to:
- Email a Digital Copy to:
- Other

Name:  
Address:  
City/State/Zip:

Phone:

Due date to send:        /        /

Email:

<sup>c</sup>Note: Most signed documents are filed/recorded with the Clerk per standard process.

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A   
(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

- 1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
- 2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
- 3. If job description, Salary Committee reviewed: Yes  No  N/A
- 4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** **Administrative Actions**

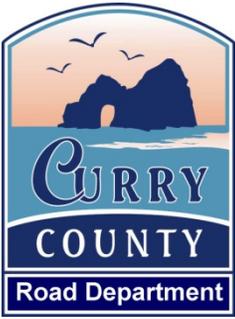
**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No   
(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

- Commissioner Susan Brown Yes  No
- Commissioner Thomas Huxley Yes  No
- Commissioner David Brock Smith Yes  No

Not applicable to Sheriff's Department since they do not have a liaison



**Curry County Road Department**  
28425 Hunter Creek Road  
Gold Beach, OR 97444

*Douglas M. Robbins*  
Roadmaster

Phone: (541) 247-7097  
Fax: (541) 247-7804

**CURRY COUNTY ROAD STRIPING – 2016**

**BID OPENING: Wednesday, April 6, 2016, 10:00 AM**

**BID SUMMARY**

<u>Company</u>	<u>Unit Price</u>	<u>Total Bid</u>	
Hicks Striping & Curbing, Inc.	\$ 158.00 / mile	\$ 62,094.00	County
Brooks, OR	\$ 170.00 / mile	<u>\$ 3,485.00</u>	City of Brookings
		\$ 65,579.00	
Apply-A-Line, Inc.	\$ 165.00 / mile	\$ 64,845.00	County
Portland, OR	\$ 165.00 / mile	<u>\$ 3,382.50</u>	City of Brookings
		\$ 68,227.50	
Specialized Pavement Marking, Inc	\$ 176.50 / mile	\$ 69,364.50	County
Tualatin, OR	\$ 185.00 / mile	<u>\$ 3,792.50</u>	City of Brookings
		\$ 73,157.00	

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 03-02-2016

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** VOCA One Time Allocation

**AGENDA DATE<sup>a</sup>:** 05/04/2016 **DEPARTMENT:** DA/VAP/CAC **TIME NEEDED:** 15min

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** Christine Mather/Jackie Antunes **PHONE/EXT:** 3289/3340 **TODAY'S DATE:** 04/27/2016

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** Two VOCA Grant proposals, signature of Fiscal Office for non-Supplanting, Letter of Authorization by County Counsel, and signature authority given to Mr. Dial.

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:** **SUBMISSION TYPE:** Grant

- (1) Example of Non-Supplanting Certificate, Draft Application
- (2) Example of previous Letter of Authorization

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

- 1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail) Increase in funding for VAP and CAC
- 2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail) Finance
- 3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other Letter of Authorization and Signature Authority

Phone:

Due date to send: 04 /27 / 2016

Email:

<sup>c</sup>Note: Most signed documents are filed/recorded with the Clerk per standard process.

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A

(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

- 1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
- 2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
- 3. If job description, Salary Committee reviewed: Yes  No  N/A
- 4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** Administrative Actions

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No

(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Susan Brown Yes  No

Commissioner Thomas Huxley Yes  No

Commissioner David Brock Smith Yes  No

Not applicable to Sheriff's Department since they do not have a liaison

## CERTIFICATE OF NON-SUPPLANTING

It is necessary to provide assurance that sub-grant funds will not be used to supplant or replace funds that would normally be available or appropriated for the same purpose. The certificate is to be signed by the applicant agency's fiscal officer.

**Supplanting Definition:** Supplanting is considered the reduction of state or local funds for an activity specifically because federal funds are available (or expected to be available) to fund that same activity. Federal funds must be used to supplement existing state or local funds for program activities and may not replace state or local funds that have been appropriated or allocated for the same purpose. Additionally, federal funding may not replace state or local funding that is required by law. In those instances where a question of supplanting arises, the applicant or grantee may be required to substantiate that the reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.

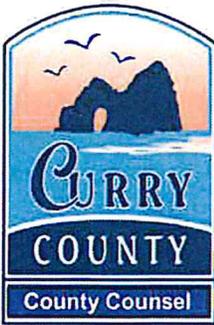
### CERTIFICATION

The applicant certifies that any funds awarded through the Victims of Crime Act (VOCA) will be used to supplement existing funds for program activities and will not replace (supplant) nonfederal funds that have been appropriated for the purpose of providing services to victims of crime. The applicant understands that supplanting violations can result in a range of penalties, including suspension of future funds under this program, suspension or debarment from federal grants, recoupment of monies provided under this grant and civil and/or criminal penalties.

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Signature of Fiscal Officer

Date



## Curry County Counsel

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*M. Gerard Herbage, County Counsel*  
94235 Moore Street, Suite 123  
Gold Beach, Oregon 97444  
(541) 247-3291  
(541) 247-2718 Fax

October 26, 2015

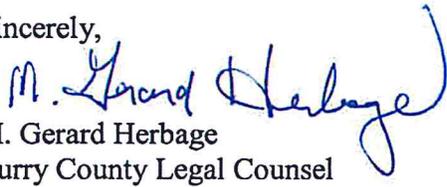
CVSD Fund Coordinators  
Oregon Department of Justice  
Crime Victims' Services Division  
1162 Court St. NE  
Salem, OR 97301-4096

Dear CVSD Fund Coordinators:

This letter is to inform you that on October 21, 2015, the Board of Curry County Commissioners in open meeting delegated to Curry County District Attorney Everett Dial the authority to sign the 2015-2017 VOCA & CFA Non-Competitive Application award documents and reporting forms on behalf of the County for the period October 1, 2015 to September 30, 2017.

Please do not hesitate to contact me should you have any questions, or if you need additional information.

Sincerely,

  
M. Gerard Herbage  
Curry County Legal Counsel

Cc: Everett Dial  
The Board of Curry County Commissioners

## A. Cover Page

**1. Organization Certification****By checking the following boxes, I hereby certify the following:**

- ✓ The Organization Information page is complete and accurate. If appropriate, CVSD has been contacted to make any changes;
- ✓ All new agency personnel working on this application have been added to the organization and the application;
- ✓ All personnel no longer associated with this agency have been deactivated in the system.
- ✓ The Civil Rights Training Certification is completed and uploaded.
- ✓ The Staff Roster is complete and accurate. In order to edit the Staff Roster go to the "My Organization" page, and then "Organization Details."
- ✓ If applicable, the Board Roster is complete and accurate. In order to edit the Board Roster go to the "My Organization" page, and then "Organization Details."

**2. Applicant Information**

- a. Applicant Agency's Legal Name & Mailing Address:  
Curry County, acting by and through its District Attorney's Office  
94235 Moore Street #232  
Gold Beach, OR 97444  
Phone: 5412473289  
Fax: 5412476680
- b. Physical Address (If different than the mailing address, if confidential, enter "confidential" instead):
- c. County: Curry County
- d. Additional county(ies) served:
- e. Congressional District(s) served: \* 1 2 3 ✓ 4 5 [Click here to view map](#)
- f. Federal ID #: 93-6002291
- g. Federal DUNS #: 054973953
- h. SAM Expiration Date: \* 8/12/2016
- i. Contact Person - The individual who is responsible for the day to day management and program reporting:  
Christine Mather
- j. Contact Information:  
Victim Advocate  
94235 Moore Street #232  
Gold Beach, OR 97444  
Phone: (541) 247-3289  
Fax: (541) 247-6680  
E-mail: matherc@co.curry.or.us
- k. Fiscal Contact - The individual who prepares the financial reports for the grant based on agency fiscal records:  
everett dial
- l. Fiscal Contact Information:  
District Attorney  
94235 Moore St, Suite 232  
Gold Beach, OR 97444  
Phone: (541) 247-3298  
E-mail: diale@co.curry.or.us

## A. Cover Page

m. Fiscal Officer - The individual who has signature authority for financial reporting for the agency. CVSD will assume that all financial reports submitted in E-Grants have been approved by the Fiscal Officer as a true and accurate representation of grant expenditures.

n. Fiscal Officer Information: everett dial  
District Attorney  
94235 Moore St, Suite 232  
Gold Beach , OR 97444  
Phone: (541) 247-3298  
E-mail: diale@co.curry.or.us

o. Website Address:

**3. Implementing Agency Type: \***

a. Government Agencies Only: Which designation best describes your government agency (select one response)?

- Law enforcement
- Prosecutor - County District Attorney
- Prosecutor - City Attorney
- Other government agency (please specify):

b. Nonprofit Organizations Only: Which designation best describes your nonprofit organization (check all that apply)?

- Child abuse service organization (e.g., child advocacy center)
- Domestic and Family Violence organization
- Faith-based organization
- Organization provides domestic and family violence and sexual assault services
- Organization by and/or for underserved victims of crime (e.g., drunk driving, homicide, elder abuse)
- Sexual assault services organization (e.g., rape crisis center)
- Multi-service agency
- Other type of organization serving victims of crime

c. Federally Recognized Tribal Governments, Agencies, and Organizations Only: Which designation best describes your tribal agency or organization (select one response)?

- Domestic and Family Violence Organization
- Law Enforcement
- Organization provides domestic and family violence and sexual assault services
- Prosecutor
- Other justice-based agency
- Other agency that is NOT justice-based (e.g. human services, health, education)

d. Campus Organizations Only: Which designation best describes your campus organization (select one response)?

- Law enforcement
- Physical or mental health service program
- Campus-based victim's services
- Other (please specify):

## A. Cover Page

**4. Staff/Volunteer Information**

- a. Indicate the **total** FTE of all paid staff for the agency's victimization programs and/or services: 1.35
- b. Indicate the **total** number of volunteer hours (including match) supporting the work of this VOCA award: 1

**5. Does your agency currently receive VOCA funds? \***

Yes No

**6. Application to serve the following VOCA priority category(ies): \***

Domestic and Family Violence

Adult Sexual Assault

Child Abuse

General Victim Assistance

Underserved

**7. Type of Project \***

	<b>Project Start Date</b>	<b>Project End Date</b>
<input checked="" type="checkbox"/> Emergency Services	3/1/2016 -	12/31/2017
<input checked="" type="checkbox"/> Training	3/1/2016 -	12/31/2017
<input checked="" type="checkbox"/> Technology & Repair/Replacement	3/1/2016 -	12/31/2017
<input checked="" type="checkbox"/> Other	3/1/2016 -	12/31/2017

## B. Services Checklist

Please indicate the victims and services included in your VOCA funded activities, combining the domestic violence, sexual assault, and underserved categories.

**1. Identify the victims to be served through this VOCA funded project (check all that apply):\***

- ✓ Adult Physical Assault (Includes Aggravated and Simple Assault)
- ✓ Adult Sexual Assault
- ✓ Adults Sexually Abused/Assaulted as Children
- ✓ Arson
- ✓ Bullying (Verbal, Cyber or Physical)
  
- ✓ Burglary
- ✓ Child Physical Abuse or Neglect
- ✓ Child Pornography
- ✓ Child Sexual Abuse/Assault
- ✓ Domestic and/or Family Violence
- ✓ DUI/DWI Incidents
- ✓ Elder Abuse or Neglect
- ✓ Hate Crime: Racial/Religious/Gender/ Sexual Orientation/Other (Explanation Required)
- ✓ Human Trafficking: Labor
- ✓ Human Trafficking: Sex
- ✓ Identity Theft/Fraud/Financial Crime
- ✓ Kidnapping (Non-Custodial)
- ✓ Kidnapping (Custodial)
- ✓ Mass Violence (Domestic/International)
- ✓ Other Vehicular Victimization (e.g., Hit and Run)
- ✓ Robbery
- ✓ Stalking/Harassment
- ✓ Survivors of Homicide Victims
- ✓ Teen Dating Victimization
- ✓ Terrorism (Domestic/International)
- ✓ Violation of a Court Order

Other

If other, please describe:

**2. Check the services to be provided by this VOCA funded project (check all that apply):\***

**a. Information & Referral**

- ✓ Information about the criminal justice process
- ✓ Information about victim rights, how to obtain notifications, etc.
- ✓ Referral to other victim service programs
- ✓ Referral to other services, supports, and resources (includes legal, medical, faith-based organizations, address confidentiality programs, etc.)

**b. Personal Advocacy/Accompaniment**

- ✓ Victim advocacy/accompaniment to emergency medical care

## B. Services Checklist

---

- ✓ Victim advocacy/accompaniment to medical forensic exam
- ✓ Law enforcement interview advocacy/accompaniment
- ✓ Individual advocacy (assistance in applying for public benefits, return of personal property or effects)
- Performance of medical forensic exam or interview, or medical evidence collection
- Immigration assistance (e.g., special visas, continued presence application, and other immigration relief)
- Intervention with employer, creditor, landlord, or academic institution
- Child and/or dependent care assistance (provided by agency)
- ✓ Transportation assistance (provided by agency)
- ✓ Interpreter services
- ✓ Assistance with victim compensation application

### c. Emotional Support or Safety Services

- ✓ Crisis intervention (in-person, includes safety planning, etc.)
- ✓ Hotline/crisis line counseling
- Individual counseling
- ✓ On-scene crisis response (e.g., community crisis response)
- Therapy (traditional, cultural, or alternative healing; art, writing, or play therapy; etc.)
- Support groups (facilitated or peer)
- ✓ Emergency financial assistance (includes emergency loans and petty cash, payment for items such as food and/or clothing, changing windows and/or locks, taxis, prophylactic and nonprophylactic meds, durable medical equipment, etc.)

### d. Shelter/Housing Services

- ✓ Emergency shelter or safe house
- Transitional housing
- ✓ Relocation assistance

### e. Criminal/Civil Justice System Assistance

- ✓ Notification of criminal justice events (e.g., case status, arrest, court proceedings, case disposition, release, etc.)
- ✓ Victim impact statement assistance
- ✓ Assistance with restitution (includes assistance in requesting and when collection efforts are not successful)
- ✓ Emergency justice-related assistance
- ✓ Civil legal attorney assistance in obtaining protection or restraining order
- Civil legal attorney assistance with family law issues (e.g., custody, visitation, or support)
- Immigration attorney assistance (e.g., special visas, continued presence application, and other immigration relief)
- ✓ Prosecution interview advocacy/accompaniment (includes accompaniment with prosecution attorney)
- ✓ Criminal advocacy/accompaniment

## F. Project Description

---

### Emergency Services

Not Applicable

1. Provide a description of the types of services intended to be supported with these funds keeping in mind the allowable emergency services under VOCA. Consider how the agency has used this type of funding in the past as well as emergency services you have not been able to fund but now could with this additional funding. Include in this response any policy or procedures you have regarding emergency services such as eligibility, cap on funding, etc.

With the additional funding from the One Time VOCA allocation, our program will be able to provide services to our clients we haven't been able to in a number of years. The emergency services portion will be allotted to several different categories and mainly benefit victims of Domestic Violence or Sexual Assault/Abuse. The program's Emergency Service funds will provide victims with emergency shelter (hotel rooms or camp sites), gas to reach a safe place if need be, reimbursement or paying for changing of locks, and in some cases, groceries. If each client had a cap of \$150.00, this would allow us to help roughly 30 victims. Each case is different and has diverse elements, so \$150.00 is not necessary for each victim we help. Also, the Emergency Services portion would be just that, in the event of an emergency. If the situation warrants the need for monetary assistance from the program, that is when it will step in and provide the service, it will not be an everyday or even a monthly expenditure. The program Director and Advocate will have discretion over how the funds are spent; staffing each case they propose to qualify for assistance.

### Training

Not Applicable

1. What is the specific need you wish to address with the proposed training(s)?  
Having adequate and proper training on all subject matter ranging from sexual assault to restitution to address confidentiality is necessary in all aspects of our program. Being able to communicate, notify, and assist our clients effectively and properly is an everyday goal for the program.  
Throughout this program we want to be up to date and knowledgeable about our subject matter in the best way to help and accommodate our clients. Being able to fully fund my staff with the training I was granted to attend by scholarship would be beneficial to our program. This would also cut the risk of non-attendance because of lack of funding or not being awarded scholarships.
2. Describe the potential impact the training(s) will have on the delivery of services. Include a description of how services will be enhanced or new services provided as a result of the training(s).  
By participating in training the advocates in the program will experience and learn the language and frame of mind to be successful with clients in the program. Each training provides different elements allowing us to update and tweak our program as necessary for the better. Networking with different colleagues throughout the state and nation will give us the opportunity to incorporate them into our everyday work and taking experiences and knowledge from them will enhance our delivery of service. There is always room for improvement in programs, delivery of services, communication, and interaction with clients and a wide variety of training is how we plan to grow as a program along with networking experiences that come along with the training.

### Technology and Repair/Maintenance of Essential Items

#### A. Technology

Not Applicable

## F. Project Description

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1. What is the specific need(s) you wish to address? Describe the equipment, software, etc. you wish to replace or add and make your case for the need of these items. Provide information on the age and condition of all equipment that would be replaced.

The needs that we are addressing through this category are an upgraded emergency line to better communicate with our clients through many platforms, such as social media, text, and email, two tablets for each advocate to keep in touch with clients and take pictures of injuries. These are necessary to the program to be able to keep up with other agencies and be available to victims at all times. Our program serves a wide variety of people and not everyone communicates the same way. The other needs we are addressing is a functional printer/copier and a paper shredder. The existing printer we have in the office no longer works on a regular basis and the equipment hasn't been updated in several years. The printer precedes everyone in the program and has been repaired by the IT department for the county multiple times. The shredder is also very old and has recently quit working. It was a hand-me-down from another office in the county and our maintenance crew cannot fix it any longer. The printer/copier and shredder are important to the program because we send out victim letters to those we can't reach by phone or email, make copies of statements, bills, and estimates from our victims for restitution, and shred documents like applications for CVC and ACP for our clients after submission.

2. Explain how the item(s) will be used exclusively for providing services to victims. If other types of programming will make use of the item(s) identify other funding used to support the purchase of the item(s).

In securing these items for our program, we will be the only ones to use them. These items will help us connect with our clients and stay in touch with them, increase our productivity, and help our office with efficiency.

3. What training will be required to understand the full operational function of new hardware or system? Who will conduct initial and ongoing training as necessary?

There shouldn't be any training necessary for our newer technology. The items will come with owner's manuals, are fairly straight forward, and easily operated. The IT and maintenance department within the county are great resources if there is any questions or help needs with the newer technology.

4. Please discuss the expected impact to the agency/program (e.g.: improved response time, reliability, security, etc.). Include in this response how the technology expenses in the application will be used to support your agency's ability to provide direct services as well as VOCA grant management.

Having our own printer/copier in the office will increase productivity and efficiency. As it is now we have to go up and down three flights of stairs every time the program prints something because it goes straight to the District Attorney's office as our printer has finally stopped working. Having our own shredder will increase the privacy and security of our clients.

Having the technology to answer emails, texts, and social media messages from victims at all times will increase our connections with our clients and let us communicate with them when it is convenient for them instead of having to play "phone tag" or leave unanswered voicemail.

Having the newer technology would allow us the ability to keep our criminal cases up to date with victim information and aide in organization of the program.

### **B. Repair and Maintenance of Essential Items**

✓ Not Applicable

1. What is the specific need(s) you wish to address? How will Repair and Maintenance of Essential Items improve the health and safety of victims participating in your agency/program services?

## F. Project Description

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2. Provide information on the age and condition of all items/appliances that would be replaced, and make your case for the need of these items.
3. Explain how the item(s) will be used exclusively for providing services to victims. If other types of programming will make use of the item(s) identify other funding used to support the purchase of the item(s).

### Other Projects

Not Applicable

1. Describe the nature and scope of the problem/gap that the project will address. As appropriate, include the following in your response:

Use data to provide evidence that the need for the effort exists. The response must make a convincing case that the project addresses a gap in existing resources and does not duplicate. Identify the target population and document the effects of the problem/gap on the target population and/or the larger community. Describe any previous and current events to address the problem/gap. If the applicant organization is receiving funding from any other sources to providing services and support for crime victims, or technical assistance to support such projects, then the strategy must demonstrate how the funding would leverage the other funding to enhance the response to victims.

In three events, the most recent being in January of this year, where the program director has been called to the hospital, there has been no recourse for that client once their belongings have been taken into evidence, discarded, or destroyed by the incident of which they were brought in for. The comfort kits outlined in the Other Project section would be provided in times of need to fill the gap in services that we have had in recent months. The Oasis Shelter has also done a program similar to this, but they aren't always available or the client doesn't always meet the criteria for their program and ends up going without or we rely on another agency to help fill this void. It would be helpful to be able to provide for our clients without relying on another agency and to cater to a wider population.

2. Describe services and activities that you will undertake to implement the project. Make certain that the activities you describe align with the proposed budget. Include:  
How these efforts will complement and support services or resources already in place or respond to the problem/gap described above; Describe who will deliver the proposed services and activities and their training and experience; Explain how the item(s) will be used exclusively for providing services to victims. If other types of programming will make use of the item(s) identify other funding used to support the purchase of the item(s).

The responding advocate (most likely our Program Director) will have on hand a size range of kits to cater to the survivor. Response to the hospital or medical location is the general practice for the advocate and the comfort kit will be added into their regular regime of support items. When responding at the location, usually a small pad of paper, pen, business cards, and information on domestic violence programs/sexual assault (depending on the allegations) are on hand for the survivor. These kits will become an addition to the response items and will provide for a smoother transition when the client is released or cleared of medical care.

The Program Director has had training in multiple areas and comprehensive training in Sexual Assault and Domestic Violence. She continues to better herself and gain more knowledge by participating in all training she can find and deem necessary to further her education in this field.

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**F. Project Description**

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3. The funding in this RFA is not sustainable; CVSD does not intend to offer this type of grant again. If the proposed project is an initiative to start a new program or enhance and expand existing services, what resources will be used to sustain the program or services in the future?

In the future to replenish the Comfort Kits, fundraising and seeking out more grant opportunities will be addressed when the need is apparent. As it is, the Program Director applies for grant funding to continue the program as a whole, this will be another component that will be incorporated into services for the future.

I. VOCA Personnel: Victim Advocate

1.	Staff Name:	Jean Campbell		
2.	Position Title:	Victim Advocate		
		<b>Training</b>	<b>Technology &amp; Repair/Replacement</b>	<b>Other</b>
				<b>Total</b>
3.	Salary funded by this grant:	\$0	\$0	\$4,554.00
4.	Total salary for full-time equivalent (1 FTE):			\$4,554.00
				\$30,275.00

Please show the salary calculation and the percentage of time the staff position is to be allocated to the project. Refer to Show Help for a more detailed explanation and a calculation example.

\$30,275.00 X .10= \$2,277.00 (Year 1)  
 \$30,275.00 X .10= \$2,277.00 (Year 2)

		<b>Training</b>	<b>Technology &amp; Repair/Replacement</b>	<b>Other</b>	<b>Total</b>
5.	Personnel expenses funded by this grant:	\$0	\$0	\$364.00	\$364.00
6.	Total personnel expenses for full-time equivalent:				\$11,201.75

Please indicate the dollar amount and the rate used to calculate the personnel costs of the staff position to be allocated to the project and include a list of the personnel costs included in the calculation (FICA, UI, Workers' Compensation, health insurance, retirement, etc.). Refer to Show Help for a more detailed explanation and a calculation example.

\$11,201.75 X .10 = \$182.00 (Year 1)  
 \$11,201.75 X .10 - \$182.00 (Year 2)

		<b>Training</b>	<b>Technology &amp; Repair/Replacement</b>	<b>Other</b>	<b>Total</b>
7.	FTE funded by this grant:	0.00	0.00	0.12	0.12

8. What are the top five (5) major direct service activities to be performed by this proposed VOCA funded staff member?

- Notification
- Restitution
- Court Accompaniment
- Transportation
- Assistance w/ Protective Orders

J. VOCA Services and Supplies

**1. Contractual Services**

For any contractual service listed below, the Proposed Subcontracting section on Form G must be completed, including an uploaded Subcontract. Refer to Show Help for a more detailed explanation and a calculation example.

<b>Emergency Services</b>	<b>Training</b>	<b>Technology &amp; Repair/Replaceme nt</b>	<b>Other</b>	<b>Total</b>
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Contract Amount:	\$0
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Enter the Subcontractor name, if known, the service to be provided, the compensation rate (hourly or monthly salary, hourly or daily fee, monthly fee, etc.) and the total estimated time to deliver the service (hours, days, months based on compensation rate). Consultant fees in excess of \$650 per day or \$81.25 per hour require additional justification and prior approval.

List all expenses to be paid on the Subcontract in addition to any compensation (training costs, travel costs, mileage, meals and lodging, supplies, etc.).

<b>Emergency Services</b>	<b>Training</b>	<b>Technology &amp; Repair/Replaceme nt</b>	<b>Other</b>	<b>Total</b>
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Contract Amount:	\$0
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Enter the Subcontractor name, if known, the service to be provided, the compensation rate (hourly or monthly salary, hourly or daily fee, monthly fee, etc.) and the total estimated time to deliver the service (hours, days, months based on compensation rate). Consultant fees in excess of \$650 per day or \$81.25 per hour require additional justification and prior approval.

List all expenses to be paid on the Subcontract in addition to any compensation (training costs, travel costs, mileage, meals and lodging, supplies, etc.).

<b>Emergency Services</b>	<b>Training</b>	<b>Technology &amp; Repair/Replaceme nt</b>	<b>Other</b>	<b>Total</b>
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Contract Amount:	\$0
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Enter the Subcontractor name, if known, the service to be provided, the compensation rate (hourly or monthly salary, hourly or daily fee, monthly fee, etc.) and the total estimated time to deliver the service (hours, days, months based on compensation rate). Consultant fees in excess of \$650 per day or \$81.25 per hour require additional justification and prior approval.

J. VOCA Services and Supplies

List all expenses to be paid on the Subcontract in addition to any compensation (training costs, travel costs, mileage, meals and lodging, supplies, etc.).

<b>Emergency Services</b>	<b>Training</b>	<b>Technology &amp; Repair/Replaceme nt</b>	<b>Other</b>	<b>Total</b>
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Contract Amount: \$0

Enter the Subcontractor name, if known, the service to be provided, the compensation rate (hourly or monthly salary, hourly or daily fee, monthly fee, etc.) and the total estimated time to deliver the service (hours, days, months based on compensation rate). Consultant fees in excess of \$650 per day or \$81.25 per hour require additional justification and prior approval.

List all expenses to be paid on the Subcontract in addition to any compensation (training costs, travel costs, mileage, meals and lodging, supplies, etc.).

<b>2. Travel</b>	<b>Training</b>	<b>Technology &amp; Repair/Replaceme nt</b>	<b>Other</b>	<b>Total</b>
Total travel costs			\$372.00	\$372.00

funded by this grant:

Please describe travel expenses of project staff (travel to attend meetings, travel for outreach, client transport, and any other travel not related to attendance at training), show the basis of the computation (# of miles, cost per mile), and explain how the travel costs are necessary and beneficial to the project. Refer to Show Help for a more detailed explanation and a calculation example.

1240 miles x .30/mile = \$372.00

We pick up victims, transport them to and from court proceedings, Grand Jury, and trials. Transport has been everywhere from 2 miles to 288 miles in a day, depends on the location of the client and the needs that have to be met.

We also travel to MDT meetings, SART meetings, and make frequent trips across town to collaborate with the Child Advocacy Center or the Oasis Shelter.

**3. Training**

Government Per Diem Rates  
Guidance on Training

## J. VOCA Services and Supplies

Training	Approximate Date	# of Staff	Reg. Cost	Travel Cost	Lodging Cost	Meal Per Diem Cost	Total Cost	Training Category Costs	Technology & Repair/Replacement Costs
ODAA 2016	8/17/2016	2	\$375.00	\$480.00	\$680.00	\$200.00	\$1,735.00	\$864.50	\$870.50
SART Core Advocate Training	3/13/2017	1	\$0	\$380.00	\$460.00	\$120.00	\$960.00	\$456.00	\$504.00
Child Abuse and Family Violence Prevention Summit AND MDT Day	4/17/2017	2	\$930.00	\$460.00	\$1,200.00	\$340.00	\$2,930.00	\$1,465.00	\$1,465.00
ODAA 2017	8/16/2017	2	\$375.00	\$480.00	\$680.00	\$200.00	\$1,735.00	\$864.50	\$870.50
SVAA Basic Academy	5/15/2017	1	\$300.00	\$380.00	\$460.00	\$180.00	\$1,320.00	\$0	\$1,320.00
Crime Victim Law Conference 2017	6/9/2017	2	\$840.00	\$460.00	\$780.00	\$230.00	\$2,310.00	\$0	\$2,310.00

J. VOCA Services and Supplies

NICP Domestic Violence & Sexual Assault	12/3/2016	1	\$475.00	\$695.00	\$620.00	\$210.00	\$2,000.00	\$0	\$2,000.00
Total training costs funded by the grant:			\$3,295.00	\$3,335.00	\$4,880.00	\$1,480.00	\$12,990.00	\$3,650.00	\$9,340.00

Please provide a brief description of each training, the calculations for how the training costs were determined, and an explanation of how the training is necessary and beneficial to the project. Refer to Show Help for a more detailed explanation, a calculation example, and the federal food and beverage policy.

ODAA for 2016 & 2017 is a 3 day training with workshops and presentations specific to Victim Assistance in Oregon. It is a great resource to be able to network with the other DA based providers around the state.

SVAA and SATF are necessary to lay a foundation for the work we do. The opportunity for the part-time advocate to partake in these trainings is crucial and mandatory.

The Child Abuse & Family Violence Summit is a great resource for knowledge in our field. There are many different opportunities and classes to choose from to better ourselves in certain areas.

National Crime Victim Law Conference will give the attendees the chance to network with other professionals nationally serving victims gather to learn, share experiences in the field, and help mold the future of victims' rights.

NICP Domestic Domestic Violence and Sexual Assault training will do much of what the NCVLC will do in the scope of expanding our knowledge base to national issues and best practices.

4. Office Supplies	Emergency Services	Training	Technology & Repair/Replacement	Other	Total
Total office supply costs funded by this grant:	\$0			\$1,500.00	\$1,500.00

Please list items by type (office supplies, copy paper, expendable equipment costing less than \$5,000 and having a useful life less than one year, etc.), explain how the cost estimate was determined, and provide an explanation for how these supplies are necessary and beneficial to the project. Generally, supplies include any materials that are expendable or consumed during the course of the project.

J. VOCA Services and Supplies

Quotes from Quill.com

- 2- 3 Hole Punch (\$38.99) \$77.98
  - 5- Boxes Staples (\$1.99) \$9.95
  - 1- Dr. Grip Pen \$9.49
  - 10- Dr. Grip Refills Blue (\$1.59) \$15.90
  - 2- Self Inking Received Stamps (\$32.99) \$65.98
  - 4- Tea Samplers (\$13.99) \$55.96
  - 24- Case of Water (\$3.96) \$95.04 + Deposit \$43.20
  - 3- Ruled Pads (\$10.99) \$32.97
  - 4- Message Books (\$16.29) \$65.16
  - 4- Carton Copy Paper (\$53.99) \$215.96
  - 10- Ream of Bright Pink (\$14.19) \$141.19
  - 1- Dymo Label Writer \$99.99
  - 5- Dymo Label Rolls (\$19.99) \$99.95
  - 2- Paper Towels (\$15.99) \$31.98
  - 1- Carton 12 oz Hot Cups \$63.99
  - 10- Boxes Envelopes (\$10.99) \$109.90
  - 1- Post-Its 18 pads/pack \$25.99
  - 2- Tissues 6 boxes/pack (\$11.99) \$23.98
  - 1- Expo Dry Erase Marker 8 Color Set \$12.39
- Quote from DollarTree.com
- 5- Cases Personal Hand Sanitizer (\$40.00) \$200.00

These items are all used in daily work from taking notes or messages, to interacting with clients. This will give our program and office the opportunity to keep up a fully functional work space.

5. Postal Supplies	Training	Technology & Repair/Replacement	Other	Total
Total postage costs funded by this grant:	\$0		\$350.00	\$350.00

Please indicate the type of postal expenses, explain how the cost estimate was determined, and provide an explanation for how these costs are necessary and beneficial to the project.

J. VOCA Services and Supplies

This money will be used for stamps that we use to mail out rights packages to our clients when we are unable to reach them by phone and if needed send certified mail through the remaining funds, not used for stamps.

Each roll of stamps is 100 stamps for \$49.00

This funding would give us the ability to buy 6 rolls of stamps over the two year period.

\$50.00 would be for the certified mail.

<b>6.</b>	<b>Printing &amp; Copying</b>	<b>Training</b>	<b>Technology &amp; Repair/Replacement</b>	<b>Other</b>	<b>Total</b>
	Total printing and copying costs	\$0	\$1,465.00	\$1,465.00	\$2,930.00

funded by this grant:

Please indicate the type of printing and copying expenses, explain how the cost estimate was determined, and provide an explanation for how these costs are necessary and beneficial to the project.

Xerox® WorkCentre 6505/N Color Laser All-in-One Printer: \$649.99

Black Cartridges: \$109.99 (X4) = \$439.96

Cyan Cartridges: \$114.99 (X4)= \$459.99

Magenta Cartridges: \$114.99 (X4)= \$459.96

Yellow Cartridges: \$114.99 (X4)= \$459.96

Quotes from Quill.com

<b>7.</b>	<b>Communication (Telephone, Cell Phone, Internet)</b>	<b>Training</b>	<b>Technology &amp; Repair/Replacement</b>	<b>Other</b>	<b>Total</b>
	Total communication costs funded by this grant:	\$0	\$1,250.00	\$250.00	\$1,500.00

funded by this grant:

Please indicate the type of communication expenses (local and long distance telephone services, toll free phone services, Internet, cellular phone services, etc.), explain how the cost estimate was determined for each type of expense, and provide an explanation for how each of these costs are necessary and beneficial to the project.

J. VOCA Services and Supplies

The money allocated for this would be spent on upgrading the on-call emergency line from a flip phone to a smart phone. This will allow the on-call advocate to stay in touch with clients on a more broad spectrum. There would be the ability to email, Facebook, and text regularly with clients about their needs instead of being able to call them. Some clients do not have the capabilities of being near or in possession of a phone and this would help open the lines of communication. The expenses would be to upgrade the line to a new device and the payment of the plan into a new contract.

The program would also be purchasing two tablets to upgrade the photo taking of victim's injuries for the DA's office. These would also give the advocates another resource to contact and communicate with victims when it is needed.

- Samsung Galaxy S® 5 16GB  
\$60.00 for phone
- Protective Case For Samsung Galaxy S5 \$20.00
- 2 LG G Pad X 8.3  
\$339.00 per pad.
- 2 i-Blason Case Tablet \$16.99 per case.

8. Equipment Rental	Training	Technology & Repair/Replacement	Other	Total
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Total equipment rental costs funded by this grant:	\$0
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Please indicate the type of equipment rental expenses (postage meter, copier maintenance agreement, etc.), explain how the cost estimate was determined, and provide an explanation for how these costs is necessary and beneficial to the project.

K. VOCA Other Costs

<b>1.</b>	<b>Rent</b>	<b>Training</b>	<b>Technology &amp; Repair/Replacement</b>	<b>Other</b>	<b>Total</b>
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Total rent costs funded by this grant: \$0

The agency does not own the building for which rent costs will be charged.

Please indicate the type of rent cost (office space, training space, storage space, etc.), explain how the cost was determined (cost per square foot, monthly rent, room fee, etc.), the basis for the computation, and provide an explanation for how this cost is necessary and beneficial to the project.

<b>2.</b>	<b>Emergency Service</b>	<b>Emergency Services</b>	<b>Other</b>	<b>Total</b>
	Total emergency services costs funded by the grant:	\$3,650.00	\$1,350.00	\$5,000.00

Please describe the specific types of emergency services to be provided, explain how the cost estimate was determined, and provide an explanation for how these costs are necessary and beneficial to the project.

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#### K. VOCA Other Costs

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Having emergency services funds available for our clients would be an amazing addition to our program. As it is, we have to rely on other outside agencies to help provide some of the most basic needs for our victims. These funds would allow us to offer emergency shelter, gas, groceries, and the changing of locks to the victims that utilize our program. Not all of our victims qualify to stay at the Oasis Shelter here in town as it is a resource for women and children that are victims of sexual abuse and domestic violence. Also, if the Oasis Shelter is full we have limited options and resources in our small communities. Having this funding would allow us to keep more victims in the area they were affected in and prosecute more cases. Often times we will have victims that do not have many, if any, ties to the area and this aid would

K. VOCA Other Costs

help us protect our clients  
and keep them safe.

<b>3. Capital Outlay (include equipment items that have a useful life of one (1) year or greater AND have a value of \$5,000.00 or more)</b>	<b>Training</b>	<b>Technology &amp; Repair/Replacement</b>	<b>Other</b>	<b>Total</b>
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Total capital outlay costs funded by this grant: \$0

Please list each non-expendable item to be purchased, the cost for each item, and the pro-rated portion allocated to this project, unless the item is being purchased exclusively for this project. Explain how the item to be purchased is necessary for the success of the project. Capital purchases have an acquisition cost of \$5,000 or more with a useful life exceeding one year. Expendable items should be included in Office Supplies and rented or leased items should be included in Equipment Rental. For guidance on the appropriate Procurement Process for the items being purchased under this grant click [here](#).

<b>4. Indirect Costs</b>	<b>Emergency Services</b>	<b>Training</b>	<b>Technology &amp; Repair/Replacement</b>	<b>Other</b>	<b>Total</b>
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Total indirect costs funded by the grant: \$0

Indirect Costs charged to the project must be supported with a current federally approved indirect cost rate agreement uploaded in Form G.6. Please provide a brief narrative that describes what costs are included in the rate, your organization's negotiated indirect rate, and the base used to distribute indirect costs to individual awards. Refer to Show Help for a more detailed explanation of indirect costs.

K. VOCA Other Costs

5. <b>Direct Administrative Costs Administrative costs must be directly related to the project and may not exceed 10% of the total modified direct costs.</b>	<b>Emergency Services</b>	<b>Training</b>	<b>Technology &amp; Repair/Replacement</b>	<b>Other</b>	<b>Total</b>
Total administrative costs funded by this grant:					\$0
If the organization does not have a federally-approved indirect cost rate or does not want to charge 10% to all federal awards may choose to direct charge administrative costs at any rate up to 10% of the MDTC. Please provide a detailed explanation of the administrative costs to be funded by this grant (e.g., staff FTE, fiscal services, IT services, HR services, general liability insurance, audit costs, etc.), the method used by the organization to equitably allocate administrative costs, and how these costs are necessary and beneficial to the project. Refer to Show Help for a more detailed explanation of direct administrative costs.					
6. <b>Other</b>		<b>Training</b>	<b>Technology &amp; Repair/Replacement</b>	<b>Other</b>	<b>Total</b>
Other costs funded by this grant:				\$1,340.00	\$1,340.00
Please list other items by major type, the basis for the computation and how these costs are necessary and beneficial to the project.					

K. VOCA Other Costs

Comfort Kits for Victims of Sexual Assault/ Domestic Violence

Sometimes, when our staff is responding to a hospital or law enforcement call relating to Sexual Assault or Domestic Violence, these clients are left with nothing. My proposal for comfort kits would include a basic outfit of sweats and a t-shirt ranging from sizes small to xx-large, including undergarments of simple underwear, bra, and a pair of socks. Each kit would have a pair of shoes for the client. A re-usable bag for them to keep with a snack, water, and some hygienic items as well. Deodorant, body spray, hair ties, hair brush, tooth brush, tooth paste, make up wipes, panty liners, and tampons would be included in the kit. I would like to be able to carry 5 kits in each size and have an array of shoe sizes available to the survivor.

Outfit- \$31 (Shirt, pants, underwear, socks, shoes)/kit

Snack- \$1.20(water, granola bar, crackers)/kit

Hygiene- \$7.00/ kit

Overall it would be roughly \$40.00/kit

	<b>Training</b>	<b>Technology &amp; Repair/Replaceme nt</b>	<b>Other</b>	<b>Total</b>
Other costs funded by this grant:		\$195.00	\$35.00	\$230.00

Please list other items by major type, the basis for the computation and how these costs are necessary and beneficial to the project.

Fellowes Powershred 73Ci Jam Proof Cross-Cut Shredder \$179.99

Fellowes Shredder Oil \$10.49

Two Year Protection Plan \$36.00

The shredder we had for the program was on it's last leg when I came into the position. It has now since quit working and we need a replacement. This shredder will be able to shred up to 12 pages at once and handle paper clips/staples if they are subsequently left in. We need to have access to a functioning shredder to conceal personal information of our clients that can be obtained through ACP, CVC, and other forms.

Quotes from Quill.com

	<b>Training</b>	<b>Technology &amp; Repair/Replaceme nt</b>	<b>Other</b>	<b>Total</b>
Other costs funded by this grant:			\$670.00	\$670.00

---

### K. VOCA Other Costs

---

Please list other items by major type, the basis for the computation and how these costs are necessary and beneficial to the project.

Skate Ergonomic Patterned Mesh Manager's Chair X 2 \$334.99/each

The desk chairs in the office are hand-me down and whatever was available at the time. They are uncomfortable, old, and ill fitting for the employees that use them. The part time advocate is stuck in an executive chair that is non-adjustable to where she can't put her feet on the floor. New computer chairs will help our backs and make long work days more comfortable.

Quotes from Quill.com

M. VOCA Budget Summary

		Emergency Services	Training	Techn ology & Repai r/Repl acem ent	Total
1.	Total VOCA Grant Funds requested:	\$3,650.00	\$3,650.00	\$12,250.00	\$31,800.00
		Emergency Services	Training	Techn ology & Repai r/Repl acem ent	Total
2.	Total Administrative Funds Allowable*:	\$365.00	\$365.00	\$1,225.00	\$3,180.00
<p>* The calculation provided under "Total Administrative Funds Allowable" may need adjusting depending on the exact costs included in the proposed budget. Your Fund Coordinator may ask you to adjust administrative costs as necessary during the modification process.</p>					
3.	The 25% Cash and/or In-Kind Match required should equal:	Total Project \$7,950.00			
4.	Budget Summary		\$7,970.00	\$7,950.00	\$0

M. VOCA Budget Summary

Personnel	Emergency Services Grant Funds	Training Grant Funds	Technology & Repair/Replacement Grant Funds	Total Grant Funds
Salary		\$0	\$0	\$4,554.00
Personnel Expenses		\$0	\$0	\$364.00
<b>Total Personnel</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$4,918.00</b>
Services & Supplies	Emergency Services Grant Funds	Training Grant Funds	Technology & Repair/Replacement Grant Funds	Total Grant Funds
Contractual Services	\$0	\$0	\$0	\$0
Travel	\$0	\$0	\$0	\$372.00
Training	\$0	\$3,650.00	\$9,340.00	\$12,990.00
Office Supplies	\$0	\$0	\$0	\$1,500.00
Postage		\$0	\$0	\$350.00

M. VOCA Budget Summary

Printing & Copying		\$0	\$1,465.00	\$2,930.00
Communication		\$0	\$1,250.00	\$1,500.00
Equipment Rental		\$0	\$0	\$0
Total Services & Supplies	<b>\$0</b>	<b>\$3,650.00</b>	<b>\$12,055.00</b>	<b>\$19,642.00</b>
Other Costs	Emergency Services Grant Funds	Training Grant Funds	Technology & Repair/Replacement Grant Funds	Total Grants
Rent		\$0	\$0	\$0
Emergency Services	\$3,650.00			\$5,000.00
Capital Outlay		\$0	\$0	\$0
Indirect Costs	\$0	\$0	\$0	\$0
Administrative	\$0	\$0	\$0	\$0
Other		\$0	\$195.00	\$2,240.00
Total Other Services	<b>\$3,650.00</b>	<b>\$0</b>	<b>\$195.00</b>	<b>\$7,240.00</b>
Total	<b>\$3,650.00</b>	<b>\$3,650.00</b>	<b>\$12,250.00</b>	<b>\$31,800.00</b>
	\$0	\$0		
5. Match Funds Personnel		Cash Match Funds	In-Kind Match	Total Match

M. VOCA Budget Summary

Salary	\$7,950.00	\$0	\$7,950.00
			0.00
Personnel Expenses	\$0	\$0	\$0
Total Personnel	<b>\$7,950.00</b>	<b>\$0</b>	<b>\$7,950.00</b>
			<b>0.00</b>
Services & Supplies	Cash Match Funds	In-Kin d Match	Total Matc h
Contractual Services	\$0	\$0	\$0
Travel	\$0	\$0	\$0
Training	\$0	\$0	\$0
Office Supplies	\$0	\$0	\$0
Postage	\$0	\$0	\$0
Printing & Copying	\$0	\$0	\$0
Communication	\$0	\$0	\$0
Equipment Rental	\$0	\$0	\$0
Total Services & Supplies	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Other Costs	Cash Match Funds	In-Kin d Match	Total Matc h
Rent	\$0	\$0	\$0
Emergency Services	\$0	\$0	\$0
Capital Outlay	\$0	\$0	\$0
Indirect Costs	\$0	\$0	\$0
Administrative	\$0	\$0	\$0
Other	\$0	\$0	\$0
Total Other Services	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Total	<b>\$7,950.00</b>	<b>\$0</b>	<b>\$7,950.00</b>
			<b>0.00</b>
	\$1,590.00	\$1,610.00	

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 03-02-2016

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Compensation Board Appointment-Kevin McHugh

**AGENDA DATE<sup>a</sup>:** 05/04/2016 **DEPARTMENT:** Admin **TIME NEEDED:** 5 min.

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** Julie Schmelzer **PHONE/EXT:** 3253 **TODAY'S DATE:** 04/26/2016

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:**

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:**

**SUBMISSION TYPE:** Order

- (1)Order
- (2)Application

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other Notify McHugh of appointment, if approved

Phone:

Due date to send: 05 /10 / 2016

Email:

**\*Note: Most signed documents are filed/recorded with the Clerk per standard process.**

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A

(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
3. If job description, Salary Committee reviewed: Yes  No  N/A
4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** Administrative Actions

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No

(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Susan Brown Yes  No

Commissioner Thomas Huxley Yes  No

Commissioner David Brock Smith Yes  No

Not applicable to Sheriff's Department since they do not have a liaison

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
IN AND FOR THE COUNTY OF CURRY, OREGON

In the Matter of an Order        )  
Appointing Kevin McHugh        )        ORDER NO. 20311  
to the Curry County                )  
Compensation Board                )

**WHEREAS**, Curry County has a Compensation Board pursuant to ORS 204.112 to ORS 204.126;  
and

**WHEREAS**, there is a vacancy on said Compensation Board, and the Board of Curry County  
Commissioners has publicly asked for interested persons to apply for the positions; and

**WHEREAS**, Kevin McHugh is duly qualified to serve on the Compensation Board, and has applied  
to be appointed to said Board;

**NOW, THEREFORE, IT IS HEREBY ORDERED** that Kevin McHugh be appointed to the Curry  
County Compensation Board, with said term to expire January 1, 2019.

DATED this 4 day of May, 2016.

BOARD OF CURRY COUNTY COMMISSIONERS

\_\_\_\_\_  
Thomas Huxley, Chair

Approved as to form:

\_\_\_\_\_  
Susan Brown, Vice-Chair

\_\_\_\_\_  
John Hutt  
Curry County Counsel

\_\_\_\_\_  
David Brock Smith

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 03-02-2016

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Update of Signature Cards for CDBG Grant H131011 NeighborWorks Umpqua and H14014, HeadStart

**AGENDA DATE<sup>a</sup>:** 5/4/2016 **DEPARTMENT:** ED **TIME NEEDED:** 5 minutes

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** Summer Matteson **PHONE/EXT:** 3215 **TODAY'S DATE:** 4/27/2016

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** With the departure of the Finance Director and the Director of Administration, signature cards to approve draws for funding from grants requires revision.

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:**

**SUBMISSION TYPE:** Grant

- (1)Current signature cards
- (2)Updated signature cards

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other 2<sup>nd</sup> Originals to Summer, file seperately

Phone:

Due date to send:        /        /

Email:

**\*Note: Most signed documents are filed/recorded with the Clerk per standard process.**

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A

(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses        Yes  No   
  Comment:
2. Confirmed Submitting Department's personnel-related materials        Yes  No  N/A   
  Comment:
3. If job description, Salary Committee reviewed:        Yes  No  N/A
4. If hire order requires an UA, is it approved?        Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:**    **Administrative Actions**

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact?        Yes  No

(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Susan Brown        Yes  No

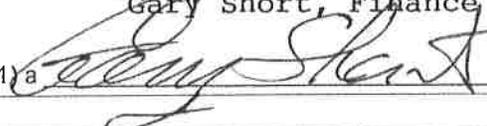
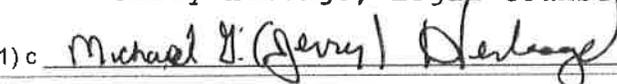
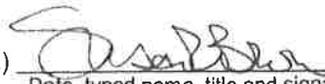
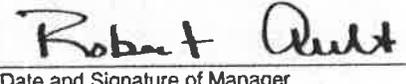
Commissioner Thomas Huxley        Yes  No

Commissioner David Brock Smith        Yes  No

Not applicable to Sheriff's Department since they do not have a liaison

RECEIVED

Authorized Signature Card for Cash Payments on Infrastructure Finance Authority Awards

Recipient	FEB 17 2015	Project Number
Curry County	IFA	C14014
Signatures of Delegated Authorized Individuals to Request Payments (Two signatures are required to request disbursement of funds)		
Typed Name, Title and Signature (Highest Elected Official must <u>not</u> sign here) Gary Short, Finance Director	Typed Name, Title and Signature (Highest Elected Official must <u>not</u> sign here) Julie Schmelzer, Dir. of Admin.	
(1) a 	(1) b 	
Additional Signatures (if desired)		
Typed Name, Title and Signature (Highest Elected Official must <u>not</u> sign here) Jerry Herbage, Legal Counsel	Typed Name, Title and Signature (Highest Elected Official must <u>not</u> sign here)	
(1) c 	(1) d _____	
I certify that the signatures above are of the individuals authorized to draw funds for the cited project. Susan Brown, Chair, Feb. 4, 2015	Approved: Infrastructure Finance Authority	
(2)  Date, typed name, title and signature of Highest Elected Official or duly authorized official for the Recipient (Must <u>not</u> be listed in item (1) a through (1) d above)	(3)  Date and Signature of Manager	

Authorized Signature Card for Cash Payments on Oregon Business Development Department Awards	
<b>Recipient</b> <b>Curry County</b>	<b>Project Number</b> <b>H14014</b>
<b>Signatures of Individuals Authorized to Request Payments</b> (Two signatures are required to sign or countersign)	
County Counsel, John Huttli  (1) a. Signature _____	Personnel Coordinator, Julie Swift  (1) b. Signature _____
<b>Additional Signatures (if desired)</b>	
Treasurer, Debbie Crumley  (1) c. Signature _____	N/A  (1) d. Signature _____
<b>I certify that the signatures above are of the individuals authorized to draw funds for the cited project.</b>  (2) _____ Commissioner Susan Brown 5/4/2016	<b>Approved: Oregon Business Development Department</b>  (3) _____ Date and Signature of Manager

**Preparation of the Authorized Signature Card Form:** If a mistake is made, or a change is necessary during the preparation of the signature card form, please prepare a new form, since erasures or corrections of any kind will not be acceptable. If a new form is being submitted to reflect the addition of individuals authorized to draw from the project, please allow at least five days for processing before submitting a payment request with a new name.

**Item # Explanation**

- (1) a-d Type the names and titles, and provide the signatures of the officials of your organization who are authorized to make draws on project funds. (**Note:** A minimum of two signatures are required. You are encouraged to provide three or four signatures to allow flexibility.)
- (2) Enter the date, typed name, title and signature of the **Highest Elected Official** of the Recipient who is authorized to certify the authenticity of the signatures of individuals listed in Item (1) a through (1) d. The person signing here **must not be listed in Item (1) a-d.**
- (3) Leave blank—Business Development Department will sign here.

Complete one form and return it to: Oregon Business Development Department 775 Summer Street NE, Suite 200 Salem,  
OR 97301-1280

Authorized Signature Card for Cash Payments on Oregon Business Development Department Awards	
<p>Recipient <b>Curry County</b></p>	<p>Project Number <b>H13011</b></p>
<p><b>Signatures of Individuals Authorized to Request Payments</b> (Two signatures are required to sign or countersign)</p>	
<p>Commissioner David G. Itzen (1) a. Signature <u></u></p>	<p>Commissioner David Brock Smith, Vice Chair (1) b. Signature <u></u></p>
<p>Additional Signatures (if desired)</p>	
<p>Debbie Crumley, Treasurer (1) c. Signature <u></u></p>	<p>Gary Short, County Accountant (1) d. Signature <u></u></p>
<p>I certify that the signatures above are of the individuals authorized to draw funds for the cited project.</p>	
<p>(2) <u></u> Commissioner Susan Brown, Chair 1-29-14</p>	<p>Approved: Oregon Business Development Department (3) _____ Date and Signature of Manager</p>

**Preparation of the Authorized Signature Card Form:** If a mistake is made, or a change is necessary during the preparation of the signature card form, please prepare a new form, since erasures or corrections of any kind will not be acceptable. If a new form is being submitted to reflect the addition of individuals authorized to draw from the project, please allow at least five days for processing before submitting a payment request with a new name.

**Item # Explanation**

- (1) a-d Type the names and titles, and provide the signatures of the officials of your organization who are authorized to make draws on project funds. (**Note:** A minimum of two signatures are required. You are encouraged to provide three or four signatures to allow flexibility.)
- (2) Enter the date, typed name, title and signature of the **Highest Elected Official** of the Recipient who is authorized to certify the authenticity of the signatures of individuals listed in Item (1) a through (1) d. The person signing here **must not be listed in Item (1) a-d.**
- (3) Leave blank—Business Development Department will sign here.

Complete one form and return it to: Oregon Business Development Department 775 Summer Street NE, Suite 200 Salem,  
OR 97301-1280

Authorized Signature Card for Cash Payments on Oregon Business Development Department Awards	
<b>Recipient</b> <b>Curry County</b>	<b>Project Number</b> <b>H13011</b>
<b>Signatures of Individuals Authorized to Request Payments</b> (Two signatures are required to sign or countersign)	
County Counsel, John Huttl  (1) a. Signature _____	Personnel Coordinator, Julie Swift  (1) b. Signature _____
<b>Additional Signatures (if desired)</b>	
Treasurer, Debbie Crumley  (1) c. Signature _____	N/A  (1) d. Signature _____
<b>I certify that the signatures above are of the individuals authorized to draw funds for the cited project.</b>  (2) _____ Commissioner Susan Brown 5/4/2016	<b>Approved: Oregon Business Development Department</b>  (3) _____ Date and Signature of Manager

**Preparation of the Authorized Signature Card Form:** If a mistake is made, or a change is necessary during the preparation of the signature card form, please prepare a new form, since erasures or corrections of any kind will not be acceptable. If a new form is being submitted to reflect the addition of individuals authorized to draw from the project, please allow at least five days for processing before submitting a payment request with a new name.

**Item # Explanation**

- (1) a-d Type the names and titles, and provide the signatures of the officials of your organization who are authorized to make draws on project funds. (**Note:** A minimum of two signatures are required. You are encouraged to provide three or four signatures to allow flexibility.)
  
- (2) Enter the date, typed name, title and signature of the **Highest Elected Official** of the Recipient who is authorized to certify the authenticity of the signatures of individuals listed in Item (1) a through (1) d. The person signing here **must not be listed in Item (1) a-d.**
  
- (3) Leave blank—Business Development Department will sign here.

Complete one form and return it to: Oregon Business Development Department 775 Summer Street NE, Suite 200 Salem,  
OR 97301-1280

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 03-02-2016

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Order Reappointing 9 members to the CCD Board of Directors  
**AGENDA DATE<sup>a</sup>:** 5/4/2016 **DEPARTMENT:** Commissioners **TIME NEEDED:** 2 min  
<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)  
**CONTACT PERSON:** Susan Brown **PHONE/EXT:** 3229 **TODAY'S DATE:** 4/5/2016  
**BRIEF BACKGROUND OR NOTE<sup>b</sup>:**  
<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:** **SUBMISSION TYPE:** Appointment

- (1)Order Appointing Member
- (2)Email-CCD

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

- 1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
- 2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
- 3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other Board File and Digital File

Phone:

Due date to send: 05 /04 / 2016

Email:

b.whelchel@ccdbusiness.com

**\*Note: Most signed documents are filed/recorded with the Clerk per standard process.**

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A

(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

- 1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
- 2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
- 3. If job description, Salary Committee reviewed: Yes  No  N/A
- 4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** Appointments

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No

(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Susan Brown Yes  No

Commissioner Thomas Huxley Yes  No

Commissioner David Brock Smith Yes  No

Not applicable to Sheriff's Department since they do not have a liaison

## Susan Brown

---

**From:** Brandi Whelchel <b.whelchel@ccdbusiness.com>  
**Sent:** Tuesday, March 29, 2016 2:31 PM  
**To:** Susan Brown; BOC Office  
**Cc:** Eileen Ophus; Bryan Sykes; Brandi Whelchel  
**Subject:** CCD Annual Reappointments

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

The CCD Curry County Members have all indicated they are willing to serve on the CCD Board for another term. We need to read the annual appointment orders into the minutes at CCD's annual Meeting to be held on May 19.

Please reappoint the Curry County CCD Board members before the Board Meeting. A copy of the reappointment order will need to be emailed or faxed to the CCD office before the May 19 meeting.

The current Curry County CCD Board members are: Susan Brown, Jodi Fritts, Rodger Meader, Summer Matteson-Kinney, PJ Estlund, David Johnson and Randy Mason. Ryan Ringer who is on your agenda to be appointed on April 6<sup>th</sup> will also need to be included with the annual reappointments with the above members.

If you have any questions or comments please feel free to contact me.

Brandi Whelchel  
Assistant Project & Administrative Coordinator  
CCD Business Development Corporation  
522 S.E. Washington Ave. Suite 111-A  
Roseburg, OR 97470  
(541)672-6728 Ext. 308

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**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 03-02-2016

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** CCPT Bus Purchase Reimbursement Request

**AGENDA DATE<sup>a</sup>:** 5/4/2016 **DEPARTMENT:** Commissioner **TIME NEEDED:** 5 min

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** Susan Brown **PHONE/EXT:** 3229 **TODAY'S DATE:**  
4/27/2016

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:**

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:** **SUBMISSION TYPE:** Agreement

(1)2 Bus Purchase Reimbursement Requests  
(2)

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name: Kathy Bernhardt

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other

Phone:

Due date to send: 05 /04 / 2016

Email: rkbernhardt@currypublictransit.org

<sup>c</sup>Note: Most signed documents are filed/recorded with the Clerk per standard process.

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A   
(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
3. If job description, Salary Committee reviewed: Yes  No  N/A
4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** Administrative Actions

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No   
(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Susan Brown Yes  No

Commissioner Thomas Huxley Yes  No

Commissioner David Brock Smith Yes  No

Not applicable to Sheriff's Department since they do not have a liaison

Curry Public Transit Inc.  
P.O. Box 1771  
Brookings Oregon 97415  
(541) 412-8806

April 26, 2016

Alison Wiley  
Regional Transit Coordinator for Region 3  
ODOT – Rail and Public Transit Division  
555 13th St. NE  
Salem, OR 97301-4179

Re: Reimbursement request for vehicle purchase  
Grant #30414

Dear Ms. Wiley,

Curry Public Transit Inc. has received delivery of one bus and is requesting reimbursement for the purchase of this vehicle: Chevrolet Glaval Titan II, low floor, gasoline/propane fueled, 12 passenger, 2 wheelchair stations, license #E258179 , VIN 1GB6GUBG0G1139156 , purchased from Creative Bus Sales.

The following information is provided as requested:

- ✓ The total cost for the purchase was \$115,080.00
- ✓ There was a rebate of \$1,200.00
- ✓ The rebates have been deducted from the total amount listed above
- ✓ This reimbursement request is from ODOT Agreement #30414
- ✓ The vehicle was accepted by our agency on April 8, 2016
- ✓ The vehicle was put into transit service on April 15, 2016
- ✓ The source of local matching funds for this purchase:  
\$19,563.60 from BETC funds
- ✓ Copies of the invoices for all expenses claimed are enclosed
- ✓ DMV License and Title registration expenses are NOT included in the costs to be reimbursed, and I understand they cannot be charged to the vehicle agreement
- ✓ The Required Pre-Award and Post-Delivery Certification Forms for each vehicle are enclosed

Please advise me if there is anything else required to process this request.

Sincerely,



Kathryn Bernhardt  
General Manager  
Curry Public Transit Inc.

## ODOT – RPTD Pre-Award Vehicle Purchase Certification Form

By the signature of its authorized representative, the organization identified below certifies the following (initial all items that apply to this purchase):

### **A. PRE-AWARD PURCHASER'S REQUIREMENTS CERTIFICATION (all purchases over \$5,000)**

As required by Title 49 CFR, Part 663 Subpart B, the vehicle(s) listed below is/are the same product(s) described in the recipient's solicitation specifications, and that the proposed manufacturer is a responsible manufacturer with the capability to produce a vehicle that meets the specifications.

**RKB Purchaser's required documentation is complete and is part of the procurement file.**

### **B. PRE-AWARD BUS TESTING (all vehicle purchases except sedans, vans and mini-vans)**

The vehicle obtained in this procurement complies with 49USC 5318(e) and 49 CFR Part 665.

I understand that misrepresenting the testing status of a vehicle acquired with federal financial assistance may subject my organization to civil penalties (49 CFR Part 31) and that FTA may also suspend or debar a manufacturer under the procedures in 49 CFR Part 29.

**RKB Altoona/STURAA bus test report was received for each vehicle and is in this agency's procurement file.**

### **C. FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS) CERTIFICATION (all vehicles)**

The vehicle described below meets all Federal Motor Vehicle Safety Standards which are applicable to this type of vehicle. Any modifications to the vehicle have not violated the integrity of the structure, design, or systems that have been tested to conform to the FMVSS for this vehicle.

**RKB Transit Vehicle Manufacturer's FMVSS certification is attached.**

### **D. PRE-AWARD BUY AMERICA COMPLIANCE CERTIFICATION (all purchases over \$100,000)**

As required by Title 49 CFR Part 663 Subpart B, the vehicle and equipment to be purchased by this agency meets the requirements of Section 165(b)(3) of the Surface Transportation Assistance Act of 1982 as amended. The recipient signing below has reviewed the documentation provided by the manufacturer which lists the following: (1) the proposed component and sub-component parts of the vehicle and equipment identified by the manufacturer, country of origin and cost; and (2) the proposed location of the final assembly point for the vehicle and equipment, including a description of the activities that took place at the final assembly point and the cost of final assembly.

**RKB Transit Vehicle Manufacturer's Buy America certification was received and is attached.**

### **E. DISADVANTAGED BUSINESS ENTERPRISE COMPLIANCE (DBE) (purchases with FTA funds)**

As required by Title 49 CFR I have obtained a copy of the vehicle manufacturer's DBE certification (verified at this FTA website: [http://www.fta.dot.gov/12326\\_5626.html](http://www.fta.dot.gov/12326_5626.html)) that this transit vehicle manufacturer has obtained 49 C.F.R § 26.49 DBE certification; has listed its current home office address; and has established a DBE goal reflecting the guidance in 49 CFR Part 26.45, and is therefore an eligible manufacturer.

**RKB Transit Vehicle Manufacturer's DBE certification was received and is attached**

YEAR, MAKE, MODEL: **2016 Chevrolet Glaval Titan II, Gas VIN: 1GB6GUBG0G1139156**

For certification of multiple vehicles of the same year, make, and model, attach a list of the VIN's for each vehicle.

REGISTERED OPERATOR: **CURRY COUNTY PUBLIC TRANSIT SERVICE DISTRICT**

GRANT RECIPIENT: **CURRY PUBLIC TRANSIT INC.**

1st SECURITY INTEREST HOLDER (required): **ODOT Public Transit Division**

2nd SECURITY INTEREST HOLDER (if Grantee is not Operator): **CURRY COUNTY PUBLIC TRANSIT SERVICE DISTRICT**

Grant Agreement No. **30414** Grantee Address: **94235 MOORE ST #122 GOLD BEACH OR 97444**

SIGNATURE: \_\_\_\_\_ TITLE: **COUNTY COMMISSIONER** Date:

## ODOT – RPTD Post-Delivery Vehicle Purchase Certification Form

By the signature of its authorized representative, the organization identified below certifies the following (initial all items that apply to this purchase):

### **A. POST-DELIVERY PURCHASER'S REQUIREMENTS CERTIFICATION (all purchases over \$5,000)**

As required by Title 49 CFR, Part 663 Subpart B, after visually inspecting and road-testing the transit vehicle(s) listed below, I certify that the vehicle(s) meet(s) the purchase contract specifications.

**RKB Purchaser's required documentation is complete and is part of the procurement file.**

### **B. POST-DELIVERY BUS TESTING (all vehicle purchases except sedans, vans and mini-vans)**

The vehicle obtained in this procurement complies with 49USC 5318(e) and 49 CFR Part 665.

I understand that misrepresenting the testing status of a vehicle acquired with federal financial assistance may subject my organization to civil penalties (49 CFR Part 31) and that FTA may also suspend or debar a manufacturer under the procedures in 49 CFR Part 29.

**RKB Altoona/STURAA bus test report was received for each vehicle and is in this agency's procurement file.**

### **C. FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS) CERTIFICATION (all vehicles)**

The vehicle described below meets all Federal Motor Vehicle Safety Standards which are applicable to this type of vehicle. Any modifications to the vehicle have not violated the integrity of the structure, design, or systems that have been tested to conform to the FMVSS for this vehicle.

**RKB Transit Vehicle Manufacturer's FMVSS certification is attached.**

### **D. POST-DELIVERY BUY AMERICA COMPLIANCE CERTIFICATION (all purchases over \$100,000)**

As required by Title 49 CFR Part 663 Subpart B, the vehicle and equipment to be purchased by this agency meets the requirements of Section 165(b)(3) of the Surface Transportation Assistance Act of 1982 as amended. The recipient signing below has reviewed the documentation provided by the manufacturer which lists the following: (1) the proposed component and sub-component parts of the vehicle and equipment identified by the manufacturer, country of origin and cost; and (2) the proposed location of the final assembly point for the vehicle and equipment, including a description of the activities that took place at the final assembly point and the cost of final assembly.

**N/A Transit Vehicle Manufacturer's Buy America certification was received and is attached**

### **E. DISADVANTAGED BUSINESS ENTERPRISE COMPLIANCE (DBE) (purchases with FTA funds)**

As required by Title 49 CFR I have obtained a copy of the vehicle manufacturer's DBE certification (verified at this FTA website: [http://www.fta.dot.gov/12326\\_5626.html](http://www.fta.dot.gov/12326_5626.html)) that this transit vehicle manufacturer has obtained 49 C.F.R § 26.49 DBE certification; has listed its current home office address; and has established a DBE goal reflecting the guidance in 49 CFR Part 26.45, and is therefore an eligible manufacturer.

**RKB Transit Vehicle Manufacturer's DBE certification was received and is attached**

YEAR, MAKE, MODEL: **2016 Chevrolet Glaval Titan II, Gas VIN: 1GB6GUBG0G1139156**

For certification of multiple vehicles of the same year, make, and model, attach a list of the VIN's for each vehicle.

REGISTERED OPERATOR: **CURRY COUNTY PUBLIC TRANSIT SERVICE DISTRICT**

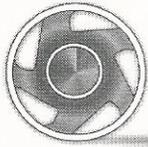
GRANT RECIPIENT: **CURRY PUBLIC TRANSIT INC.**

1st SECURITY INTEREST HOLDER (required): **ODOT Public Transit Division**

2nd SECURITY INTEREST HOLDER (if Grantee is not Operator): **CURRY COUNTY PUBLIC TRANSIT SERVICE DISTRICT**

Grant Agreement No. **30414** Grantee Address: **94235 MOORE ST #122 GOLD BEACH OR 97444**

SIGNATURE: \_\_\_\_\_ TITLE: **COUNTY COMMISSIONER** Date:



Creative Bus Sales

# INVOICE

Invoice # 1517390

Date: 4/11/2016

## Sold To:

CURRY COUNTY PUBLIC TRANSIT SERVICE  
PO BOX 746  
GOLD BEACH OR 97444

## Ship To:

CURRY PUBLIC TRANSIT INC.  
550 CHETCO LANE  
BROOKINGS OR 97415

Quantity	Ordered	Cust #	PO #	Ship Date	Terms
1	7/31/2015	1225134	2015-01		Net 30

Unit #	Item Description	Price
53996	2016 GLAVAL TITAN II WHITE 1GB6GUBG0G1139156	\$116,280.00

<b>Total Price per Unit</b>	\$116,280.00
<b>Doc Prep Fee</b>	\$0.00
<b>Sales Tax</b>	\$0.00
<b>Est. DMV Fees per Unit</b>	\$0.00
<b>DMV Electronic Filing</b>	\$0.00
<b>Tire Fee</b>	\$0.00
<b>Delivery Fee</b>	\$0.00
<b>Total Invoice Per</b>	\$116,280.00
<b>Unit Quantity</b>	1
<b>Total Invoice Amount</b>	\$116,280.00
<b>Less Credits:</b>	
<b>Trade In Vehicle</b>	\$0.00
<b>Deposit Received</b>	\$0.00
<b>Rebates</b>	\$1,200.00

Taxable Amount \$0.00  
 Sales Tax Rate N/A  
 Tax Per Unit \$0.00

<b>AMOUNT DUE:</b>	<b>\$115,080.00</b>
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Remit Payment To:  
 CREATIVE BUS SALES  
 14740 RAMONA AVENUE  
 CHINO CA 91710

WIRE TRANSFER: Wells Fargo Bank - ACCT #: 4124-925546 - ABA #: 121000248 - Swift Code: WFBIUS6S

ACH: Wells Fargo Bank - ACCT #: 4124-925546 - ABA #: 121000248

Curry Public Transit Inc.  
P.O. Box 1771  
Brookings Oregon 97415  
(541) 412-8806

April 26, 2016

Alison Wiley  
Regional Transit Coordinator for Region 3  
ODOT - Rail and Public Transit Division  
555 13th St. NE  
Salem, OR 97301-4179

Re: Reimbursement request for vehicle purchase  
Grant #30414

Dear Ms. Wiley,

Curry Public Transit Inc. has received delivery of one bus and is requesting reimbursement for the purchase of this vehicle: Chevrolet Glaval Titan II, Diesel fueled, 12 passenger, 2 wheelchair stations, license E268180 , VIN 1GB3GSBL8G1134338 , purchased from Creative Bus Sales.

The following information is provided as requested:

- ✓ The total cost for the purchase was \$86,375.00
- ✓ There was a rebate of \$1,200
- ✓ The rebates have been deducted from the total amount listed above
- ✓ This reimbursement request is from ODOT Agreement #30414
- ✓ The vehicle was accepted by our agency on April 8, 2016
- ✓ The vehicle was put into transit service on April 15, 2016
- ✓ The source of local matching funds for this purchase:  
\$14,683.75 from BETC funds
- ✓ Copies of the invoices for all expenses claimed are enclosed
- ✓ DMV License and Title registration expenses are NOT included in the costs to be reimbursed, and I understand they cannot be charged to the vehicle agreement
- ✓ The Required Pre-Award and Post-Delivery Certification Forms for each vehicle are enclosed

Please advise me if there is anything else required to process this request.

Sincerely,



Kathryn Bernhardt  
General Manager  
Curry Public Transit Inc.

# ODOT – RPTD Pre-Award Vehicle Purchase Certification Form

By the signature of its authorized representative, the organization identified below certifies the following (initial all items that apply to this purchase):

**A. PRE-AWARD PURCHASER'S REQUIREMENTS CERTIFICATION (all purchases over \$5,000)**

As required by Title 49 CFR, Part 663 Subpart B, the vehicle(s) listed below is/are the same product(s) described in the recipient's solicitation specifications, and that the proposed manufacturer is a responsible manufacturer with the capability to produce a vehicle that meets the specifications.

**RKB Purchaser's required documentation is complete and is part of the procurement file.**

**B. PRE-AWARD BUS TESTING (all vehicle purchases except sedans, vans and mini-vans)**

The vehicle obtained in this procurement complies with 49USC 5318(e) and 49 CFR Part 665. I understand that misrepresenting the testing status of a vehicle acquired with federal financial assistance may subject my organization to civil penalties (49 CFR Part 31) and that FTA may also suspend or debar a manufacturer under the procedures in 49 CFR Part 29.

**RKB Altoona/STURAA bus test report was received for each vehicle and is in this agency's procurement file.**

**C. FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS) CERTIFICATION (all vehicles)**

The vehicle described below meets all Federal Motor Vehicle Safety Standards which are applicable to this type of vehicle. Any modifications to the vehicle have not violated the integrity of the structure, design, or systems that have been tested to conform to the FMVSS for this vehicle.

**RKB Transit Vehicle Manufacturer's FMVSS certification is attached.**

**D. PRE-AWARD BUY AMERICA COMPLIANCE CERTIFICATION (all purchases over \$100,000)**

As required by Title 49 CFR Part 663 Subpart B, the vehicle and equipment to be purchased by this agency meets the requirements of Section 165(b)(3) of the Surface Transportation Assistance Act of 1982 as amended. The recipient signing below has reviewed the documentation provided by the manufacturer which lists the following: (1) the proposed component and sub-component parts of the vehicle and equipment identified by the manufacturer, country of origin and cost; and (2) the proposed location of the final assembly point for the vehicle and equipment, including a description of the activities that took place at the final assembly point and the cost of final assembly.

**N/A Transit Vehicle Manufacturer's Buy America certification was received and is attached.**

**E. DISADVANTAGED BUSINESS ENTERPRISE COMPLIANCE (DBE) (purchases with FTA funds)**

As required by Title 49 CFR I have obtained a copy of the vehicle manufacturer's DBE certification (verified at this FTA website: [http://www.fta.dot.gov/12326\\_5626.html](http://www.fta.dot.gov/12326_5626.html) ) that this transit vehicle manufacturer has obtained 49 C.F.R § 26.49 DBE certification; has listed its current home office address; and has established a DBE goal reflecting the guidance in 49 CFR Part 26.45, and is therefore an eligible manufacturer.

**RKB Transit Vehicle Manufacturer's DBE certification was received and is attached**

YEAR, MAKE, MODEL: **2016 Chevrolet Glaval Titan II, Diesel** VIN: **1GB3GSBL8G1134338**

For certification of multiple vehicles of the same year, make, and model, attach a list of the VIN's for each vehicle.

REGISTERED OPERATOR: **CURRY COUNTY PUBLIC TRANSIT SERVICE DISTRICT**

GRANT RECIPIENT: **CURRY PUBLIC TRANSIT INC.**

1st SECURITY INTEREST HOLDER (required): **ODOT Public Transit Division**

2nd SECURITY INTEREST HOLDER (if Grantee is not Operator): **CURRY COUNTY PUBLIC TRANSIT SERVICE DISTRICT**

Grant Agreement No. **30414** Grantee Address: **94235 MOORE ST #122 GOLD BEACH OR 97444**

SIGNATURE: \_\_\_\_\_ TITLE: **COUNTY COMMISSIONER** Date: \_\_\_\_\_

## ODOT – RPTD Post-Delivery Vehicle Purchase Certification Form

By the signature of its authorized representative, the organization identified below certifies the following (initial all items that apply to this purchase):

### **A. POST-DELIVERY PURCHASER'S REQUIREMENTS CERTIFICATION (all purchases over \$5,000)**

As required by Title 49 CFR, Part 663 Subpart B, after visually inspecting and road-testing the transit vehicle(s) listed below, I certify that the vehicle(s) meet(s) the purchase contract specifications.

**RKB Purchaser's required documentation is complete and is part of the procurement file.**

### **B. POST-DELIVERY BUS TESTING (all vehicle purchases except sedans, vans and mini-vans)**

The vehicle obtained in this procurement complies with 49USC 5318(e) and 49 CFR Part 665.

I understand that misrepresenting the testing status of a vehicle acquired with federal financial assistance may subject my organization to civil penalties (49 CFR Part 31) and that FTA may also suspend or debar a manufacturer under the procedures in 49 CFR Part 29.

**RKB Altoona/STURAA bus test report was received for each vehicle and is in this agency's procurement file.**

### **C. FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS) CERTIFICATION (all vehicles)**

The vehicle described below meets all Federal Motor Vehicle Safety Standards which are applicable to this type of vehicle. Any modifications to the vehicle have not violated the integrity of the structure, design, or systems that have been tested to conform to the FMVSS for this vehicle.

**RKB Transit Vehicle Manufacturer's FMVSS certification is attached.**

### **D. POST-DELIVERY BUY AMERICA COMPLIANCE CERTIFICATION (all purchases over \$100,000)**

As required by Title 49 CFR Part 663 Subpart B, the vehicle and equipment to be purchased by this agency meets the requirements of Section 165(b)(3) of the Surface Transportation Assistance Act of 1982 as amended. The recipient signing below has reviewed the documentation provided by the manufacturer which lists the following: (1) the proposed component and sub-component parts of the vehicle and equipment identified by the manufacturer, country of origin and cost; and (2) the proposed location of the final assembly point for the vehicle and equipment, including a description of the activities that took place at the final assembly point and the cost of final assembly.

**N/A Transit Vehicle Manufacturer's Buy America certification was received and is attach**

### **E. DISADVANTAGED BUSINESS ENTERPRISE COMPLIANCE (DBE) (purchases with FTA funds)**

As required by Title 49 CFR I have obtained a copy of the vehicle manufacturer's DBE certification (verified at this FTA website: [http://www.fta.dot.gov/12326\\_5626.html](http://www.fta.dot.gov/12326_5626.html) ) that this transit vehicle manufacturer has obtained 49 C.F.R § 26.49 DBE certification; has listed its current home office address; and has established a DBE goal reflecting the guidance in 49 CFR Part 26.45, and is therefore an eligible manufacturer.

**RKB Transit Vehicle Manufacturer's DBE certification was received and is attached**

YEAR, MAKE, MODEL: **2016 Chevrolet Glaval Titan II, Diesel VIN: 1GB3GSBL8G1134338**

For certification of multiple vehicles of the same year, make, and model, attach a list of the VIN's for each vehicle.

REGISTERED OPERATOR: **CURRY COUNTY PUBLIC TRANSIT SERVICE DISTRICT**

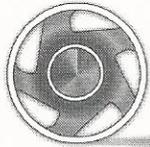
GRANT RECIPIENT: **CURRY PUBLIC TRANSIT INC.**

1st SECURITY INTEREST HOLDER (required): **ODOT Public Transit Division**

2nd SECURITY INTEREST HOLDER (if Grantee is not Operator): **CURRY COUNTY PUBLIC TRANSIT SERVICE DISTRICT**

Grant Agreement No. **30414** Grantee Address: **94235 MOORE ST #122 GOLD BEACH OR 97444**

SIGNATURE: \_\_\_\_\_ TITLE: **COUNTY COMMISSIONER** Date:



Creative Bus Sales

# INVOICE

Invoice # 1517392

Date: 4/6/2016

## Sold To:

CURRY COUNTY PUBLIC TRANSIT SERVICE  
PO BOX 746  
GOLD BEACH OR 97444

## Ship To:

CURRY PUBLIC TRANSIT INC.  
550 CHETCO LANE  
BROOKINGS OR 97415

Quantity	Ordered	Cust #	PO #	Ship Date	Terms
1	7/31/2015	1225134	2015-01		Net 30

Unit #	Item Description	Price
53998	2016 GLAVAL TITAN II WHITE 1GB3GSBL8G1134338	\$87,575.00

<b>Total Price per Unit</b>	\$87,575.00
<b>Doc Prep Fee</b>	\$0.00
<b>Sales Tax</b>	\$0.00
<b>Est. DMV Fees per Unit</b>	\$0.00
<b>DMV Electronic Filing</b>	\$0.00
<b>Tire Fee</b>	\$0.00
<b>Delivery Fee</b>	\$0.00
<b>Total Invoice Per</b>	\$87,575.00
<b>Unit Quantity</b>	1
<b>Total Invoice Amount</b>	\$87,575.00
<b>Less Credits:</b>	
<b>Trade In Vehicle</b>	\$0.00
<b>Deposit Received</b>	\$0.00
<b>Rebates</b>	\$1,200.00

Taxable Amount \$0.00  
Sales Tax Rate N/A  
Tax Per Unit \$0.00

<b>AMOUNT DUE:</b>	<b>\$86,375.00</b>
--------------------	--------------------

Remit Payment To:  
CREATIVE BUS SALES  
14740 RAMONA AVENUE  
CHINO CA 91710

WIRE TRANSFER: Wells Fargo Bank - ACCT #: 4124-925546 - ABA #: 121000248 - Swift Code: WFBIUS6S  
ACH: Wells Fargo Bank - ACCT #: 4124-925546 - ABA #: 121000248

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 03-02-2016

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Acceptance of Resignation Memo from Safety Committee Member

**AGENDA DATE<sup>a</sup>:** 05-04-16 **DEPARTMENT:** Counsel **TIME NEEDED:** 5 min

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** Huttl **PHONE/EXT:** 3218 **TODAY'S DATE:** 04-26-16

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** Resignation from Safety Committee Member Carolyn Johnson

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:** **SUBMISSION TYPE:** Memorandum

(1)E-mail dated 4-27-16 10:23A.M. from C. Johnson

(2)

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other

Phone:

Due date to send:        /        /

Email:

**\*Note: Most signed documents are filed/recorded with the Clerk per standard process.**

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A

(If No, brief detail)

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
3. If job description, Salary Committee reviewed: Yes  No  N/A
4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** **Appointments**

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No

(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Susan Brown Yes  No

Commissioner Thomas Huxley Yes  No

Commissioner David Brock Smith Yes  No

Not applicable to Sheriff's Department since they do not have a liaison

**From:** [Carolyn Johnson](#)  
**To:** [Brenda Starbird](#)  
**Subject:** Carolyn Johnson resignation from the Safety Committee  
**Date:** Wednesday, April 27, 2016 10:22:36 AM

---

TO: The Board of Curry County Commissioners

FROM: Carolyn Johnson, Planning Director

DATE: April 27, 2016

RE: Resignation from the Curry County Safety Committee

I'm stepping down from the Curry County Safety Committee as soon as my replacement is selected. I'd like to share with each of you that this committee is effective and dedicated – it's been a pleasure working with each member. My compliments to the Board for your selection of these folks.

Thank you for the opportunity to serve.

**CURRY COUNTY BOARD OF COMMISSIONERS**  
**AGENDA ITEM ROUTING SLIP**  
FORM 10-001.1 Rev. 03-02-2016

**PART I – SUBMITTING DEPARTMENT: RETURN TO [BOC OFFICE@CO.CURRY.OR.US](mailto:BOC_OFFICE@CO.CURRY.OR.US)**

**AGENDA ITEM TITLE:** Appointment to Safety Committee

**AGENDA DATE<sup>a</sup>:** 05-04-16 **DEPARTMENT:** Counsel **TIME NEEDED:** 5 min

<sup>a</sup>Submit by seven days prior to the next General Meeting ( eight days if a holiday falls within that seven day period)

**CONTACT PERSON:** J. Huttl **PHONE/EXT:** 3218 **TODAY'S DATE:** 04-26-16

**BRIEF BACKGROUND OR NOTE<sup>b</sup>:** Opening on Safety Committee for Employer Representative due to resignation

<sup>b</sup>Indicate if more than one copy to be signed

**FILES ATTACHED:**

**SUBMISSION TYPE:** Order

- (1)Application
- (2)Order

Are there originals in route (paper copies with pre-existing signatures) Yes  No

**QUESTIONS:**

1. Would this item be a departure from the Annual Budget if approved? Yes  No   
(If Yes, brief detail)
2. Does this agenda item impact any other County department? Yes  No   
(If Yes, brief detail)
3. If Land Transaction, filed with the clerk? Yes  No  N/A

**INSTRUCTIONS ONCE SIGNED:**

No Additional Activity Required

OR

File with County Clerk

Name:

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other Board File and Digital File

Phone:

Due date to send:        /        /

Email:

<sup>c</sup>Note: Most signed documents are filed/recorded with the Clerk per standard process.

**PART II – COUNTY CLERK REVIEW**

**EVALUATION CRITERIA:**

**CLERK ASSESSMENT:** Does this agenda item meet filing/recording standards? Yes  No  N/A

(If No, brief detail) Why is the "er" underlined in employer

**PART III - FINANCE DEPARTMENT REVIEW**

**EVALUATION CRITERIA 1-4:**

1. Confirmed Submitting Department's finance-related responses Yes  No   
Comment:
2. Confirmed Submitting Department's personnel-related materials Yes  No  N/A   
Comment:
3. If job description, Salary Committee reviewed: Yes  No  N/A
4. If hire order requires an UA, is it approved? Yes  No  Pending  N/A

**PART IV – COUNTY COUNSEL REVIEW**

**AGENDA ASSIGNMENT TYPE:** Appointments

**LEGAL ASSESSMENT:** Does this agenda item have a legal impact? Yes  No

(If Yes, brief detail)

**PART V – BOARD OF COMMISSIONER REVIEW/COMMENT**

**LIAISON COMMISSIONER AGREES TO ADD TO AGENDA:**

Commissioner Susan Brown Yes  No

Commissioner Thomas Huxley Yes  No

Commissioner David Brock Smith Yes  No

Not applicable to Sheriff's Department since they do not have a liaison



## Application for Volunteer Boards, Commissions, Councils, Committees or Task Forces

Board of Curry County Commissioners  
 94235 Moore Street, Suite 122  
 Gold Beach, OR 97444  
 Phone: 541-247-3296 Fax: 541-247-2718 Email: [BOC\\_Office@co.curry.or.us](mailto:BOC_Office@co.curry.or.us)

Please complete both sides of this form. Information submitted as part of this application is available and shall be considered public information as it pertains to Oregon Public Records.

NOTE: A separate application may be required for each Board, Commission, Council, Committee or Task Force for which you are applying.

Please print or type clearly

Name: JOHN R. HUTTLE Date: 04/27/16

Please indicate which Board, Commission, Council, Committee or Task Force on which you are interested in serving.

<input type="checkbox"/> Ambulance Service Area Advisory Committee	<input type="checkbox"/> Fair Board
<input type="checkbox"/> Board of Property Tax Appeals	<input type="checkbox"/> Farm Board of Review
<input type="checkbox"/> Brookings Airport Advisory Committee	<input type="checkbox"/> Local Public Safety Coordinating Council
<input type="checkbox"/> Budget Committee	<input type="checkbox"/> Planning Commission
<input type="checkbox"/> Building Codes Appeal Board	<input type="checkbox"/> Public Services Financial Advisory Committee
<input type="checkbox"/> CCD Business Development Corporation	<input type="checkbox"/> RSVP Advisory Board
<input type="checkbox"/> Citizen Involvement Committee	<input type="checkbox"/> Solid Waste Advisory Committee
<input type="checkbox"/> Compensation Board	<input type="checkbox"/> Veteran's Advisory Council
<input type="checkbox"/> Coos Curry Housing Authority	
<input type="checkbox"/> Other	

Are you currently serving on a Board, Commission, Council, Committee or Task Force for Curry County?

Yes  No If Yes, list which committee(s): Safety Committee

What experience, training or qualifications do you have for this particular Board, Commission, Council, Committee or Task Force? \_\_\_\_\_

County Counsel  
County Risk Manager

What community topics concern you that relate to this Board, Commission, Council, Committee or Task Force? \_\_\_\_\_

County Safety Practices

Describe your previous experience in this appointed position or a similar position: Similar Position

(contd.)

(cont'd.) at prior employment. Some C.P.C.U. courses

Other volunteer activities: N/A

Does your schedule allow you to attend daytime meetings?  Yes  No

Does your schedule allow you to attend evening meetings?  Yes  No

Does your schedule limit the days you could attend meetings?  Yes  No

If Yes, please explain \_\_\_\_\_

Have you ever been convicted of a crime?  Yes  No

If Yes, please explain \_\_\_\_\_

Signature 

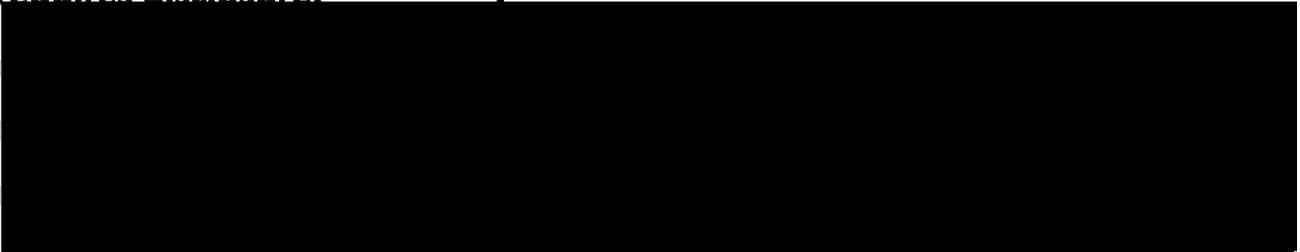
Date 4/26/16

My signature above indicates my desire to serve Curry County in a voluntary capacity as a member of one of its Boards, Commissions, Councils, Committees or Task Forces. I understand that there is no financial compensation for serving.

Thank you for your application.

Please return your completed application to the Curry County Commissioners' Office at the address or email listed on page one of this form or you may submit your application on the county's website at [www.co.curry.or.us](http://www.co.curry.or.us).

**Per HB3557 the following can only be disclosed to the public following a public record request that shows clear and convincing evidence that the public interest requires disclosure.**



BEFORE THE BOARD OF COUNTY COMMISSIONERS  
IN AND FOR THE COUNTY OF CURRY, OREGON

In the Matter of Appointment )  
To the Curry County Safety )  
Committee )

ORDER NO. 20313

WHEREAS, a vacancy is open for a volunteer employer representative on the Curry County Safety Committee; and

WHEREAS, John HuttI has agreed to serve as a volunteer employer representative to the Curry County Safety Committee;

NOW, THEREFORE, THE BOARD OF CURRY COUNTY COMMISSIONERS HEREBY ORDERS AS FOLLOWS:

That John HuttI is appointed as a volunteer employer representative to the Curry County Safety Committee with said term to expire on May 3, 2018.

DATED this 4<sup>th</sup> day of May, 2016.

BOARD OF CURRY COUNTY COMMISSIONERS

\_\_\_\_\_  
Thomas Huxley, Chair

\_\_\_\_\_  
Susan Brown, Vice Chair

\_\_\_\_\_  
David Brock Smith, Commissioner

Approved as to Form:

\_\_\_\_\_  
John HuttI  
Curry County Legal Counsel

**CURRY COUNTY SURVEYOR MONTHLY ACTIVITY REPORT**  
**FOR APRIL, 2016**

**Highlights:**

1. Todd Weeks has continued to be of great assistance in helping us provide information to the public. PLSS plats & notes and other information are being updated on a weekly basis. This information is being added to on a weekly basis and additional links being provided to other information.
2. Along this same line, I would like to tell everyone how appreciative I am of the assistance all the other departments have been to the Surveyor's Department. We could not have achieved very much without their assistance. I'm an old guy who has worked since he was 13 and been around a lot of places during my lifetime. I can honestly say this is the only place I have ever worked where it seems everyone is trying to do a good job, help each other and benefit the public. I'm used to being self-employed (and employing others), but working here has been gratifying and I feel like I'm able to do a good job with minimum interference (and only great friendly assistance from other staff). I am frankly amazed, that Curry County has obtained and retained so many great employees who are all knowledgeable, capable and friendly.
  - a. Community Services and especially Nancy Chester & Shellie Creighton have always been there to help in thousands of ways, whenever asked.
  - b. Eric Hanson and Tad Ringlet have always been ready to assist our Department whenever asked. They keep our buildings functioning well!
  - c. The Assessor's Office: Jim Kolen and all of the personnel there have been friendly and helpful whenever asked. Their record keeping is critical. One of the small ways our Assessor's Office has distinguished itself from other Assessor's in the States I have practiced surveying in, is keeping up manual Tax Cards that allow anyone to easily do a basic title search of their property. I know this is a tiny portion of what they do, but an example of one I especially appreciate.
  - d. Renee and her staff are always friendly & helpful. Their work is critical for a nation founded on property rights. The ease of obtaining copies of important documents is great.
  - e. The Road Department has been helpful in many ways. Rob Schafer has set up a local GIS and record keeping system that I go to for additional road information. Like every department I've dealt with in Curry County, everyone there seems ready there to help.
  - f. Without everyone upstairs (BOC staff, Treasurer, Finance, etc.) our little Survey Dept. could not function. Julie Swift and Cena Crook have kept me out of finance/personnel trouble and I am especially grateful for their efforts to assist me. Oh, Brenda Starbird has really helped me get things done and always has a smile.
3. Our continuing project to get all the old unfiled survey maps (stuck away in this office) into the public record has already benefited some private surveyors that we know of. With this effort to put them on line, we usually don't know if they are being

used, but these maps could be of critical importance in a boundary dispute or getting a survey correct in the first place.

4. I have reevaluated the fees charged for Parcel Maps & Subdivisions. I believe a reduced amount for checking/filing fees is in order and I will be presenting this request to the BOC in the near future. I think development fees are an obstacle to growth and this little effort will help reduce local cost of government.

Phone Customers assisted: 14

Walk-in customers assisted: 12

NEW SURVEYS REVIEWED, FILED, SCANNED, COPIED, PUT ON LINE: 6

T30 - 0	Far North County
T31 - 0	“
T32 - 1	“
T33 - 0	“
T34 - 0	“
T35 - 0	“
T36 - 0	Mid-County (Gold Beach)
T37 - 0	“
T38 - 0	“
T39 - 0	“
T40 - 2	Brookings-Harbor area
T41 - 1	“

DEPOSITS: April 28, 2016 = \$998.00

Sherri Buckel worked 61.75 hours in April

Reily Smith worked 42.50 hours in April

Cody Coons worked 9.50 hours in April

Quincy Coons worked 9.50 hours in April

Bobbie Boice worked 43.00 hours in March (we had a little extra money for payroll and used it for Bobbie to assist with the old, unfiled map scanning, indexing and making available to the public project. Bobbie has been a great help in indexing, scanning and getting Charles Echols surveys ready to put on the internet. Charlie Echols was the County Surveyor in the 1930's and practiced from the 1930's to the 1950's. His maps were prepared before the recording laws, but the work represented is still valid surveys.

Cody and Quincy are fine young men and besides helping me, they are trying to get enough experience to take the Land Surveyor's Licensing Exam.

Sherri Buckel is a tremendous asset to this office and would be qualified for greater responsibility, but I'm sure glad she chooses to work here.

Our customer service this period included the following:

- As usual, we had some interesting citizen questions/inquiries relating to boundaries, deeds, survey information and how to use the on-line information. (We have updated the website's "How to Guide" and make these available on the table outside our door and on line). The BLM plats & notes should be available on line next week.
- Plat & survey map research assistance for phone & walk-in inquiries – our on-line resources continued to be of great assistance to the public.
- Public Land Survey Corner work this month continued to focus on indexing, scanning and making old maps available to the public; (unfiled and previously often overlooked). The two foresters working 1 or 2 days a month spent one day this month locating, marking, and filling out corner records for 3 PLSS corners near the Chetco River.
- We usually answer numerous emails during the day – I try to answer & help the public on my off days too (thanks to the County cell phone).
- Our printers & large plotter/scanner have continued to get a workout during office hours.
- County Surveyor checked 4 preliminary survey maps and 1 Preliminary Partition Plat.

Respectfully submitted,

Reily Smith  
County Surveyor