



CURRY COUNTY BOARD OF COMMISSIONERS

GENERAL MEETING

Wednesday, April 06, 2016 – 10:00 A.M.
Commissioners' Hearing Room, Courthouse Annex
94235 Moore Street, Gold Beach, Oregon
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. Estimated times of items are in ().*

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

2. AGENDA AMENDMENTS

3. APPROVAL OF AGENDA

4. PUBLIC COMMENTS

5. ADMINISTRATIVE ACTIONS/ APPOINTMENTS

- a. Curry County Cooperative Law Enforcement Agreement Modification 4 to incorporate 2016 Operating and Financial Plans – Sheriff (15min)
- b. Intergovernmental Agreement for Planning Services Between the County and the City of Gold Beach – Community Development (10min)
- c. Order Amending and Adopting Curry County Personnel Rules – Article 13 (Appointments) and Article 24 (Conduct and Discipline) – Personnel (10min)
- d. Budget Preparation Proposal from D. Wagar – Finance (15min)
- e. Transportation and Growth Management (TGM) Grant Support Letter for Brookings Airport (KBOK) – Administration (5min)
- f. Workshop Policy Proposed Amendments – Administration (10min)
- g. Appointment to the Retired & Senior Volunteer Program (RSVP) Advisory Council – Commissioner Brown (5min)
- h. Order Appointing Ryan Ringer to the CCD Business Development Board of Directors – Commissioner Brown (2min)
- i. Curry County Public Transit (CCPT) Bus Purchase Reimbursement Request – Commissioner Brown (5min)

6. PRESENTATIONS TO THE BOARD

- a. Moss Adams Review: Audited Financial Statements Ended June 2015 (45min)

7. NEW BUSINESS

- a. Border Coast Regional Airport Authority Terminal Construction Funding – Commissioner Brown (10min)
- b. Letter of Support for Sudden Oak Death Task Force – Commissioner Smith (10min)
- c. National County Government Month: Coffee with the County – Administration (10min)

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.

8. OLD BUSINESS

- a. Discussion on How To Get the GIS System Back Online and Continue the Work Needed to Complete the Project – Commissioners (30min)
- b. Last Minute Agenda Item Additions – Commissioner Huxley (10min)
- c. Draft Ordinance Regarding the Taxation of Cannabis – Counsel (45min)
- d. Real Property Task Force Recommendations, Group 2 – Administration (15min)

9. PROCLAMATIONS/RESOLUTIONS/ LEGISLATIVE ACTIONS

- a. Child Abuse and Prevention Awareness Month – April- Child Advocacy (10min)
- b. Rural Impact County Challenge Resolution – Commissioner Brown (10min)

10. CONSENT CALENDAR (5min)

- a. Minutes 12-21-2016 BOC Workshop
- b. Minutes 01-06-2016 BOC General Meeting
- c. Minutes 02-04-2016 BOC Workshop
- d. Minutes 02-17-2016 BOC General Meeting
- e. Minutes 03-02-2016 BOC General Meeting
- f. Minutes 07-22-2015 BOC Workshop
- g. Minutes 07-29-2015 BOC Special Meeting

11. COMMISSIONER UPDATES/ LIAISON & STAFF REPORTS

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. Board of Commissioners Workshop on Wednesday 04-13-2016 at 10:00 a.m.
- c. Members needed for RSVP, contact Vicky McGuinness at 541-247-3280
- d. A member needed for the Ambulance Service Area Advisory Committee that has Emergency Room Doctor experience, contact Commissioner Brown at 541-247-3229
- e. A member is needed for the Compensation Board who is knowledgeable in personnel and compensation management. Contact Julie Schmelzer at 541-247-3253.

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

AGENDA ITEM TITLE: Moss Adams Review: Audited Financial Statements ended June 2015

AGENDA DATE^a: 04-6-16 **DEPARTMENT:** Accounting **TIME NEEDED:** 45 min

^aSubmit by seven days prior to the next General Meeting (eight days if a holiday falls within that seven day period)

CONTACT PERSON: Tom Huxley **PHONE/EXT:** 3213 **TODAY'S DATE:** Rev. 03-17-16

BRIEF BACKGROUND OR NOTE^b: Auditors report of the financial statements and associated funds of the government activities of Curry County Oregon. The online audit report is located here: <http://www.co.curry.or.us/Portals/0/Documents/finance/2015%20Curry%20County%20Annual%20Report.pdf>

^bIndicate if more than one copy to be signed

FILES ATTACHED:

SUBMISSION TYPE: Audit

- (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

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: Presentations

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: Curry County Cooperative Law Enforcement Agreement #12-LE-11061000-008, Modification 04 to incorporate the 2016 Annual Operating Plan & Financial Plan

AGENDA DATE^a: 4/6/16 **DEPARTMENT:** Sheriff's Office **TIME NEEDED:** 15 Minutes
^aSubmit by seven days prior to the next General Meeting (eight days if a holiday falls within that seven day period)

CONTACT PERSON: Sheriff John Ward/PDPHONE/EXT: 3322 **TODAY'S DATE:** 3/25/16

BRIEF BACKGROUND OR NOTE^b: The enclosed Modification incorporates the 2016 Annual Operating and Financial Plan into CLE #12-LE-11061000-008 and increases funds available to the County for continuing law enforcement patrol activities on National Forest Systems (NFS) lands as identified in the Annual Operating Plan.

^bIndicate if more than one copy to be signed

FILES ATTACHED: **SUBMISSION TYPE:** Agreement

(1) Grants & Agreements Transmittal & Routing Instructions

(2) CLE #12LE-11061000-008, Modification 04, Four Copies

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

Rogue River Siskiyou National Forest

Send Printed Copy to:

Email a Digital Copy to:

Other 4 copies, originals

Name: Sandra Orsini, G&A Specialist

Address: 3040 Biddle Road

City/State/Zip: Medford, OR 97504-4119

Phone: 541-618-2019

Due date to send: 04 /08 / 2016

Email: sorsini@fs.fed.us

^cNote: 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: (Select)

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



United States
Department of
Agriculture

Rogue River-Siskiyou
National Forest

Medford Interagency Office
3040 Biddle Road
Medford, OR 97504-4119

File Code: 1580

Date: February 29, 2016

GRANTS & AGREEMENTS TRANSMITTAL & ROUTING INSTRUCTIONS

FROM: Deb MacLean, Southwest Oregon Zone LEI Program Assistant

RE: Curry County Cooperative Law Enforcement Agreement (CLE) #12-LE-11061000-008,
Modification 04 to incorporate the 2016 Annual Operating and Financial Plan

ROUTING INSTRUCTIONS:

Route To (name, address, phone):	Routing Instructions:	Date & Initial
USDA Forest Service, Pacific Northwest Region Law Enforcement & Investigation ATTN: Tamara Olson, Administrative Specialist 10600 NE 51 st Circle Vancouver, WA 98682 Phone: 360-891-5279 Email: tolson@fs.fed.us	Print four copies of the subject agreement and forward to SAC Michael L. Loudermilk for review and signature. Forward all documents to the County Sheriff's Office for signature (see address below).	3/10/16 golson
Curry County Sheriff's Office ATTN: Pamela Dickson, Executive Administrative Assistant 94235 Moore Street, Suite 311 Gold Beach, OR 97444-9707 Phone: 541-247-3322 Email: dicksonp@co.curry.or.us	Forward to County Officials for signature and mail all original documents to U.S. Forest Service, Sandra Orsini, Grants and Agreements staff for signature (see address below).	3/14/16 Rec. P.D. 4/6/16 Boc Agenda
Sandra Orsini, G&A Specialist Rogue River-Siskiyou National Forest 3040 Biddle Road Medford, OR 97504-4119 Phone: 541.618-2019 Email: sorsini@fs.fed.us	Forward to Forest Supervisor for review and signature and distribute executed copies as outlined below.	

COMMENTS:

The enclosed Modification incorporates the 2016 Annual Operating and Financial Plan into CLE #12-LE-11061000-008 and increases funds available to the County for continuing law enforcement patrol activities on National Forest System (NFS) lands as identified in the Annual Operating Plan.

Please print **three originals** of each document and forward them for signature as directed in the routing instructions. Please date and initial this cover letter and use it to transmit the signed documents to the next person on the list. After all signatures are obtained, fully executed documents will be distributed as follows:

- One original of each document will be retained for the official agreement file (Rogue River-Siskiyou National Forest);
- Two originals of each document will be returned to the County.

Please contact me if you have any questions. Thank you.

Deb MacLean
541-618-2150

Copy to Official Agreement File



MODIFICATION OF GRANT OR AGREEMENT

PAGE	OF PAGES
1	9 (with attachment)

1. U.S. FOREST SERVICE GRANT/AGREEMENT NUMBER: 12-LE-11061000-008	2. RECIPIENT/COOPERATOR GRANT or AGREEMENT NUMBER, IF ANY:	3. MODIFICATION NUMBER: 04
4. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING GRANT/AGREEMENT (unit name, street, city, state, and zip + 4): Rogue River-Siskiyou National Forest 3040 Biddle Road Medford, OR 97504-4119	5. NAME/ADDRESS OF U.S. FOREST SERVICE UNIT ADMINISTERING PROJECT/ACTIVITY (unit name, street, city, state, and zip + 4): Southwest Oregon Zone LEI, Rogue River-Siskiyou NF 3040 Biddle Road Medford, OR 97504-4119	
6. NAME/ADDRESS OF RECIPIENT/COOPERATOR (street, city, state, and zip + 4, county): Curry County Sheriff's Office 94235 Moore Street, Suite 311 Gold Beach, OR 97444-9707	7. RECIPIENT/COOPERATOR'S HHS SUB ACCOUNT NUMBER (For HHS payment use only): (not applicable)	

8. PURPOSE OF MODIFICATION

CHECK ALL THAT APPLY:	This modification is issued pursuant to the modification provision in the grant/agreement referenced in item no. 1, above.
<input type="checkbox"/>	CHANGE IN PERFORMANCE PERIOD:
<input checked="" type="checkbox"/>	CHANGE IN FUNDING: Increase funds in the amount of \$37,840.00
<input type="checkbox"/>	ADMINISTRATIVE CHANGES:
<input checked="" type="checkbox"/>	OTHER (Specify type of modification): Incorporate 2016 Annual Operating and Financial Plan (Exhibit A)

Except as provided herein, all terms and conditions of the Grant/Agreement referenced in 1, above, remain unchanged and in full force and effect.

9. ADDITIONAL SPACE FOR DESCRIPTION OF MODIFICATION (add additional pages as needed):
Funds in the amount of \$37,840 are added to Cooperative Law Enforcement (CLE) agreement #12-LE-11061000-008 for implementation of 2016 Patrol Activities, as provided in the 2016 Annual Operating and Financial Plan (Annual Operating Plan), hereby incorporated and attached as EXHIBIT A. In accordance with provision IV. D in the CLE, any funds not spent in the prior fiscal year are carried forward to the current fiscal year, as identified in the attached Annual Operating Plan.

10. ATTACHED DOCUMENTATION (Check all that apply):

<input type="checkbox"/>	Revised Scope of Work
<input type="checkbox"/>	Revised Financial Plan
<input checked="" type="checkbox"/>	Other: Exhibit A, 2016 Annual Operating and Financial Plan

11. SIGNATURES

AUTHORIZED REPRESENTATIVE: BY SIGNATURE BELOW, THE SIGNING PARTIES CERTIFY THAT THEY ARE THE OFFICIAL REPRESENTATIVES OF THEIR RESPECTIVE PARTIES AND AUTHORIZED TO ACT IN THEIR RESPECTIVE AREAS FOR MATTERS RELATED TO THE ABOVE-REFERENCED GRANT/AGREEMENT.

11.A. CURRY COUNTY SIGNATURES Signatures for this modification are incorporated on Exhibit A. (Signature of Signatory Official)	11.B. DATE SIGNED	11.C. U.S. FOREST SERVICE SIGNATURE Signatures for this modification are incorporated on Exhibit A. (Signature of Signatory Official)	11.D. DATE SIGNED
11.E. NAME (type or print): SEE EXHIBIT A		11.F. NAME (type or print): SEE EXHIBIT A	
11.G. TITLE (type or print): SEE EXHIBIT A		11.H. TITLE (type or print): SEE EXHIBIT A	

12. G&A REVIEW

12.A. The authority and format of this modification have been reviewed and approved for signature by: JANELLE L. GEDDES U.S. Forest Service Grants & Agreements Specialist	12.B. DATE SIGNED 2/25/15
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FS Agreement No. 2012-LE-11061000-008
Cooperator Agreement No. _____

EXHIBIT A

**COOPERATIVE LAW ENFORCEMENT ANNUAL OPERATING PLAN &
FINANCIAL PLAN
Between The
CURRY COUNTY SHERIFF'S DEPARTMENT
And the
USDA, FOREST SERVICE
PACIFIC NORTHWEST REGION LAW ENFORCEMENT & INVESTIGATION (LEI)
AND ROGUE RIVER-SISKIYOU NATIONAL FOREST**

2016 ANNUAL OPERATING AND FINANCIAL PLAN

This Annual Financial and Operating Plan (Annual Operating Plan), is hereby made and entered into by and between the Curry County Sheriff's Department, hereinafter referred to as "Cooperator," and the USDA, Forest Service, Pacific Northwest Region Law Enforcement & Investigation and Rogue River-Siskiyou National Forest, hereinafter referred to as the "U.S. Forest Service," under the provisions of Cooperative Law Enforcement Agreement #12-LE-11061000-008 executed on June 4, 2012. This Annual Operating Plan is made and agreed to as of the last date signed below and is for the estimated period beginning upon execution and ending December 31, 2016.

Previous Year Carry-over: TBD
Current Calendar Year Obligation: \$37,840.00
CY2016 Total Annual Operating Plan: TBD
Modification #4

I. GENERAL:

A. The following individuals shall be the designated and alternate representative(s) of each party, so designated to make or receive requests for special enforcement activities.

Principal Cooperator Contacts:

Cooperator Program Contact	Cooperator Administrative Contact
John Ward, Sheriff Curry County Sheriff's Office 94235 Moore Street, Suite 311 Gold Beach, OR 97444-9707 Telephone: 541-247-3221 FAX: 541-247-6893 Email: Wardj@co.curry.or.us	Pamela Dickson, Executive Admin Assistant Curry County Sheriff's Office 94235 Moore Street, Suite 311 Gold Beach, OR 97444-9707 Telephone: 541-247-3322 FAX: 541-247-6893 Email: dicksonp@co.curry.or.us



Principal U.S. Forest Service Contacts:

U.S. Forest Service Program Manager Contact	U.S. Forest Service Administrative Contact
Javier Masiel, Patrol Captain Southwest Oregon Zone LEI U.S. Forest Service 3040 Biddle Road Medford, OR 97504-4119 Telephone: 541-618-2152 FAX: 541-618-2140 Email: jmasiel@fs.fed.us	Deb MacLean, Program Assistant Southwest Oregon Zone LEI U.S. Forest Service 3040 Biddle Road Medford, OR 97504-4119 Telephone: 541-618-2150 FAX: 541-618-2140 Email: dmaclean@fs.fed.us

B. Reimbursement for all types of enforcement activities shall be at the following rates unless specifically stated otherwise:

RATE	DESCRIPTION
NTE \$42.22/hr	Senior patrol deputy wage rate (base + fringe) for actually incurred services
NTE \$63.34/hr	Senior patrol deputy overtime for actually incurred services
NTE \$1,500/year	Miscellaneous equipment and supplies authorized by the Forest Service in advance (<i>see Part III</i>).
\$0.575/mile	for actual miles patrolled

This Annual Operating Plan does not obligate the Cooperator to perform enforcement activities above and beyond that which the U.S. Forest Service is able to reimburse the Cooperator for; and the total reimbursement amount from the U.S. Forest Service to the Cooperator may not exceed the total available funds obligated through the life of the Cooperative Law Enforcement Agreement and subsequent Annual Operating Plans.

II. PATROL ACTIVITIES:

A. Time schedules for patrols will be flexible to allow for emergencies, other priorities, and day-to-day needs of both Cooperator and the U.S. Forest Service. Ample time will be spent in each area to make residents and visitors aware that law enforcement officers are in the vicinity.

1. Patrol on following U.S. Forest Service roads:

Area "A" – Powers Ranger District

Forest Road (FR) #5325 from the Forest boundary to Laird Lake:

- (1) Heavy use along Elk River
- (2) McGribble Campground FR#5502
- (3) Panther Creek Campground



- (4) Butler Bar Campground
- (5) Laird Lake Campground

Area "B" – Chetco Ranger District

North Bank Chetco River Road, FR #1376 with primary focus on Miller Bar, Nook Bar, Redwood Bar/Campground and Upper and Lower South Fork gravel Bar/Campground.

FR #1107 to the Winchuck Campground and Day Use Area, and FR #1108 to Ludlum House, Chimney Camp and Fourth of July Creek dispersed campground.

Area "C" – Gold Beach Ranger District

Patrol along the Agness Road, FR #3300 with primary focus at Lobster Creek Campground /Gravel Bar, Quosatana Campground /Gravel Bar, Oak Flat Dispersed Campground /Gravel Bar and Foster Bar Campground/Gravel Bar.

Area "D" – Federal Waterways

Patrol along the following waterways, including, but not limited to: Rogue River, Winchuck River, Chetco River, Hunter Creek, Pistol River, Elk River, Sixes River.

2. Patrol in the following campgrounds, developed sites, or dispersed areas:

See Areas A, B, C, and D under item 1.

Areas of patrol may be overlapping. Each patrol should average four hours in length. Patrol time should average a minimum of eight hours over two days per week. During peak summer recreation periods, patrol time may increase up to 40 hours weekly. The deputy should patrol each area at least once a week, weather permitting. Patrol should be made on random schedules with emphasis on weekends, particularly during the summer, and hunting and fishing seasons. Patrol schedules should be coordinated with the Forest Service.

Patrol of all areas should be made on randomly selected days including weekends, evenings, and holidays. The deputy's weekly patrol and general work schedule will be directed by the Cooperator and will conform and comply with the terms of the agreement. The parties mutually agree to:

1. Ensure deputy(s) availability for other support and assistance as requested.
2. Dispatch additional deputy(s), within manpower capabilities, when requested by the Forest Service to unforeseen or emergency situations, or to support Forest Service officers.
3. Ensure that overtime worked by the deputy will be coordinated with the Cooperator and the Forest Service in advance, excepting exigent circumstances.
4. Ensure that work performed by the deputy *outside the intent of the Agreement*, including Cooperator directed overtime that exceeds 5% of scheduled hours worked per month, will be the obligation of the Cooperator.

Total reimbursement for this category shall not exceed the amount of: **\$36,340.00.**



III. EQUIPMENT:

See Cooperative Law Enforcement Agreement Provisions IV-K, IV-L, and IV-M for additional information.

Not to exceed \$1,500.00 for miscellaneous equipment and supplies authorized by the Forest Service in advance. **Equipment is defined as having a fair market value of \$5,000 or more per unit and a useful life of over one year.** Only items meeting this definition shall be subject to the pro-rata share, documentation, and transfer requirements discussed in Provision IV-K and IV-L for equipment. **Supplies are those items that are not equipment and may be reimbursed in full (100%).**

Anticipated Equipment purchase/lease items: NONE.

Anticipated supply purchase(s): Up to \$1,500 for miscellaneous supplies.

Total reimbursement for this category shall not exceed the amount of: \$1,500.00.²

² Funds not used for supplies may be used for patrol activities. (See Provision I-B).

IV. SPECIAL ENFORCEMENT SITUATIONS:

- A. Special Enforcement Situations include but are not limited to: Fire Emergencies, Drug Enforcement, and certain Group Gatherings.
- B. Funds available for special enforcement situations vary greatly from year to year and must be specifically requested and approved prior to any reimbursement being authorized. Requests for funds should be made to the U.S. Forest Service designated representative listed in Item I-A of this Annual Operating Plan. The designated representative will then notify Cooperator whether funds will be authorized for reimbursement. If funds are authorized, the parties will then jointly prepare a revised Annual Operating Plan.
 1. Drug Enforcement: This will be handled on a case by case basis. The request will normally come from the patrol Captain; however, it may come from the Special Agent in Charge or their designated representative. Reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to the incident will coordinate all of their activities with the designated officer in charge of the incident.
 2. Fire Emergency: During emergency fire suppression situations and upon request by the Forest Service pursuant to an incident resource order, the Cooperator agrees to provide special services beyond those provided under Section II-A, within the Cooperator's resource capabilities, for the enforcement of State and local laws related to the protection of persons and their property. The Cooperator will be compensated at the rate specified in Section I-B; the Forest Service will specify



times and schedules. Upon concurrence of the local patrol Captain or their designated representative, an official from the Incident Management Team managing the incident, Cooperator personnel assigned to an incident where meals are provided will be entitled to such meals.

3. **Group Gatherings:** This includes but is not limited to situations which are normally unanticipated or which typically include very short notices, large group gatherings such as rock concerts, demonstrations, and organization rendezvous. Upon authorization by a Forest Service representative listed in Section I-A for requested services of this nature, reimbursement shall be made at the rates specified in Section I-B. Deputies assigned to this type of incident will normally coordinate their activities with the designated officer in charge of the incident.

This includes but is not limited to situations which are normally unanticipated or which typically include very short notice, large group gatherings such as rock concerts, demonstrations, and organizational rendezvous.

V. BILLING FREQUENCY:

See Cooperative Law Enforcement Agreement Provisions II-H and III-B for additional information.

- A. **Invoices.** Cooperator will submit **monthly** invoices to the Forest Service for reimbursement of services provided under this operating plan (includes drug enforcement and group gatherings). Invoices shall be printed on the Cooperator's department letterhead and be submitted to the address provided in Provision III-B of the Cooperative Law Enforcement Agreement.

Invoices shall include the following:

1. Date of invoice
2. Operating Plan reference number
3. Actual dates of services (from MM/DD/YY to MM/DD/YY)
4. Description of services (hours worked x rate/hour; miles x rate/mile)
5. Total amount billed to the Forest Service
6. Other supporting documentation such as activity reports with dates of service, areas patrolled and miles traveled
7. Signature from Sheriff, or other authorized representative, certifying that services have been performed as described on the invoice and related supporting documentation.

(Invoices are separate from the U.S. Forest Service Form FS-5300-5 Cooperative Law Enforcement Activity Report, which is required from the Cooperator annually as per Provision II-F of the Cooperative Law Enforcement Agreement).

- B. For reimbursement of fire emergency services provided under Section IV.B.2, the following billing procedure will be used:
 1. Incident Management Team (IMT) personnel will prepare an Emergency Use Invoice and, upon concurrence of the Cooperator, will submit the invoice for payment (billing) along with all required documentation using normal incident business procedures.



- 2. The designated representative, IMT official, or a designated Forest Service incident business official, will approve the invoice and submit invoices to the Albuquerque Service Center (ASC) for payment along with a copy of the current Operating Plan. The invoices and supporting documentation shall be forwarded for payment to ASC as follows:

USDA Forest Service
 ASC – Incident Finance
 Payments-Grants and Agreements
 101B Sun Ave NE
 Albuquerque, NM 87109

Invoices may also be faxed to 1-877-687-4894. Address FAX coversheets to:
 USDA Forest Service
 ASC – Incident Finance
 Payments-Grants and Agreements

- C. The following is a breakdown of the total estimated costs associated with this Annual Operating Plan.

Category	Estimated Costs (Current Year Funds)	Estimated Carryover Balance	Total Estimated Costs
Patrol Activities	36,340.00	TBD	TBD
Training	0.00	0.00	0.00
Equipment/Supplies ³	1,500.00	0.00	1,500.00
Special Enforcement Situations	0.00	0.00	0.00
Total Estimated Costs:	37,840.00	TBD	TBD

³ Funds not used for equipment/supplies category may be used for patrol activities.

- D. Any remaining funding in this Annual Operating Plan may be carried forward to the next fiscal year and will be available to spend through the term of the Cooperative Law Enforcement Agreement, or de-obligated at the request of the U.S. Forest Service. *See Cooperative Law Enforcement Agreement Provision IV-D.*

By signature below, each party certifies that the individuals listed in this document as representatives of the individual parties are authorized to act in their respective areas for matters related to this agreement.

In witness whereof, the parties hereto have executed this Annual Operating Plan as of the last date written below.



CURRY COUNTY:

JOHN WARD, County Sheriff
Curry County Sheriff's Department
Date

THOMAS HUXLEY, Chair
County Commissioner
Date

SUSAN BROWN, Vice-Chair
County Commissioner
Date

DAVID BROCK SMITH
County Commissioner
Date

U.S. FOREST SERVICE:

ROBERT G. MACWHORTER, Forest Supervisor
Rogue River-Siskiyou National Forest
Date

Michael L. Loudermilk

MICHAEL L. LOUDERMILK
Special Agent in Charge,
U.S. Forest Service, Pacific Northwest Region
Law Enforcement and Investigations
Date *3/9/2016*

The authority and format of this agreement have been reviewed and approved for signature.

Janelle V. Geddes

JANELLE V. GEDDES, 12-LE-11061000-008, M4
U.S. Forest Service Grants Management Specialist
Date *2/25/16*



Burden Statement

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0596-0217. The time required to complete this information collection is estimated to average 3 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, DC 20250-9410 or call toll free (866) 632-9992 (voice). TDD users can contact USDA through local relay or the Federal relay at (800) 877-8339 (TDD) or (866) 377-8642 (relay voice). USDA is an equal opportunity provider and employer.

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: INTERGOVERNMENTAL AGREEMENT
FOR PLANNING SERVICES BETWEEN THE COUNTY OF CURRY COUNTY AND THE CITY
OF GOLD BEACH

AGENDA DATE^a: 04.06.2016 **DEPARTMENT:** CommDev **TIME NEEDED:** 10 min

^aSubmit by seven days prior to the next General Meeting (eight days if a holiday falls within that seven day period)

CONTACT PERSON: Carolyn Johnson, Planning Director **PHONE/EXT:** 3228

TODAY'S DATE: 03.29.2016

BRIEF BACKGROUND OR NOTE^b: For a four week period between April 18 and May 13 planning services from the City of Gold Beach are recommended. The purpose of this agreement is to provide an understanding of the services to be provided by the City of Gold Beach during a scheduled vacation time for the Planner. As described in the agreement attached to the staff report, these services include, among other tasks, conferring with the public by phone and in person on planning/development questions and processing planning/development applications.

^bIndicate if more than one copy to be signed

FILES ATTACHED: **SUBMISSION TYPE:** Agreement

(1) staff report with agreement attached

(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
Development Department

Name: Curry County Community

Send Printed Copy to:
Fritts, 29592 Ellensburg ave, Gold Beach, OR 97444

Address: City of Gold Beach attention: Jodi

Email a Digital Copy to:

City/State/Zip:

Other

Phone:

Due date to send: 04 /07 / 2016

Email:

^cNote: 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: Consent Calendar

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



BOARD OF COMMISSION AGENDA REPORT

Meeting Date: April 6, 2016

Prepared by: Carolyn Johnson, Planning Director

Subject: Intergovernmental Agreement for Planning Services from April 18 to May 13, 2016 between the Curry County and the City of Gold Beach

Recommendation: Authorize the attached agreement.

Summary: For a period of time between April 18 and May 13, 2016, one of the two planners in the Community Development Department will be on a planned extended time away. Public service by phone and in person as well as acceptance, review and authorization of a variety of planning permits must continue during this time.

The Gold Beach City Administrator has graciously offered the City's services for the four week period in question. A brief agreement between the County and the City in this regard has been drafted and is attached for the Board of Commissioners authorization.

**INTERGOVERNMENTAL AGREEMENT
FOR PLANNING SERVICES BETWEEN
THE COUNTY OF CURRY COUNTY AND THE CITY OF GOLD BEACH**

I. INTRODUCTION

The Parties to this Intergovernmental Agreement are the City of Gold Beach, a municipal corporation of the State of Oregon, and Curry County, Oregon, a political subdivision of the State of Oregon.

This Agreement is entered into under authority of ORS 190.010 for the purpose of the City of Gold Beach providing professional planning services for Curry County from April 18, 2016 to May 13, 2016.

II. GENERAL PROVISIONS

A. Definitions as Used in this Agreement

"Board of Commissioners or Board" means the Curry County Board of Commissioners.

"City" means the City of Gold Beach.

"City Planning Staff" means the Gold Beach Planning Director and Planner.

"Community Development Department staff" means the Planning Director, Building Official, and Administrative Assistant employed by Curry County in the Community Development Department.

"County" means Curry County, a political subdivision of the State of Oregon.

"Development applications" means applications to the County for residential and commercial development, including the following: rural address / road naming, Planning Clearance, Agricultural Building, Septic and/or Erosion prevention review, State/Federal Agency Permit Review (LUCS), Pre-application conference, Conditional Use Permits and renewal of Conditional Use Permits.

"Planning Director" means the Curry County Planning Director.

B. Authority

The Board hereby designates the Planning Director to administer this agreement. The Community Development Department staff shall have the authority to confer with City Planning staff on Development applications.

III. LAND USE PLANNING SERVICES TO BE PROVIDED BY THE CITY

City Planning Staff shall:

- a. Provide professional planning staff services to accept, review and process Development applications; and

- b. Assist citizens in person and by phone during regular business hours at the City of Gold Beach office located at 25592 Ellensburg Avenue in Gold Beach.

IV. MAILING

All materials related to County Development applications that require mail posting shall be mailed from and by the City.

V. ENGINEERING/CONSULTANT COSTS

Development application applicants shall be responsible for payment of costs of engineering or other consultant, including legal, services required for land use and limited land use application review. The City may adopt a charge and a method for collecting such costs. The payment of engineering or other consultant services shall be paid by the applicant directly to the City and not be forwarded to the County.

VI. OTHER PROVISIONS

A. City Planning Staff Employment Status While Serving the County

1. City Planning Staff serving the County shall not be considered an employee of the County for purposes of compensation, benefits or other personnel related matters.
2. While any member of the City Planning Staff is serving the County that person shall be covered by the City's liability insurance and Worker's Compensation insurance.

B. Files and Records

1. The County will provide the City Planning Staff all application forms, report forms, and other related materials to be used in the conduct of its land use planning procedures.
2. Except as otherwise provided, all files and records related to the County's comprehensive plan, land use ordinances, land use applications, permits, and related materials pertinent to the services provided by the City may be retained in files at the City offices for the term of the agreement.

VI. TERM AND TERMINATION

A. Term

1. This agreement shall commence on April 18, 2016 and terminate on May 13, 2016. This agreement supersedes any prior agreement between both parties for Planning Services.
2. This Agreement may be terminated by either party (the City or the County) under the following procedure:
 - a. the party requesting termination shall notify the other party in writing of its intention to terminate; and
 - b. upon termination of the agreement by either party, the City shall return all files, records and correspondence related to applications to the County.

VII. MODIFICATION

No modification of this Agreement shall be valid unless in writing and signed by the parties.

If any provision of this Agreement is held by any court of competent jurisdiction to be invalid, such invalidity shall not affect any other provisions of this Agreement, and this Agreement shall be construed as if the invalid provision had never been included in the Agreement

IN WITNESS WHEREOF, this Intergovernmental Agreement between the City of Gold Beach and Curry County is signed and executed this 6th day of April, 2016.

Jodi Fritts
City Administrator
City of Gold Beach

Date

Tom Huxley
Board of Commissioners Chairperson

Date

David Brock-Smith
Curry County Commissioners

Date

Susan Brown
Curry County Commissioners Vice-Chair

Date

Approved as to form:

John Hutt
Curry County Counsel

Date

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 Amending and Adopting Curry County Personnel Rules - Article 13 (Appointments) and Article 24 (Conduct and Discipline)

AGENDA DATE^a: 2016-04-06 **DEPARTMENT:** Finance **TIME NEEDED:** 10

^aSubmit by seven days prior to the next General Meeting (eight days if a holiday falls within that seven day period)

CONTACT PERSON: J. Swift **PHONE/EXT:** 3233 **TODAY'S DATE:** 2016-03-28

BRIEF BACKGROUND OR NOTE^b: Changes and adds language to Personnel Rules, Article 13 and 24

^bIndicate if more than one copy to be signed

FILES ATTACHED: **SUBMISSION TYPE:** Order

- (1) Curry County Personnel Rules Article 13
- (2) Curry County Personnel Rules Article 24
- (3) 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: Julie Swift

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other

Phone:

Due date to send: / /

Email:

^cNote: 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

**ARTICLE 13
APPOINTMENTS**

A. ALL VACANCIES FOR EMPLOYMENT POSITIONS IN THE COUNTY SHALL BE FILLED AS PROVIDED IN THIS ARTICLE.

1. NO DEPARTMENT HEAD APPOINTMENT IS FINAL UNTIL APPROVED BY THE BOARD.
2. DEPARTMENT HEAD APPOINTING AUTHORITIES MAY MAKE FINAL APPOINTMENT OF EMPLOYEES SERVING IN THEIR DEPARTMENTS.

B. THE PERSONNEL OFFICER SHALL ASSIST APPOINTING AUTHORITIES IN THE RECRUITMENT AND SCREENING OF EMPLOYEES.

C. PUBLIC ANNOUNCEMENT

1. Before an appointing authority may select a candidate for a position, notice of the vacancy must be forwarded to the Personnel Officer.
2. The Personnel Officer shall prepare recruitment announcements of position openings which set forth the general duties and compensation of the position, the minimum qualifications required, the dates, place and manner of making application for the position and other appropriate information.
3. The Personnel Officer shall make a public announcement of recruitment to fill vacancies or to establish a roster of qualified candidates.
4. Public announcement is not required for position vacancies which appointing authorities recommend filling by transfer, voluntary demotion or promotion of present employees or by re-employing a former employee.
5. Employees who wish to apply for any County position must apply through the Personnel Officer.

D. APPLICATION: All persons applying for a position shall fill out an employment application form approved by the Board. Resumes may be submitted as supplemental material only.

E. EVALUATION OF APPLICANTS

1. Applications for appointment to positions shall possess the minimum qualifications and other requirements for the classification as stated in the applicable classification descriptions.

2. Selection criteria must be job related and may be written, oral, physical, in the form of a demonstration of skill or an evaluation of training and experience.
3. Consideration will be given to education, experience, aptitude, capacity, knowledge, character, physical fitness, length and quality of service and other qualifications to determine the relative fitness of the applicants.
3. Prior to being offered a County position, each prospective employee must meet the following contingencies:
 - a. Undergo a background check.
 - b. If applying to a safety sensitive position, submit to a pre-employment drug screen and test negative.
 - c. Provide documentation necessary to prove that the employee meets the education and/or license requirements for the position.
 - d. Driving record check, when driving is a requirement of the job.

F. VETERANS' PREFERENCE

1. Curry County applies Veterans' Preference in accordance with ORS 408.230 and 408.235. For the preference to be applied, veterans must have received an honorable discharge from military service, successfully complete the initial application screening, and meet the minimum qualifications of the applied for position. To qualify for disabled veteran preference, applicants must submit proof of veteran status and proof of their veterans' disability rating from the Department of Veterans' Affairs. Applicants must submit proof of veteran status (DD214/DD215) at the time the application is submitted.

Veterans' Preference applies to any hiring or promotion decision that is made based upon the results of a merit based, competitive process that includes, but is not limited to, consideration of an applicant's or employee's relative ability, knowledge, experience and other skills.

2. ORS 408.230 outlines the manner in which public employers must grant preference to eligible veterans. At each stage of the application process, preference must be granted to veterans who successfully complete the initial application screening or an application examination or test that is administered to establish eligibility.

3. At the time of initial application screening, if a point system is used, points are to be added to a scored review to determine a list of persons for interviews. Five (5) points are to be added to a veteran's score and ten (10) points to a disabled veteran's score.
 4. An application examination, given after initial application screening that results in a score, shall have preference points added to the total combined examination score without allocating the points to any single feature or part of the examination. Five (5) points are to be added to a veteran's score and ten (10) points to a disabled veteran's score.
 5. For application examinations that do not result in a score (including interviews, evaluation of performance, experience or training, supervisor's rating or any other method of ranking), preference shall be given to the veteran or disabled veteran by applying methods that give special consideration in the hiring decision to veterans and disabled veterans.
 6. The Oregon Revised Statutes (ORS) state that Veterans' Preference is not a requirement that the County appoint a veteran or disabled veteran to a position. However, the statutes do state that if the veteran's application examination(s), when combined with their veteran's preference, are equal to or higher than the results of a non-veteran, the public employer shall appoint an otherwise qualified veteran or disabled veteran.
 7. A decision to not appoint a veteran may be based solely on the veteran's merits or qualifications with respect to the vacant position. The ORS provides that a veteran may request a written explanation of the reasons why he/she was not appointed to the position. Upon such request, the County will provide the reasons for the decision not to appoint the veteran to the position.
 8. A veteran or disabled veteran claiming a violation of ORS under this subsection may file a written complaint with the Civil Rights Division of the Bureau of Labor and Industries.
- G. **APPOINTMENTS**: When an appointing authority has selected a candidate to fill a position, the appointing authority shall notify the Personnel Officer. All new appointments not subject to final approval by the Board shall be introduced at a public meeting within 60 days of hiring date through Presentation to the Board.

Appointing authorities shall provide to the Personnel Officer details of the hiring decision in the form of a job offer letter. The Personnel Officer can provide a sample.

H. TEMPORARY WORKING OUT OF CLASSIFICATION: When a non-exempt employee performs substantially all of the duties of a higher-level classification for a minimum of fourteen (14) consecutive calendar days, that employee shall be compensated at the first step of the pay grade of the higher classification if it is higher than the employee's current rate, or five percent (5%) above an employee's current rate, whichever is greater, for the time spent performing those duties.

I. FULL-TIME POSITIONS: Positions budgeted on a regular full-time basis shall be filled by one full-time employee unless prior authorization is obtained from the Board.

J. HIRING OF RELATIVES: Relatives of current employees are eligible for hire at Curry County subject to the same selection process and job requirements and will be evaluated in the same manner as any other applicant. However, persons will not be hired or promoted into positions in which one family member (as defined by Oregon law) would fall under the direct supervision of the other family member.

K. PHYSICAL EXAMINATIONS

1. Regardless of having otherwise qualified for employment, for certain job categories, candidates for employment may be required by the appointing authority to obtain medical certification that they are physically fit to perform the duties of the open position.

2. Certification shall include a physical examination or other medical evaluation as required.

3. Any physical examination requirements shall be uniformly applied within the job categories.

L. NOTIFICATION TO APPLICANTS NOT APPOINTED: The Personnel Officer shall notify applicants who were not appointed within a reasonable time.

If an appointing authority wishes to contact applicants directly, contact will be made within a reasonable amount of time after appointments, as referenced above.

**ARTICLE 24
CONDUCT AND DISCIPLINE**

- A. EMPLOYEE CONDUCT:** The standard of conduct for all employees in the County service shall be in the public interest as opposed to individual interests. In order to render the best possible service to the general public and to reflect credit on County service, high standards of conduct are deemed essential.

Employment shall be conditioned on good behavior and satisfactory performance of duties. Employees are to maintain a respectful work environment free from discrimination, harassment, sexual harassment, violence, and other offensive or degrading remarks or conduct. It is the responsibility of all employees and agents of the County to treat each other, as well as the public, with courtesy and consideration, to promote an atmosphere of mutual respect and to create a welcoming environment for everyone they come in contact with during the course of their work.

The above expectations are not exhaustive and include, but are not limited to, other similar standards appropriate to professionalism and employee conduct.

- B. DISCIPLINE:** Disciplinary action in dealing with employee misconduct shall be taken by appointing authorities as appropriate. Disciplinary action shall be for any of the causes set forth in this section.

- C. CAUSE FOR DISCIPLINARY ACTION:** Any action which reflects discredit upon County service or is a direct hindrance to the effective performance of County functions shall be considered good cause for disciplinary action. Improper conduct by an employee in an official capacity tending to bring the County into discredit, or which affects the employee's work performance, or any improper use of the employee's position for personal advantage shall also be adjudged good cause. Good cause includes, but is not limited to, the following:

1. conviction of a felony;
2. conviction of a misdemeanor which is related to the position held by employee;
3. violation of Article 38 – County Drug and Alcohol Policy;
4. insubordination;
5. inefficiency or incompetence;

6. inattention to duty, tardiness, indolence, carelessness, or damage to or negligence in the care and handling of County property;
7. improper or unauthorized use of County vehicles or equipment;
8. claim of sick leave under false pretenses or misuse of sick leave;
9. absence from duty without authorized leave;
10. misconduct in the performance of employee duties;
11. violation of County safety policy or department safety rules;
12. willful giving of false information or withholding information with intent to deceive when making application for employment;
13. willful violation of any provisions of laws or rules adopted by the Board or any provisions of departmental rules;
14. false filing of claim for on-the-job injury or work related injury.

D. ADMINISTRATIVE LEAVE

1. Employees may be placed on Administrative Leave, with pay, if the appointing authority feels the employee should be relieved of duties or removed from the workplace pending an investigation.
2. Administrative leave, while not considered discipline, is commonly used during a discipline-related investigation prior to discipline being administered.
1. No administrative leave shall extend beyond thirty (30) calendar days unless approved by the Board of Commissioners.

E. KINDS OF DISCIPLINARY ACTION:

1. **Counseling:** The County may need to counsel employees regarding work place performance and behavior. In the event the County needs to take corrective action and counseling, the County will provide any written notice of such with clear notice that the matter is counseling and not formal discipline. The written notice will be maintained in a yearly file only for the purposes of yearly evaluations and will not be placed in the personnel file, however, can serve as notice for further disciplinary actions.

2. **Written Reprimand:** A written reprimand is a formal warning action and places the employee on official notice that failure to correct conduct will result in more severe discipline. This will be placed in the employee's personnel file.
3. **Suspension Without Pay:** A suspension without pay may be imposed. A suspension without pay shall not exceed thirty (30) days at any one time.
4. **Demotion:** Demotion, both in pay and in class, may be used as a form of discipline when discharge is not warranted or when the appointing authority believes that the employee has the potential for correcting conduct.
5. **Termination from employment.**

F. REPORTS OF DEVIATIONS FROM OR VIOLATIONS OF STANDARDS

Deviations from, or violations of, the above standards shall be reported to the Department Head. The Department Head shall conduct an investigation or have an investigation conducted to the extent warranted by the report. After the investigation, the Department Head will confer with the County Personnel Officer and County Legal Counsel, and may impose any, all, other, or no discipline allowed under section E, above.

Further, reports of deviations from or violations of this by the Department Head shall be reported to the Personnel Officer.

If you have any questions or concerns about the Respectful Work Environment policy or Complaint Procedures please share them with your Department Head

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

In the Matter of an Order Amending)
The Curry County Personnel Rules) ORDER NO. _____
Regarding Appointments)
And Conduct and Discipline)

WHEREAS, Curry County has in place a set of Personnel Rules that were last revised in June of 2014; and

WHEREAS, the Board of Commissioners at its regularly scheduled Board Meeting on March 16, 2016, reviewed and discussed with the Personnel Officer, proposed changes to Article 13, (Appointments), and Article 24, (Conduct and Discipline); and

WHEREAS, the Board of Commissioners approved the proposed changes mentioned above; and

WHEREAS, Article 13(A) and (G) are amended and attached hereto and incorporated by reference; and

WHEREAS, Article 24 (A) and (F) are amended and attached hereto and incorporated by reference; and

NOW, THEREFORE, THE BOARD OF CURRY COUNTY COMMISSIONERS HEREBY ORDERS that effective upon passage of this Order, the above referenced changes are made to the Curry County Personnel Rules.

IT IS FURTHER ORDERED that the Payroll and Personnel Coordinator is authorized to incorporate these changes into the Curry County Personnel Rules, and to electronically distribute the amended Curry County Personnel Rules to all County employees and elected officials.

IT IS ALSO ORDERED that all other parts of the Personnel Rules shall remain the same until further order of the Board.

DATED this 6th day of April, 2016.

BOARD OF CURRY COUNTY COMMISSIONERS

Thomas Huxley, Chair

Susan Brown, Vice Chair

David Brock Smith, Commissioner

Approved as to Form:

John Huttl
Curry County Legal Counsel

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: Budget Preparation Proposal

AGENDA DATE^a: 4/6/16 **DEPARTMENT:** Finance **TIME NEEDED:** 15 min

^aSubmit by seven days prior to the next General Meeting (eight days if a holiday falls within that seven day period)

CONTACT PERSON: Julie Swift **PHONE/EXT:** 3233 **TODAY'S DATE:** 3/30/16

BRIEF BACKGROUND OR NOTE^b: Proposal from Debbie Smith-Wagar

^bIndicate if more than one copy to be signed

FILES ATTACHED:

SUBMISSION TYPE: Discussion/Decision

- (1)e-mail
- (2)Proposal
- (3)Contract

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 If signed at meeting provide a copy to Debbie Smith-Wagar

Phone:

Due date to send: / /

Email:

^cNote: 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

Julie Swift

From: Debbie Smith-Wagar <debbie@smith-wagarbrucker.com>
Sent: Wednesday, March 30, 2016 4:47 AM
To: Julie Swift
Cc: John Huttli; Brenda Starbird; 'Cathy Brucker'
Subject: RE: Budget process

Debbie Smith-Wagar has shared a OneDrive file with you. To view it, click the link below.

 [Proposal for Curry County.xlsx](#)

Hi Julie,

I have put together an estimate of my cost to prepare the budget. I will only charge you for actual costs, so if staff can do more of the work then there will be less cost to the County. I know from experience that even though staff may be capable of doing the work, time constraints mean they often don't have time to do the work. The County does have a lot of funds, though I know some of those funds are pretty simple to budget. I assumed four trips down there, but again I will only charge you for the actual trips that are necessary.

I will be down on the 6th (at no charge). Let me know if you have any questions about this proposal.

Sincerely,

Debbie

Debbie Smith-Wagar
Smith-Wagar Brucker Consulting, LLC
503.686.3527
Debbie@Smith-WagarBrucker.com

From: John Huttli [<mailto:huttli@co.curry.or.us>]
Sent: Monday, March 28, 2016 3:33 PM
To: debbie@smith-wagarbrucker.com
Cc: Julie Swift <SwiftJ@co.curry.or.us>; Brenda Starbird <starbirdb@co.curry.or.us>
Subject: FW: Budget process

Debbie,

That being said, the Board direction has been for departments to prepare "status quo" budgets. So going off last year's budget would be a good starting point. Julie Swift or Cena Crook in finance could get you last year's budget information if that would help. It may even be available on the internet.
John

From: Julie Swift
Sent: Monday, March 28, 2016 3:28 PM
To: John Huttli
Cc: Brenda Starbird
Subject: FW: Budget process

Sorry, I should have replied to all. This is what I said.

Julie

From: Julie Swift
Sent: Monday, March 28, 2016 3:01 PM
To: 'Debbie Smith-Wagar'
Subject: RE: Budget process

Hi Debbie,

Our budget hearings are set for the week of May 9. Departmental budgets are due back to the Finance Department by April 8th. Between April 8th and May 6th the budget will need to be balanced and put into the format to present to the Budget Committee.

Julie

From: Debbie Smith-Wagar [<mailto:debbie@smith-wagarbrucker.com>]
Sent: Monday, March 28, 2016 2:51 PM
To: Julie Swift; debbie@smith-wagarconsulting.com
Cc: John HuttI; Brenda Starbird
Subject: RE: Budget process

Hi Julie,

Do you have a budget calendar for this year? It would help me prepare my proposal.

Thanks!
Debbie

From: Julie Swift [<mailto:SwiftJ@co.curry.or.us>]
Sent: Thursday, March 24, 2016 3:26 PM
To: debbie@smith-wagarconsulting.com
Cc: John HuttI <huttli@co.curry.or.us>; Brenda Starbird <starbirdb@co.curry.or.us>
Subject: Budget process

Debbie,

Thank you for taking the time to speak with me and John HuttI yesterday. I just want to confirm your visit and presentation at the Board of Commissioners' meeting April 6th at 10:00 a.m. If you have any documentation that I can include with the agenda packet I would appreciate receiving it by March 30th.

Thank you again and I look forward to meeting you.

Julie Swift
Payroll and Personnel Coordinator
(541)247-3233

Curry County Proposal
4/6/2016

Services	Est Hours	Rate	Cost
<i>Budget</i>			
Compile department requests (may require an initial visit)	10.00	\$110.00	\$1,100.00
Balance budget and prepare draft of proposed budget (all resources and expenditures compiled including estimated actuals for 2015-16; write budget message; prepare LB-1 for publication)	30.00	\$110.00	\$3,300.00
Prepare proposed budget document to be distributed to the Budget Committee	8.00	\$110.00	\$880.00
First Budget Committee Meeting	4.00	\$110.00	\$440.00
Prepare answers to questions, as necessary	6.00	\$110.00	\$660.00
Second Budget Committee Meeting	4.00	\$110.00	\$440.00
Prepare budget resolutions to go to the Commissioners	4.00	\$110.00	\$440.00
Final Commissioner Meeting to adopt the budget	2.00	\$110.00	\$220.00
Prepare final budget documents	10.00	\$110.00	\$1,100.00
Total for identified services	78.00		8,580.00
Other			Cost
<i>Other costs</i>			
Hotel lodging, meals, etc., GSA per diem rates (\$89 per night for hotel; \$51 per night for meals and incidentals), assumes 4 nights			\$560.00
Mileage, assumes 4 round-trips between Sherwood Oregon (Consultant's business location) and the Curry County administrative offices (54 cents per mile)			\$1,185.41
Total other costs			\$1,745.41
Grand total estimated expenses			\$10,325.41

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: TGM Grant Support Letter - KBOK

AGENDA DATE^a: 4/6/2016 **DEPARTMENT:** Econ Dev **TIME NEEDED:** 5 min

^aSubmit 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:** 3/30/2016

BRIEF BACKGROUND OR NOTE^b: This letter of support was discussed at the 3/30/2016 Workshop

^bIndicate if more than one copy to be signed

FILES ATTACHED:

SUBMISSION TYPE: Letter

- (1) Letter
- (2) Grant App

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: Those addressed on letter

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other

Phone:

Due date to send: 4 /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



**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

April 6, 2016

Cindy Lesmeister, TGM Grants & Contracts Program Manager
Transportation and Growth Management Program
555 13th St., NE, Suite 2
Salem, Oregon 97301

Re: Brookings TGM Application

Dear Ms. Lesmeister:

This letter is to express Curry County's support for the City of Brookings TGM Program Grant to fund a Feasibility Study for the Brookings Airport Ground Access and Area Plan. At a regular meeting on April 6, 2016, the Curry County Board of Commissioners expressed concurrence that there are community wide advantages to improving access and providing protective elements for traffic in the area adjacent to the airport.

Better access to the airport encourages economic development as well as provides a greater margin of community safety by adding additional protections for vehicle and pedestrian traffic in the area. FAA concerns regarding proximity of traffic to the runway safety zone should be eliminated by construction of an access tunnel as well as providing for a slight increase in runway length.

The airport is essential to life safety in our community as it is the only fully operational airport in the County located outside the tsunami zone. It is understood that in a major seismic event or tsunami, access to the hospital in Gold Beach will be lost due to road and bridge failures. This leaves a significant number of citizens in Curry County without access to advanced medical care. The Airport is used extensively by the local air ambulance company.

We acknowledge this project as important to the community and wish to facilitate it in any way possible.

Sincerely,

Thomas Huxley, Chair

Copy: City of Brookings, Att. Gary Milliman
WH Pacific, Peter Murphy

PRE-APPLICATION

TGM Program Services 2016

Submit a separate pre-application for each project idea.

NOTE: This form must be saved to your computer and filled out using the latest version of Adobe Acrobat or Reader. Visit TGM Grants for more information. Download the latest version of Reader here: <https://get.adobe.com/reader/>

Instructions:

Contact Information

Under "Project Contact" please list only one person - typically the person who will be responsible for preparing a grant application and managing a project on behalf of the applicant.

Type of Request

Check the box that best fits your project. Submit a separate request for each project idea.

Project Title

Provide a short, descriptive title.

Example: Beaverwood Downtown Revitalization Plan

Description of Issue

Provide a short description of the issue or need that would be addressed by the project.

Example: Over time, Beaverwood's (pop. 7236) downtown has lost several businesses, while there are continued requests for more commercial zoning along the highway. The addition of commercial development along the highway is creating traffic congestion and safety concerns on the highway and draining vitality from downtown.

Project Objectives/Expected Outcomes

Describe the desired outcome of the project.

Example: Beaverwood would like to develop a plan for a vibrant downtown and avoid increasing traffic congestion along the highway outside of downtown. The project will result in a plan that accommodates future retail and office uses in its downtown, provides for residential development in downtown, and limits commercial development along the highway outside of downtown.

Estimated Budget

Provide a rough estimate of the anticipated cost of your proposed project. Your estimate is not binding and will provide TGM staff a starting point from which to help you prepare a formal grant application or a request for other TGM services.

Submitting a Pre-Application

After completing your pre-application, click the 'Submit by Email' button at the bottom of the form. You will be prompted to choose to send the form via a default email application (such as Microsoft Outlook) or via webmail. Choose one and follow the prompts to submit your application form.

You may also submit your form as an email attachment to TGMGrantApps@odot.state.or.us, or via mail or fax to:

Cindy Lesmeister, TGM Grants & Contracts Program Manager
Transportation and Growth Management Program
555 13th St., NE, Suite 2, Salem, Oregon 97301

Fax: 503-986-4174

PRE-APPLICATION

TGM Program Services 2016

Submit a separate pre-application for each project idea.

Pre-Applicant Information

Contact Name

Chrissy Bevens

Jurisdiction

City of Brookings

Mailing Address

898 Elk Drive

City/Zip

Brookings / 97415

Phone

541-469-1138

E-mail

cbevens@brookings.or.us

Type of Request

Grant Project Categories

- Transportation System Planning
- Integrated Land Use and Transportation Planning

Direct Community Assistance Programs

- Code Assistance
- Quick Response
- Education and Outreach
- TSP Assessment

Project Title

Brookings Airport Ground Access and Area Plan

Description of Issue

The City of Brookings is extending water and sewer infrastructure to support development at and adjacent to the Brookings Airport, including an undeveloped county-owned parcel, zoned Light Industrial. This project is funded, in part, through a grant from the U.S. Economic Development Agency (EDA). The airport is located east of Highway 101 and is accessible via Parkview Drive, which turns into Airport Road. The drive from HWY 101 to the airport is about 1.7 miles.

Late in the development of the infrastructure project, the U.S. Federal Aviation Administration (FAA) identified access restrictions related to the airport's Runway Protection Zone. Part of the alignment of Airport Road is within the Runway Protection Zone and the FAA has asserted that the County would be out of compliance if it allows uses on Airport Road beyond those needed for airport access. This puts at risk current and historical uses of the road, including access for timber harvest and management activities in adjacent lands, as well as the development of other planned land uses, namely the industrial property.

Additionally, Parkview Drive has functional deficiencies which need to be addressed in order to provide appropriate access to the airport and adjacent areas.

Project Objectives/Expected Outcomes

The City of Brookings proposes to partner with Curry County to develop a plan that addresses the access challenges for the airport and for the surrounding area. The plan would further consider and develop options identified in the City of Brookings Transportation System

PRE-APPLICATION

TGM Program Services 2016

Submit a separate pre-application for each project idea.

Plan update, currently in progress. More broadly, the plan would address land use and transportation and take into account other community and regional planning priorities including the following:

economic development (especially related to the industrial property)

healthcare access (related to ground to air medical transport)

emergency response (Brookings airport is the only functioning airport in the area that is outside of the tsunami zone)

Estimated Budget

[Submit by E-mail](#)

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: Workshop Policy, Proposed Amendments

AGENDA DATE^a: 04/06/2016 **DEPARTMENT:** Admin **TIME NEEDED:** 10 min.

^aSubmit 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:** 03/28/2016

BRIEF BACKGROUND OR NOTE^b: A request was made to clarify the difference between a workshop and a regular meeting, and, address scheduling, notifications, and exceptions applicable thereto.

^bIndicate if more than one copy to be signed

FILES ATTACHED:

SUBMISSION TYPE: Order

- (1) Order w/proposed policy
- (2) Old adopting order with Jan. 6, 2016 policy

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 Copy of filed order to Julie Schmelzer

Phone:

Due date to send: 04 /13 / 2016

Email:

^cNote: 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)
Creating Curry County)
Policy 14.150-14.160,)
Workshops)
ORDER NO. 20289

WHEREAS, Curry County routinely holds Workshops; and,

WHEREAS, the County lacks a policy regarding what constitutes a Workshop, and scheduling and notice procedures for a Workshop;

**NOW, THEREFORE, THE BOARD OF CURRY COUNTY COMMISSIONERS HEREBY ORDERS AS
FOLLOWS:**

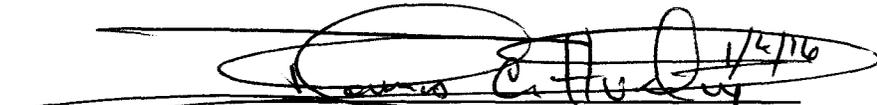
The attached Curry County Workshops Policy, hereby known as Chapter 14, Article II, Sections 14.150-14.160, which is incorporated by reference, is approved and adopted.

DATED this 6th day of January, 2016.

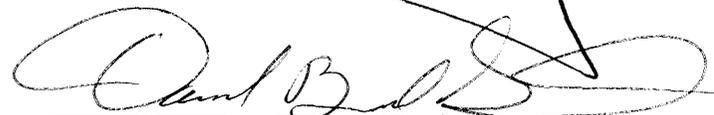
BOARD OF CURRY COUNTY COMMISSIONERS



Commissioner Susan Brown



Commissioner Thomas Huxley



Commissioner David Brock Smith

CURRY COUNTY POLICY

CHAPTER 14

Article II – WORKSHOPS

Table of Contents

14.150	Definitions	1
14.155	Scheduling	1
14.160	Notice.....	1

14.150 DEFINITIONS

For purposes of this policy, the following definitions are herein provided:

‘*Workshop*’ shall mean a meeting of the Curry County Board of Commissioners, the purpose of which is to listen to a presentation, or to discuss in detail an item the subject of which the Board may eventually be asked to take a position on at a future meeting.

‘*Paperwork*’ means at least one handout/attachment which provides information on the topic to be discussed at the Workshop.

14.155 SCHEDULING

A Workshop can be scheduled by any Commissioner, provided the topic of the Workshop, and associated paperwork, is given to BOC staff at least nine days prior to the Workshop (ten if a holiday falls within the nine day period).

14.160 NOTICE

The Workshop is required by law to have a 24 hour notice; however, BOC staff shall make every attempt to have the notice, and supporting paperwork, posted one week prior to the Workshop. If a Commissioner fails to supplement their Workshop request with paperwork, the Workshop shall not be scheduled. The Notice shall include the name of the Commissioner requesting the Workshop.

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

In the Matter of an Order)
Amending Curry County) ORDER NO. _____
Policy 14.150-14.160,)
Workshops)

WHEREAS, Curry County adopted a policy on Workshops on January 6, 2016 via Order No. 20289; and,

WHEREAS, the County seeks a policy which will address not just Workshops, but Regular Meetings as well, and the processes for scheduling and notification thereof;

NOW, THEREFORE, THE BOARD OF CURRY COUNTY COMMISSIONERS HEREBY ORDERS AS FOLLOWS:

The attached Curry County Workshops Policy, amended herein, now known as Chapter 14, Article II, Sections 14.150-14.165, 'Workshops and Meetings', which is incorporated by reference, is approved and adopted.

DATED this 6th day of April, 2016.

BOARD OF CURRY COUNTY COMMISSIONERS

Thomas Huxley, Chair

Approved as to form:

Susan Brown, Vice Chair

John HuttI
Curry County Counsel

David Brock Smith

CURRY COUNTY POLICY

CHAPTER 14

Article II – MEETINGS AND WORKSHOPS

Table of Contents

14.150 Definitions 1

14.155 Scheduling 1

14.160 Notice..... 1

14.165 Exceptions..... 2

14.150 DEFINITIONS

For purposes of this policy, the following definitions are herein provided:

‘General Meeting’ is the gathering of the Board of Commissioners for the purpose of conducting official business by taking formal action on agenda items. Other items may be presented and discussed, but the primary purpose of the gathering is to make decisions such as, but not limited to, approving contracts and hire orders, or, adopting policies and ordinances.

‘Workshop’ is the gathering of the Board of Commissioners the purpose of which is to listen to a presentation, or to discuss in detail an item the subject of which the Board may eventually be asked to take a position on at a future meeting.

‘Paperwork’ means at least one handout/attachment which provides information on the topic to be discussed at the Workshop.

14.155 SCHEDULING

General meetings are held the first and third Wednesday of every month at 10:00 a.m., unless there are not sufficient action items for which to hold a meeting. Workshops are not held on a routine basis, but when scheduled, would be held the second or fourth Wednesday of every month at 10:00 a.m. Exceptions to this schedule may be made for emergency purposes as determined by the Chair of the Board.

A workshop may be scheduled by any Commissioner. The request for a workshop should be accompanied by the pertinent paperwork to be discussed.

All attempts will be made to not schedule more than one meeting or workshop on any given day.

Deadlines for scheduling a meeting or workshop shall be in accordance with Chapter 14, Article I, *Agenda Routing Slips*.

14.160 NOTICE

Every attempt will be made to post the notice and supporting paperwork for a meeting or workshop five days prior to the meeting or workshop. If a Commissioner fails to supplement their workshop request with paperwork, the workshop will not be scheduled. For workshops, the Notice will include the name of the Commissioner(s) requesting the workshop and a brief summary of the topic to be discussed.

14.165 EXCEPTIONS

(1) Special Meetings and Executive Sessions. The Board of Commissioners shall provide for and give public notice, reasonably calculated to give actual notice to interested persons including news media which have requested notice, of the time and place for holding regular meetings. The notice shall also include a list of the principal subject(s) anticipated to be considered at the meeting, but this requirement shall not limit the ability of the Board of Commissioners to consider additional subjects.

(2) If an executive session only will be held, the notice shall be given to the members of the Board of Commissioners, to the general public and to news media which have requested notice, stating the specific provision of law authorizing the executive session.

(3) No special meeting shall be held without at least 24 hours' notice to the members of the Board of Commissioners, the news media which have requested notice and the general public. In case of an actual emergency, a meeting may be held upon such notice as is appropriate to the circumstances, but the minutes for such a meeting shall describe the emergency justifying less than 24 hours' notice.

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 the RSVP Advisory Council

AGENDA DATE^a: 4/6/2016 **DEPARTMENT:** Commissioners **TIME NEEDED:** 5 min

^aSubmit 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:**
3/21/2016

BRIEF BACKGROUND OR NOTE^b:

^bIndicate if more than one copy to be signed

FILES ATTACHED:

SUBMISSION TYPE: Appointment

- (1)Application- Beth Barker-Hidalgo
- (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

Phone:

Due date to send: / /

Email:

^cNote: 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



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

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: BETH BARKER-HIDALGO Date: 3/15/16

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 checked="" 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):
ASA + STF

What experience, training or qualifications do you have for this particular Board, Commission, Council, Committee or Task Force?
Volunteer management, recruiting & engagement,
Grant mgmnt, project mgmt

What community topics concern you that relate to this Board, Commission, Council, Committee or Task Force?
Housing, employment, vulnerable population needs

Describe your previous experience in this appointed position or a similar position: Participated in ASA Plan update. Currently participating in CPTI Coors. Plan update.

Other volunteer activities: Curry Animal Shelter Board member, Community Gardener, ORCCA Bld member, FLOAT Fairy

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 Somewhat - F/T employment is priority.

Have you ever been convicted of a ^{Felony?} crime? Yes No

If Yes, please explain _____

Beth Ann Hidalgo
Signature

3/15/16
Date

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.

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

In the Matter of an Appointment)
To the Curry County RSVP)
Advisory Council)

ORDER NO. _____

WHEREAS, the Board of Commissioners announced at a public meeting that any interested county resident who would volunteer to serve as a member of the RSVP Advisory Council should apply for appointment; and

WHEREAS, Beth Barker-Hidalgo applied to be appointed to the position and indicated her willingness to serve as a member of the RSVP Advisory Council;

NOW, THEREFORE, IT IS HEREBY ORDERED that Beth Barker-Hidalgo is appointed to the RSVP Advisory Council with said term to expire January 1, 2019.

DATED this 06 day of April, 2016

BOARD OF CURRY COUNTY COMMISSIONERS

Thomas Huxley, Chair

Susan Brown, Vice Chair

Approved as to Form:

John Hutt
Curry County Legal Counsel

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: Order Appointing Ryan Ringer to the CCD Board of Directors

AGENDA DATE^a: 4/6/2016 **DEPARTMENT:** Commissioners **TIME NEEDED:** 2 min

^aSubmit 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:**
3/29/2016

BRIEF BACKGROUND OR NOTE^b:

^bIndicate if more than one copy to be signed

FILES ATTACHED:

SUBMISSION TYPE: Appointment

- (1) Order Appointing Member
- (2) Application for Appointment

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: 04 /06 / 2016

Email:

b.whelchel@ccdbusiness.com

^cNote: 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



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

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: Ryan Ringer **Date:** 03/28/2016

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 checked="" 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):

What experience, training or qualifications do you have for this particular Board, Commission, Council, Committee or Task Force? Currently on Curry Health Network Board, Cedar Bend Golf Course Board, Central Curry School District budget committee, Former Central Curry School Dist. Board member. I am self-employed with three retail locations and approximately 50 employees in Curry County.

What community topics concern you that relate to this Board, Commission, Council, Committee or Task Force?

County growth and development

Describe your previous experience in this appointed position or a similar position: N/A

Other volunteer activities: _____

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 *Ryan Ringer*

Date 03/28/16

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.

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

In the Matter of Appointments)
To the CCD Business Development)
Corporation Board of Directors) ORDER NO. _____

WHEREAS, currently there are vacancies on the CCD Business Development Corporation Board of Directors; and

WHEREAS, Ryan Ringer has agreed to serve on the CCD Business Development Corporation Board of Directors, and he is fully qualified to serve on the Board; and

NOW, THEREFORE, IT IS HEREBY ORDERED that Ryan Ringer is appointed to the CCD Business Development Corporation Board of Directors to serve a term from the date of this order until June 30, 2016.

DATED this 6th day of April, 2016.

BOARD OF CURRY COUNTY COMMISSIONERS

Thomas Huxley, Chair

Susan Brown, Vice Chair

David Brock Smith, Commissioner

Approved as to Form:

John Huttl
Curry County Legal Counsel

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^a: 4/6/2016 **DEPARTMENT:** Commissioner **TIME NEEDED:** 5 min

^aSubmit 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:**
3/21/2016

BRIEF BACKGROUND OR NOTE^b:

^bIndicate if more than one copy to be signed

FILES ATTACHED:

SUBMISSION TYPE: Agreement

- (1) Reimbursement Request
- (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: 04 /06 / 2016

Email: rkbernhardt@currypublictransit.org

^cNote: 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

March 21, 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: Ford Eldorado Aerolite, gasoline, 8 passenger, 1 wheelchair station, license E266169, VIN 1FDEE3FS7GDC30764, purchased from Schetky Bus Sales.

The following information is provided as requested:

- ✓ The total cost for the purchase was \$74,449
- ✓ There was a no rebate
- ✓ The rebates have/have not been deducted from the total amount listed above
- ✓ This reimbursement request is from ODOT Agreement #30414
- ✓ The vehicle was accepted by our agency on March 3, 2016
- ✓ The vehicle was put into transit service on March 21, 2016
- ✓ The source of local matching funds for this purchase:
 - \$6,917.63 from sale of previous vehicles
 - \$5,738.71 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) 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 FORD ELDORADO AEROLITE** VIN: **1FDEE3FS7GDC30764**

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) 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 FORD ELDORADO AEROLITE** VIN: **1FDEE3FS7GDC30764**

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: _____

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: Border Coast Regional Airport Authority Terminal Construction Funding

AGENDA DATE^a: 4/6/2016 **DEPARTMENT:** Commissioner **TIME NEEDED:** 10 min

^aSubmit 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:** 3/17/2016

BRIEF BACKGROUND OR NOTE^b:

^bIndicate if more than one copy to be signed

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

- (1)Power Point Presentaion, Brookings Memo, Vanir Funding,
- (2) BCRAA/County JPA, Response to Brookings Memo

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: New 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

**BORDER COAST REGIONAL AIRPORT AUTHORITY
THIRD AMENDED AND RESTATED
JOINT POWERS AGREEMENT**

THIS AMENDED AND RESTATED AGREEMENT is made effective and entered into this 1st day of January, 2012, by and between the County of Del Norte, a legal subdivision of the State of California, hereinafter referred to as "County", the City of Crescent City, a municipal corporation existing under the laws of the State of California, the Elk Valley Rancheria, a federally recognized Tribe, the City of Brookings, a municipal corporation existing under the laws of the State of Oregon, the County of Curry, a political subdivision of the State of Oregon, and the Smith River Rancheria, a federally recognized Tribe, collectively referred to as "Participants", who agree as follows:

RECITALS

This Third Amended Joint Powers Agreement amends and restates the original Joint Powers Agreement of the Border Coast Regional Airport Authority dated October 4, 2007, the First Amended Joint Powers Agreement dated August 7, 2008, and the Second Amended Joint Powers Agreement dated February 16, 2010, under which the Participants other than the Smith River Rancheria have operated the Authority to date.

Del Norte County owns Del Norte County Regional Airport, Jack McNamara Field, a commercial airport located in Del Norte County, which serves passengers from both California and Oregon (the "airport"). Recognizing the bi-state regional significance of the airport, the Del Norte County Board of Supervisors has decided to enter into this Border Coast Regional Airport Authority (the "Authority") in order to permit other governments to share in operational decision making for the airport. In addition to the City of Crescent City, the Elk Valley Rancheria, the City of Brookings, and the County of Curry, these governments may include other local government agencies in the State of Oregon as well as sovereign tribal governments. The parties to this agreement believe that by working together in the framework of this Authority, the role of

the airport in accommodating current and future air travelers, facilitating the economic development of the border-coast region, and maintaining and operating the airport as an essential component of the region's emergency response network, will be protected and enhanced.

The Authority now manages and operates the airport under a Master Lease dated May 24, 2011 between the Authority and the County of Del Norte.. By entering into this JPA agreement, Del Norte County does not intend to transfer ownership of the land and facilities that make up the airport. Nor does entry into this agreement by entities other than Del Norte County imply a commitment on their part to provide funding for the capital improvement or operation of the airport. However, these and other issues may become the subjects of ongoing conversation among the Authority's Participants.

This agreement is entered into pursuant to the provisions of California Government Code, Sections 6500 and following, hereinafter referred to as the "California JPA Law," and Oregon Revised Statutes, Section 190.420, hereinafter referred to as the "Oregon JPA Law," for the purpose of creating an agency to provide for the planning, operation, marketing, and maintenance, directly or indirectly, of the commercial airport located in Del Norte County and known as Del Norte County Regional Airport, Jack McNamara Field.

It is the intent of the Participants in the Border Coast Regional Airport Authority that the membership in the Authority will be open to all those public agencies in the States of California and Oregon that elect to join the Authority, and meet the following criteria: (a) the territory of the public agency is substantially located in Del Norte County, California, or Curry County, Oregon; (b) the public agency has the power under the California JPA Law or Oregon JPA Law, to join the Authority; and (c) the public agency has the power to operate an airport. Participation in the Authority will remain open to those entities that may decide to join after the Authority is formed and operational.

ARTICLE I
CREATION AND OPERATION OF THE AUTHORITY

SECTION 1.1 CREATION OF AUTHORITY: Pursuant to the California and Oregon JPA Laws, there is hereby created a public entity to be known as the "BORDER COAST REGIONAL AIRPORT AUTHORITY", referred to herein as the "Authority". The Authority is a public entity separate and apart from the parties hereto.

SECTION 1.2 PARTICIPANTS: The Participants in the Authority are Del Norte County, the City of Crescent City, the Elk Valley Rancheria, the City of Brookings, Curry County, and the Smith River Rancheria. SECTION 1.3 GOVERNING BOARD; INITIAL BOARD; APPOINTMENTS: The Authority is administered by a governing board, which is called the "Board of Commissioners of the Border Coast Regional Airport Authority," and which is referred to herein as the "Board." The Board of the Authority initially consisted of five members appointed as follows: The Del Norte County Board of Supervisors appointed three members, two of whom were Supervisors of that County, and two of whom were designated to serve four-year terms and one of whom was designated to serve a two-year term; the first two additional Participants were Crescent City and the Elk Valley Rancheria, which appointed one member each, with each of those members serving a term congruent with the term of the two-year appointee of the Del Norte County Board of Supervisors. Upon approval of the First Amended Joint Powers Agreement and becoming a Participant, the City of Brookings appointed one member to the governing board, with that member serving a term congruent with the four-year appointees of the Del Norte County Board of Supervisors.

SECTION 1.4 GOVERNING BOARD; PERMANENT CONSTITUTION: The number of members of the permanent Board shall be between seven and eleven. Appointments must be made by resolution of the governing body of the Participant. Following the terms of the initial Board, the terms of all Board members are four years. However, each Board member serves at the pleasure of the appointing authority for that position and may be removed and replaced according to the rules of the governing body of that Participant. If a Board member's term expires before that member's reappointment or the appointment of a successor, the incumbent may continue to serve until he or she is reappointed or a successor is appointed.

SECTION 1.4.1 GOVERNING BOARD; ADDITION OF SMITH RIVER RANCHERIA: Upon approval of this Third Amended and Restated Joint Powers Agreement, as amended to include the Smith River Rancheria, the Smith River Rancheria becomes a Participant and may appoint one member to the Governing Board, who will serve a term congruent with the terms of the four-year appointees of the Del Norte County Board of Supervisors.

SECTION 1.5 ALTERNATE MEMBERS: The governing body of each Participant may by resolution appoint an alternate to serve in the absence of any member of the Governing Board appointed by that Participant.

SECTION 1.6 COMPENSATION: Members of the Board of Commissioners will receive no compensation. However, they may be reimbursed for the actual expenses incurred while performing the duties and activities of the Board.

SECTION 1.7 REGULAR MEETINGS: The Board of Commissioners will provide for its regular and special meetings; provided, at least one regular meeting must be held each calendar quarter.

SECTION 1.8 RALPH M. BROWN ACT: All meetings of the Board of Commissioners of the Authority, without limitation, including regular,

adjourned regular, special and emergency meetings, must be called, noticed, held, and conducted in accordance with the provisions of the Ralph M. Brown Act, California Government Code, Sections 54950 and following.

SECTION 1.9 OREGON PUBLIC MEETINGS LAW: All meetings of the Board of Commissioners of the Authority, without limitation, regular, adjourned regular, special and emergency meetings, must be called, noticed, held and conducted in accordance with the provisions of the Oregon Public Meetings Law, Oregon Revised Statutes, Sections 192.610 through 192.690.

SECTION 1.10 PUBLIC MEETINGS; BROAD INTERPERTATION: In any instances of conflict between the Ralph M. Brown Act and the Oregon Public Meetings Law, the Authority must comply with those notice and meeting-conduct provisions of law which will provide the highest level of public participation, observation, and transparency of the Authority's affairs.

SECTION 1.11 MINUTES: The Board must provide for taking, approving, and preserving minutes of the meetings of the Board.

SECTION 1.12 QUORUM: The attendance of a majority of the Board is required for the transaction of business at meetings of the Board.

SECTION 1.13 RULES: The Board of the Authority may adopt and amend rules and regulations for the conduct of its meetings and affairs.

SECTION 1.14 MANNER OF EXERCISING POWERS: The manner of exercising the powers of the Authority is subject to the same restrictions on the exercise of like powers that apply to the County of Del Norte. In all respects, including Public Contracting procedure, employment practices and ethics/conflicts of interest, the Authority will be mindful of the cross-border

nature of the Authority and must conduct its affairs to comply with applicable State Laws.

SECTION 1.15 FISCAL YEAR: The fiscal year of the Authority is from July 1 through June 30.

SECTION 1.16 TERM OF AGREEMENT: This agreement will continue indefinitely, except that this agreement may be terminated sooner if withdrawal is elected pursuant to Section 1.17 of this agreement by either the County of Del Norte or by all Participants other than the County of Del Norte.

SECTION 1.17 WITHDRAWAL: Any Participant may withdraw from this agreement by giving sixty (60) days written notice to the Authority and to all other Participants. The withdrawing entity will not be entitled to the return of any assets or contributions that the Participant made to the Authority.

ARTICLE II OFFICERS

SECTION 2.1 CHAIR, VICE-CHAIR, AND AIRPORT DIRECTOR: The Board of Commissioners must elect a Chair and a Vice Chair from among its members. It may appoint an Executive Director or an Airport Director, who must not be a member of the Board of Commissioners.

SECTION 2.2 TREASURER: The Treasurer of Del Norte County is hereby designated as the Treasurer of the Authority and as the depository to have custody of all the money of the Authority from any source. The Treasurer, and the officer performing the functions of Auditor or Controller, who must be the Auditor-Controller of Del Norte County, will have the duties and obligations set forth in Section 6505 and 6505.5 of the California JPA Law and will assure that there will be a strict accounting of all funds and accurate reports of all receipts and disbursements of the Authority. The Treasurer and the Auditor-Controller must provide any Oregon entities participating in the Authority

those financial reports as are necessary and convenient to those entities.

SECTION 2.3 BONDING OF PERSONS HAVING ACCESS TO PROPERTY:

From time to time, the Board of Commissioners may designate public officers or persons, in addition to the Treasurer and the Auditor-Controller, having charge of handling or having access to any property of the Authority, and the Board must determine the amount of their official bond, pursuant to Section 6505.1 of the California JPA Law.

**ARTICLE III
POWERS AND DUTIES**

SECTION 3.1 POWERS: Border Coast Regional Airport Authority has each of the following powers:

- a. To make and enter into contracts and to receive and expend funds, providing for aviation and airport-related services to the public;
- b. To supervise and oversee the performance of aviation and airport-related service contracts;
- c. To provide all services necessary to operate the Airport;
- d. To acquire, construct, manage, maintain or operate any facilities or improvements;
- e. To acquire, hold and dispose of property;
- f. To incur debts, liabilities or obligations, which do not constitute a debt, liability or obligation of the member entities;
- g. To employ personnel;
- h. To sue and be sued in its own name;
- i. To invest in accordance with the provisions of Section 6509.5 of the California JPA Law, money in the treasury of the Authority that is

not required for immediate necessities of the Authority;

- j. To apply for, accept, and utilize funds from any source for public Airport purposes, including funds available through the Federal Aviation Administration;
- k. To raise revenues, including the establishment of lease rates, parking fees, passenger facility fees, and other revenue and tax rates as authorized by law, to support aviation and airport-related services;
- l. To incur short-term indebtedness;
- m. To petition the federal and state governments;
- n. To receive contributions from Participants and to provide for their repayment on those terms as the Authority finds advisable and consistent with this agreement;
- o. To provide the public with information in support of emplanements and aviation at the airport;
- p. All other powers necessary and proper for the Authority to have in order to provide aviation and airport-related services.

SECTION 3.2 DUTIES: Border Coast Regional Airport Authority has the following specific duties:

- a. On or before June 15th of each year, the Authority must prepare and submit to the Board and to each of the Participants a proposed budget for the upcoming fiscal year. The proposed budget will be the operating budget of the Authority until the final budget is approved but no later than September 30th of each year. A final budget will be prepared and approved by the Board, subject to further approval and ratification by the funding Participant(s) as set forth in Section 4.3.

- b. The Authority will oversee and maintain an ongoing Airport Capital Improvement Plan (ACIP) to address the future needs of the airport, including the maintenance and periodic updating of the Airport Master Plan and an Airport Layout Plan, anticipating the needs of the public for commercial air service.
- c. The Authority will actively pursue funding, and the development of sources of funding, for the implementation of its plans for aviation improvement and airport development.

SECTION 3.3 OBLIGATIONS OF AUTHORITY: (a) To the extent permitted by the laws of the home state of each Participant, the debts, liabilities, and obligations of the Authority will not be the debts, liabilities and obligations of any of the member entities.

(b) To further ensure that the debts, liabilities, and obligations of the Authority will not be the debts, liabilities, and obligation of any of the member entities, the Authority will negotiate for the inclusion of a clause having the same force and effect as the following in each contract entered into by the Authority:

No Recourse Against Authority Participants. Notwithstanding any provision in the laws of California or the State of Oregon, [Contractor] agrees that any debts, liabilities or obligations of the Authority as set forth in this [contractual agreement] will not be the debts, liabilities or obligations of the members of or participants in the Authority.

(c) If the Authority must, in the judgment of the Board, enter into a contract that does not include the clause set forth in (b), above, no debt, liability or obligation that is not budgeted in the then-current-year's budget of the Authority may be undertaken or entered into by the Authority unless and until the governing body of each Participant has been provided the opportunity to approve or reject the proposed debt, liability or obligation. Notwithstanding any other provision of this agreement, the rejection of a proposed debt, liability

or obligation of the Authority by the governing body of a Participant will effect the immediate withdrawal of the Participant from the Authority and this withdrawal will be deemed to be effective prior to the incurring of the debt, liability or obligation by the Authority.

SECTION 3.4 TORT LIABILITIES AND INSURANCE: The Authority must procure and maintain aviation-operations (including premises liability) insurance with policy limits of not less than \$45 million. This insurance must name each Participant as an additional named insured. Additional policies of liability and property insurance with commercially reasonable policy limits must be maintained by the Authority consistent with the best practices of airport management, as well as Worker's Compensation Insurance that complies with the laws of the State of California.

SECTION 3.5 AUTHORITY MUST INDEMNIFY AND DEFEND PARTICIPANTS: The Authority must defend, indemnify, and hold harmless the Participants, and their officers, employees, and agents from and against any and all causes of action, claims, liabilities, obligations, judgments or damages, including reasonable attorneys' fees and costs of litigation ("claims"), arising out of the Authority's performance of its obligations or the exercise of Authority's powers under this Agreement or out of the operations conducted by the Authority, including any Participants' active or passive negligence, except for the loss or damage arising from the sole negligence or willful misconduct of the Participant. In the event a Participant indemnitee is made a party to any action, lawsuit, or other adversarial proceeding arising from Authority's performance of this Agreement or its operations hereunder, the Authority must provide a defense to the Participant(s) or at Authority's option reimburse the Participant(s) their costs of defense, including reasonable attorney's fees, incurred in the defense of these claims. Each Participant entitled to indemnity hereunder agrees to cooperate reasonably in the conduct of its defense and the defense of the Authority.

ARTICLE IV
FUNDING

SECTION 4.1 CONTRIBUTIONS NOT REQUIRED: Except as provided in section 4.2, no Participant is or will be required to make contributions to the Authority, except as that Participant may in its sole discretion agree. No Participant is subject to assessment.

SECTION 4.2 ADMINISTRATIVE AND OPERATING COSTS: For the duration of this Agreement, the County of Del Norte is required to provide annual funding to the Authority at the level of the County's budgeted commitment to support the airport for the fiscal year 2006-2007, subject to reduction only by the consent of the Authority.

SECTION 4.3 APPROVAL OF BUDGET: The Board may tentatively adopt the final budget of the Authority; however, the final budget will have no force and effect until it is approved or ratified by each Participant that is contributing funds to the Authority pursuant to or in support of that budget. The Participant approval required in this Section does not apply to adjustments to budget line-items approved following the adoption of the final budget nor to project budgets funded at least ninety-five percent (95%) with grant funds.

ARTICLE V
DISPOSITION OF ASSETS UPON TERMINATION

SECTION 5.1 NO SUCCESSOR ENTITY: Upon termination of the Border Coast Regional Airport Authority, without a successor entity, pursuant to paragraph 1.17 or otherwise, and subject to the terms of any repayment agreements entered into pursuant to paragraph 3.1, subparagraph n, the Board must convey or quitclaim all assets and property of the Authority to the County of Del Norte.

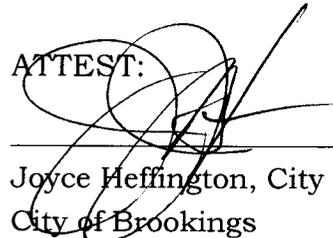
IN WITNESS WHEREOF, the parties hereto have caused this agreement

to be executed and attested by their proper officers, who are duly authorized, as of the day and year first above written.



Larry Anderson, Mayor
City of Brookings

ATTEST:



Joyce Heffington, City Clerk
City of Brookings



Kathryn Murray, Mayor
City of Crescent City

ATTEST:

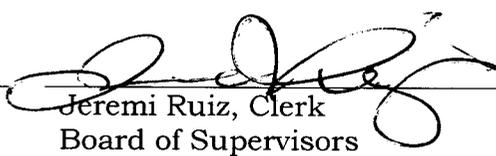


Robin Patch, Clerk
City of Crescent City

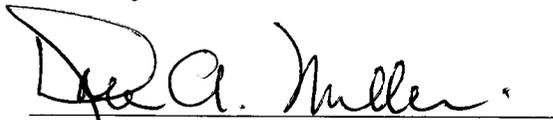


Leslie McNamer, Chair
Board of Supervisors
County of Del Norte

ATTEST:

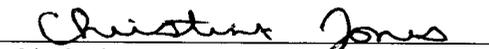


Jeremi Ruiz, Clerk
Board of Supervisors



Dale A. Miller, Tribal Chairman
Elk Valley Rancheria

ATTEST:

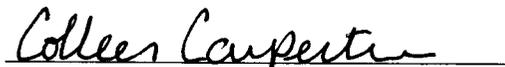


Christina Jones, Tribal Secretary
Elk Valley Rancheria

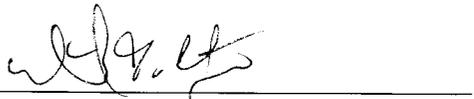


George Rhodes, Chair
County of Curry

ATTEST:



Colleen Carpenter, Legal Assistant
County of Curry



David G. Itzen, Vice Chair
County of Curry

ATTEST:



Colleen Carpenter, Legal Assistant
County of Curry

Bill Waddle
Bill Waddle, Commissioner
County of Curry

ATTEST:
Colleen Carpenter
Colleen Carpenter, Legal Assistant
County of Curry

Kara Brundin Miller
Kara Brundin Miller, Chairperson
Tribal Council
Smith River Rancheria

ATTEST:
Loren Bommelyn
Loren Bommelyn, Secretary
Tribal Council
Smith River Rancheria



GARY MILLIMAN

City Manager

Credentialed City Manager

International City Management Association

MEMORANDUM

Office of the City Manager

TO: BCRAA Board
Cc: Mayor and City Council
Finance/Human Resources Director

DATE: November 22, 2013

SUBJECT: BCRAA Financing Resources

There are a number of firms that can provide public agency financial advisory services to BCRAA. After the discussion of public financing options at the December 3 meeting, I would recommend that BCRAA “shop” financial advisory, underwriting and bond counsel services.

Traditional sources of financing that involve borrowing require a mechanism for repayment. It is my understanding that a repayment mechanism has not been identified, but that BCRAA could experience additional revenues once the new terminal is operational. I have not seen any revenue projections.

BCRAA faces several hurdles in order to undertake a financing on its own. Member agencies are located in two states with somewhat different regulations on tax-exempt financings. Some member agencies are stronger financially than others, which could affect ratings, marketing and creditworthiness. If traditional public financing is used, Del Norte County as the owner of the airport may need to be the debt issuer and guarantor, with intergovernmental agreements with the other BCRAA members pledging revenue.

BCRAA should explore more than the fundamental types of public financing mechanisms and consider public/private partnerships. For example:

1. While I have not worked with an airport previously, I have worked with several railroads that encountered similar issues with capital financing. Fortunately, these railroads had substantial untapped real property assets and we were able to create additional revenue by leasing property for non-railroad purposes, issuing “licenses” for use of railroad property (i.e. road crossings, parking, storage, public parks). One of the railroads I was associated with sold the timber rights to Redwood trees along the right-of-way to the Save the Redwoods League for \$300,000.
2. We could also look within the membership to see if any of the member entities has long-term reserve or inactive funds available that could be “loaned” to BCRAA under favorable terms, such as deferring interest and principal payments for a period of years, and adding the deferred interest to the principal.
3. What is the status of existing leases on the airport property? Would the existing leaseholders be willing to extend their leases and advance-pay their rent for a discount?

4. Are there prospective new leases on the airport property? Additional hangers or other projects? Perhaps there are private companies that would be interested in building facilities on the property and would be interested in a discount for advance-pay of rent.
5. We have been narrowly-focused on airport facility development. Are uses on the airport property restricted to airport-dependent? If not, what other types of development or land use would be acceptable? Again, look at advance-pay leases. Or, consider offering to sell development rights.
6. Can we sell development rights or enter into a pre-lease for private activity that will be taking place within the terminal, such as food service, vending machines or car rental?
7. What are the restrictions on the use of the open space property? For example, Brookings is looking for a site to dispose of its Class B biosolids; we are looking at spreading the cake-like material on an agricultural site just south of town. We are currently paying about \$25,000 annually in disposal fees. Could this material be placed on any portion of the airport property?
8. What does BCRAA plan to do with the property it is acquiring for mitigation? Is BCRAA required to keep it or convey it to a conservancy without financial consideration? Is there a conservancy that would purchase the property? If it is required to be maintained by the BCRAA as permanent open space, can it be used for any passive or active recreation? If is developed as a “park,” sell the naming rights.
9. Can we sell the naming rights to the new terminal? To areas within the terminal (such as a meeting room)? The road coming into the airport?

Here are some folks with whom I have successfully worked in the past:

CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY

James Hamill
2999 Oak Road, Suite 710
Walnut Creek, Ca 94597
(925) 933-9229
jhamill@cacommunities.org

CSCDA is a statewide joint powers authority formed in 1988 and offers a variety of public benefit financing products. Both Crescent City and Del Norte County are members of CSCDA. I have discussed the BCRAA RSA and terminal projects with CSCDA, and they are interested in assisting with packaging/marketing a financing.

KOSMONT COMPANIES/RENAISSANCE COMMUNITY FUND

Larry Kosmont
President
Kosmont Companies
865 S. Figueroa Street, 35th Floor
Los Angeles, CA 90017
(213) 417-3333
lkosmont@kosmont.com

Kosmont Companies provides an array of public financial services, including the development of public/private partnerships.

I recommend that BCRAA meet with Kosmont to explore both possible traditional public financing and non-traditional methods of securing funding through private markets, such as selling development rights on portions of the County-owned airport property, preleasing space in the terminal, advance payment of rent from current lessees at a discount, or other mechanisms to bring private capital into the deal.

JCA RESOURCES

Larry Uyeda
President
JCA Resources
400 Oceangate, Suite 510
Long Beach, CA 90802
(562) 901-3081
larryuyeda@jcaresources.com

Similar to Kosmont Companies, JCA Resources has extensive experience in real estate development and public/private partnerships. They have international resources.

I recommend that BCRAA meet with Uyeda to explore the same approaches as described above in the Kosmont discussion.

WEDBUSH SECURITIES

Katherine Schwab
Senior Vice President
Wedbush Securities Public Finance Group
(503) 471-6798
Katie.Schwab@Wedbush.com

Wedbush Securities offers an array of financing opportunities available for public projects, including traditional public financing and access to private investors in public/private partnerships.

I recommend that BCRAA meet with Schwab to explore financing opportunities that may be available through their collaborative partner organizations.

ROGUE FEDERAL CREDIT UNION – UMPQUA BANK – US BANK

Gene Pelham
Chief Executive Officer
Rogue Federal Credit Union
1370 Center Drive
Medford, OR 97501
(541) 858-7107
gpelham@roguefcu.org

Neal Brown
Senior Vice President
Umpqua Bank
445 SE Main Street
Roseburg, OR 97470
(541) 440-3959
nealbrown@umpquabank.com

There is an increasing amount of direct lending going on by banks for municipal projects. In 2008 the City of Brookings sold a \$3.4 million bond directly to U.S. Bank to finance a downtown street/water/sewer/storm improvement project.

Brookings has worked with both Rogue Federal Credit Union and Umpqua Bank in the financing of public facilities and equipment (an \$800,000 communications tower; \$500,000 fire truck, etc.). Rogue Federal has branches in Curry and Del Norte Counties; Umpqua Bank recently purchased the assets of Sterling Bank. Both are Oregon-based financial institutions and are vested in the region's economy.

I recommend that BCRAA arrange to meet with the leadership of Rogue and Umpqua to make a presentation on the overall plans for the airport and seek their participation in developing a financial plan.

RAUL SALINAS

Raul Salinas
Alvarado, Smith and Sanchez
633 W. fifth Street, Suite 1150
Los Angeles, CA 90071
(213) 229-2400
rsalinas@asands.com

Raul Salinas is a principal with the law firm of Alvarado, Smith and Sanchez. I worked with Raul and other members of the firm extensively in crafting some rather challenging and complex development agreements in South Gate. Very creative.

BONDUNDERWRITER.COM

Mary "Mimi" Henderson
mimi@bondunderwriter.com

If BCRAA or any of its member agencies issues a small municipal bond, I recommend that the offering be posted on the BondUnderwriter.com website. Mimi Henderson has developed a strong following of private investors during her 30 years in the public finance business and her site has an investor clientele that might not otherwise be accessed.

You don't necessarily need a financial advisor. You may be able to get what you need by just hiring bond counsel and doing a private placement through a bank or via Bondunderwriter.

OREGON INFRASTRUCTURE FINANCING AUTHORITY (IFA) OREGON DEPARTMENT OF TRANSPORTATION (ODOT) OREGON SOLUTIONS

The City of Brookings has applied for \$400,000 under the Connect Oregon V grant program for the RSA local match through the Oregon Department of Transportation. BCRAA is currently using about \$40,000 in Connect Oregon funding for RSA environmental/design work.

Funding available through the Oregon Infrastructure Financing can only be used for projects within Oregon.

There is within Oregon government a program known as "Oregon Solutions." This is a program affiliated with the Governor's office whereby representatives of various state agencies

function as a team to address financing and regulatory issues related to economic development. Commissioner Itzen sits on a regional advisory board for Oregon Solutions. Perhaps a meeting with the regional RS team could lead to the development of some additional resources.

CALIFORNIA STATE SOURCES

Have sources within California state government been explored? Has there been dialogue with State legislative representatives? With the leadership at the California Transportation Commission and the Business, Housing and Transportation Agency?

MEMBER PARTICIPATION

I am listing this last because it should be considered only after all other options have been fully explored. Local governments are already strapped for funds, and we are only mid-way through the current budget year.

In my view, any member participation should be short-term and reimbursable, until a longer term financing mechanism is secured.

If this mechanism is included in the financing plan, each member agency would need to identify a source of funding within their own organization and pledge that revenue source to the BCRAA debt service, or make a lump sum cash contribution. For Brookings, this would need to be discussed in the context of our next budget cycle.

I have thought about a member participation formula. Due to the mix of city, county and tribal governments, typical population or assessed-value based formulas do not seem appropriate. At this point I would suggest a formula whereby each member agency would pay an equal share.

Attached is some material I printed off the web concerning Kosmont, JCA, Wedbush and BondUnderwriter.

In summary, there are plenty of opportunities to explore. The biggest problem may be not having the resources to chase-down the opportunities and package a deal in a timely fashion.



Kosmont Companies, a certified Minority Business Enterprise (MBE), is a real estate, financial advisory and economic development services firm offering a full range of real estate and economic advisory, brokerage, project finance, investment, and planning services for both the public and private sectors.

Founded in 1986, Kosmont Companies has become a nationally recognized expert in economic development and real estate development projects involving government and private sector partnerships.

A development services firm offering real estate and economic advisory, brokerage, proje... Page 2 of 3

Unique Expertise

Whether the objective is getting a project entitled and approved, financed, developed, leased or sold, or if the goal is to generate new tax revenues, jobs or business opportunities, Kosmont Companies ensures success. Our diverse and uniquely qualified development services team provides the depth and expertise required to help clients conceptualize, structure and implement projects of all product types, sizes and complexities.

From the earliest planning and feasibility stages and throughout project development, Kosmont Companies effectively guides clients through intricate transaction and policy issues to create viable economic development strategies, achieve redevelopment/ revitalization goals, and produce real estate development projects and public asset management solutions.

Working Together

We recognize the powerful social and economic benefits of community development and redevelopment, and Kosmont is committed to bringing public, private, and non-profit organizations together in meaningful real estate transactions that help communities to flourish.

Project Experience

City of Redlands – Real Estate Advisory

Client: Redlands

Date: 2011 - Active

Services: [Economic Analyses](#), [Economic Incentives & Public-Private Negotiations](#), [Entitlements / Due Diligence / Land Use](#), [Fiscal Impact & Economic Benefit Study](#), [Kosmont Retail Now!®](#), [Market Analyses](#), [Project Feasibility Analyses](#), [Public-Private Financing Structures](#)

Kosmont was retained by the City of Redlands to provide various real estate advisory services in connection with multiple projects. Services include discussion and negotiations with property owners and retailers, project feasibility, due diligence and economic analysis, market analysis, proforma analysis, public/private transaction negotiations and structuring, fiscal impact studies and identification of viable financing and funding sources for projects.

Air Cargo Development and Commercial/Industrial Development

Client: LAWA (Palmdale Airport)

Date: 2001

Services: [Entitlements / Due Diligence / Land Use, Market Analyses](#)

Kosmont conducted market and development potentials analysis for the Palmdale airport. The assignment scope included market analysis, site plans, and development strategies. Additionally, Kosmont also conducted due diligence and evaluation of the existing regulatory, land use, and development conditions governing development at the Palmdale Airport.

Asset Management Strategy

Client: LAWA (Palmdale Airport)

Date: 1998

Services: [Asset Management Advisory](#)

Kosmont reviewed LAWA financial records to determine the actual net revenue benefit from the existing leases after deducting for water, maintenance and other LAWA obligations. The Los Angeles World Airports (LAWA) at the time of the assignment owned approximately 18,000 acres of land in an unincorporated area of Los Angeles County, near the City of Palmdale for a future international airport.

The properties were leased to several agricultural and ranching operators under short-term leases generally ranging from one year to five years. LAWA lacked information as to the market feasibility of these leases and retained Kosmont to prepare a strategic business plan to increase the overall return and consider alternative uses.

Entitlement Approvals – Burbank Airport Property

Client: Lockheed Corporation

Date: 1998

Kosmont & Associates, Inc. (Kosmont) assisted the Lockheed Corporation in obtaining vested entitlement approvals with the City of Burbank and the Burbank Redevelopment Agency at a level to provide the maximum asset value. The property involved is adjacent to the Burbank Airport; Kosmont was involved in strategizing the most beneficial reuse and public financing structure to benefit the property's close proximity to this major transportation center and provide the highest level of connection to future regional transportation improvements. Transportation linkages planned as part of the development include two commuter rail stations feeding into the proposed Moorpark and Santa Clarita Valley commuter lines, as well as optimization of connections between the development and the new Burbank Airport terminal currently in planning. Kosmont was also involved in assisting with the negotiation of property disposition agreements with joint venture or independent development entities.



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Matching Investors with Issuers™

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Letter from the CEO

WELCOME to BondUnderwriter.com!

Thank you for visiting our meeting place for fixed-income bond investors and municipal bond issuers.

Municipal Bonds are debt obligations issued by states, cities, counties and other public entities to finance public projects such as construction of our schools, infrastructure, hospitals, roads, housing, parks, universities, water and wastewater improvements and public facilities. These investments are critical to the financing of our local projects for states, cities, counties, schools, agencies and special districts.

Most municipal bond issues are tax-exempt (often on both your State and Federal tax returns). However, there are increasingly more taxable municipal bonds issued. You should consult your accountant for more specific information on your specific investment criteria preferences.

As Founder and CEO of BondUnderwriter, I would like to provide sophisticated fixed-income investors with the access to these Bonds to invest locally and to invest in our nation's infrastructure all while buying Bonds at the same low price as the largest institutional investors. This requires accessing upcoming bond sales well in advance of the pricing date so that research can be done and suitable investment decisions can be made.

For today's bona fide bond buyer, I hope to provide you with the tools and information you will need to access these proposed new issue municipal bond underwritings and to more effectively achieve your investment goals.

Please contact me direct if you have any questions or comments. Any and all feedback is appreciated. I would truly enjoy hearing from you. And thank you for your interest in our new Site.

Best Regards,

Mimi Henderson

Founder & CEO
BondUnderwriter, Inc.
mimi@bondunderwriter.com

Featured Municipal Issuers



\$1,850,000,000*

State of California
Various Purpose General Obligation Bonds
(A2A/A)

Priority Period for Retail Buyers
April 22nd and 23rd*

SOLD!

Merrill Lynch & Co.
E.J. De La Bina & Co. Inc.
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SFO Buy SFO Bonds

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Executive Management Team

Larry T. Uyeda – *President and Chief Executive Officer*

As CEO, Mr. Larry T. Uyeda directs a full scope of development, finance and acquisition services backed by more than 30 years of real estate development experience.

Beginning his career in the financial industry, working with financial institutions and investors, and expanding his opportunities to office and retail centers, high-rise office buildings, mixed-use developments and hotels, Uyeda gained a reputation for developing properties that worked within each of the communities they served.

Over the past three decades, Uyeda successfully completed more than 2 billion dollars in major developments, with his premiere property being, The Greater Los Angeles World Trade Center in downtown Long Beach, a public/private partnership. Completing a number of build-to-suit developments and specializing in assisting and establishing global business partnerships in the Pacific Rim, Uyeda works with federal, state, local and international governments on design development and construction projects, while also attracting and organizing trade, real estate, financing and development opportunities.

Mr. Uyeda expanded JCA's scope in the international trade arena with the formation of the JCA de Mexico offices in Mexico City and Guadalajara and creating a trade division for JCA which handles trade and product marketing between Japan, China and the Americas.

Mr. Uyeda serves on the board of the World Trade Center Association/Los Angeles Economic Development Corporation, organizations serving the southland's five county region and its business communities. Uyeda also serves on numerous community and non-profit boards throughout the Greater Long Beach and Los Angeles areas.

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WEDBUSH

Our Firm

Wedbush Securities is the largest holding of parent company WEDBUSH, Inc. The combined strength and resources of WEDBUSH, Inc.'s subsidiaries provides full line of banking and investment services for any individual, institution or issuing client.

Wedbush Securities [About Wedbush Securities](#)

Founded in 1955, with financial roots dating back to 1925, Wedbush Securities is one of the largest securities firms and investment banks in the nation. We provide innovative financial solutions through our Private Client Services, Capital Markets, and Clearing & Execution divisions.

Headquartered in Los Angeles, California with over 100 offices and more than 125 correspondent offices, our commitment to providing relentless, customized service is the foundation of our consistent growth. We deliver superior investment ideas and products through exceptional customer care, financial security, continuity and advanced technology.

The colleagues of Wedbush are the resources through whom we provide the finest services available in the industry. Our formula for success continues to be our commitment to an entrepreneurial culture, core values, strong operational controls, disciplined financial management and consistent profitability to protect your long-term interests.

Wedbush Bank [About Wedbush Bank](#)

Wedbush Bank prides itself on being a "high touch" and "high tech" community-focused bank offering customized financing and payment solutions with unmatched personalized service to businesses, entrepreneurs and professionals through its headquarters location and sophisticated technology; backed by the bank's strength and the WEDBUSH network of over 90 offices in 11 states.

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Wedbush Capital Partners [About Wedbush Capital Partners](#)

Wedbush Capital Partners is a \$120 million private equity fund that focuses on recapitalizations, growth investments and management-led buyouts of lower middle-market companies. We acquire and build growing companies headquartered in the Western U.S. that have revenues ranging from \$10 to \$50 million and operating cash flow of \$1 to \$5 million at the time of the investment. Our preferred investment is \$2 to \$10 million of equity. Since 1980, we have invested in more than 75 companies in industries including consumer products and services, business and financial services and niche manufacturing.

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Wedbush Opportunity Partners [About Wedbush Opportunity Partners](#)

Wedbush Opportunity Partners, an alternative investment fund, invests in publicly traded small and micro-capitalization companies through its unique affiliation with WEDBUSH.

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Lime Brokerage [About Lime Brokerage](#)

Lime Brokerage is a wholly-owned subsidiary of WEDBUSH, Inc., that engineers the world's most advanced trading technologies to help professional traders and institutions discover and leverage superior liquidity, maximizing profits by trading significantly faster, with greater reliability and scalability, across the most automated and high-volume electronic trading environments. At Lime, we do more than just create or apply technology; we lead the industry by engineering smarter solutions to real performance challenges. We meld our technical acumen with trusted Wall Street trading experience.

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Public Finance Transactions

Sale Date	Deal Size (\$ mils)	Transaction	Description	Role
01/27/10	50.11	Santa Clara County	Refunding Lease Revenue Bonds, 2010 Series N	Senior Manager
02/11/10	26.90	Glendale Redevelopment Agency	Central Glendale Redevelopment Project, 2010 TABs	Sole Manager
02/26/10	6.88	Ocean View School District	2010 Refunding Certificates of Participation	Sole Manager
03/16/10	13.50	Special Districts Association of Oregon	FlexLease 2010A	Sole Manager
03/25/10	3400.00	State of California	Various Purpose General Obligation (Taxable)	Co-Manager
03/30/10	13.41	City of Independence	Full Faith & Credit Obligations	Sole Manager
03/30/10	269.95	State Public Works Board of the State of California	2010 Series A Various Capital Projs, Subseries A-1 & A-2	Co-Senior
03/31/10	85.50	The Regents of the University of California	General Revenue Bonds, 2010 Series S & T (Taxable)	Co-Manager
04/21/10	10.54	City of Folsom	Special Tax Refunding Bonds, Series 2010 CFD No. 2	Co-Manager
04/21/10	24.50	Norco Redevelopment Agency	2010 Refunding Tax Allocation Bonds	Sole Manager
04/22/10	5.56	Lancaster Redevelopment Agency	(Lancaster Public Capital Improvement Projects) Issue of 2010	Sole Manager
05/05/10	18.60	Idaho Bond Bank Authority	Twin Falls Water Project	Sole Manager
05/05/10	20.51	City of Pacifica	2010 Taxable Pension Obligation Bonds	Senior Manager
05/19/10	66.48	Riverside County RDA	2010 Tax Allocation Housing Bonds, Series A / A-T (Taxable)	Senior Manager
05/19/10	138.59	Walnut Energy Center Authority	Revenue Refunding Bonds, 2010 Series AB	Co-Manager
05/19/10	154.60	Turlock Irrigation District	Revenue Refunding Bonds, 2010 Series A	Co-Manager
05/26/10	37.03	South Coast Water District Financing Authority	Refunding Revenue Bonds, Series A and B	Senior Manager
06/09/10	343.00	County of Riverside	2010-11 TRANS	Co-Manager
06/17/10	127.63	Contra Costa Water District	Water Revenue Notes, Series A	Co-Manager
06/22/10	23.18	Folsom Public Financing Authority	Special Tax Revenue Bonds, Series 2010A & Series 2010B (Subordinated)	Co-Manager
06/29/10	32.42	Redevelopment Agency For the County of Riverside	2010 Tax Allocation Bonds, Series D	Co-Manager
06/29/10	56.30	City of Fresno	2010-11 TRANS	Senior Manager
06/30/10	24.10	Port of Newport	NOAA Project	Sole Manager
07/08/10	12.75	City of Monrovia	Taxable Pension Obligation Bonds, Series 2010	Sole Manager
07/13/10	7.69	City of Irwindale Community Facilities District No. 1	2010 Special Tax Refunding Bonds	Sole Manager
07/28/10	19.53	Encinitas Public Financing Authority	2010 Lease Revenue Refunding Bonds, Series A	Co-Manager
07/29/10	190.78	Turlock Irrigation District	First Priority Subordinated Revenue Notes, Series 2010	Co-Manager
08/04/10	8.99	Lynwood Public Financing Authority	Lease Revenue Bonds, 2010 Series A	Sole Manager

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Del Norte County Regional Airport Terminal Replacement Program



February 25, 2016

Del Norte County Regional Airport Terminal Replacement Program



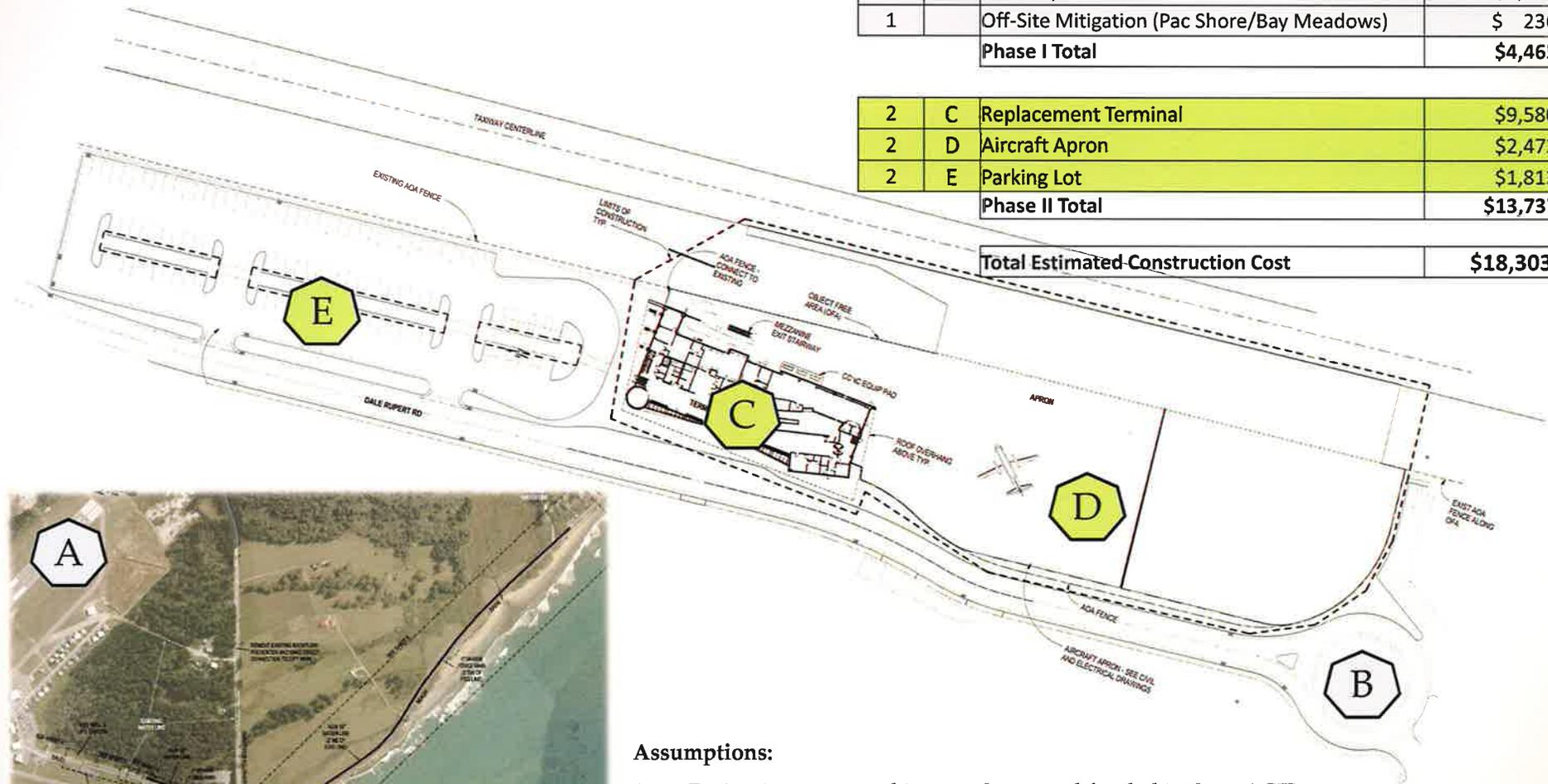
Scope of Work / Budget Overview

Del Norte County Regional Airport Terminal Replacement Program

Phase	Area	Work Element	Cost Estimate dated 10/23/15
1	A	Pebble Beach Drive Water/Sewer	\$1,216,571
1	B	Dale Rupert Road	\$3,012,464
1		Off-Site Mitigation (Pac Shore/Bay Meadows)	\$ 236,801
Phase I Total			\$4,465,836

2	C	Replacement Terminal	\$9,580,648
2	D	Aircraft Apron	\$2,473,421
2	E	Parking Lot	\$1,813,473
Phase II Total			\$13,737,911

Total Estimated Construction Cost \$18,303,378



Assumptions:

1. Project is constructed in two phases and funded in three ACIP grants.
2. Project/Construction Management/ Consultant Costs are not included the above chart.

REVISED

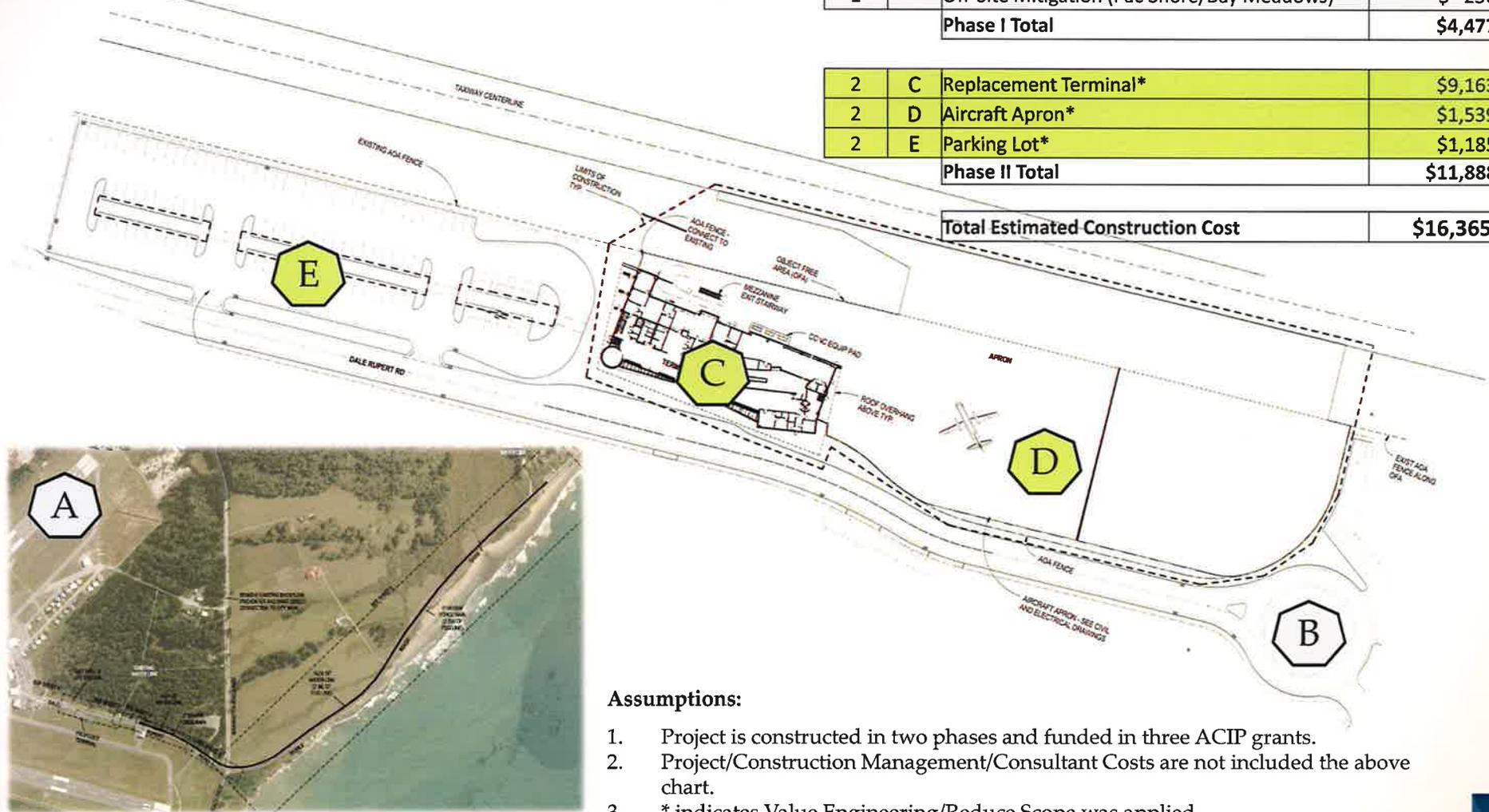
Scope of Work / Budget Overview

Del Norte County Regional Airport Terminal Replacement Program

Phase	Area	Work Element	Cost Estimate dated 2/15/16
1	A	Pebble Beach Drive Water/Sewer	\$2,679,561
1	B	Dale Rupert Road	\$1,560,993
1		Off-Site Mitigation (Pac Shore/Bay Meadows)	\$ 236,801
Phase I Total			\$4,477,356

2	C	Replacement Terminal*	\$9,163,449
2	D	Aircraft Apron*	\$1,539,435
2	E	Parking Lot*	\$1,185,332
Phase II Total			\$11,888,216

Total Estimated Construction Cost			\$16,365,572
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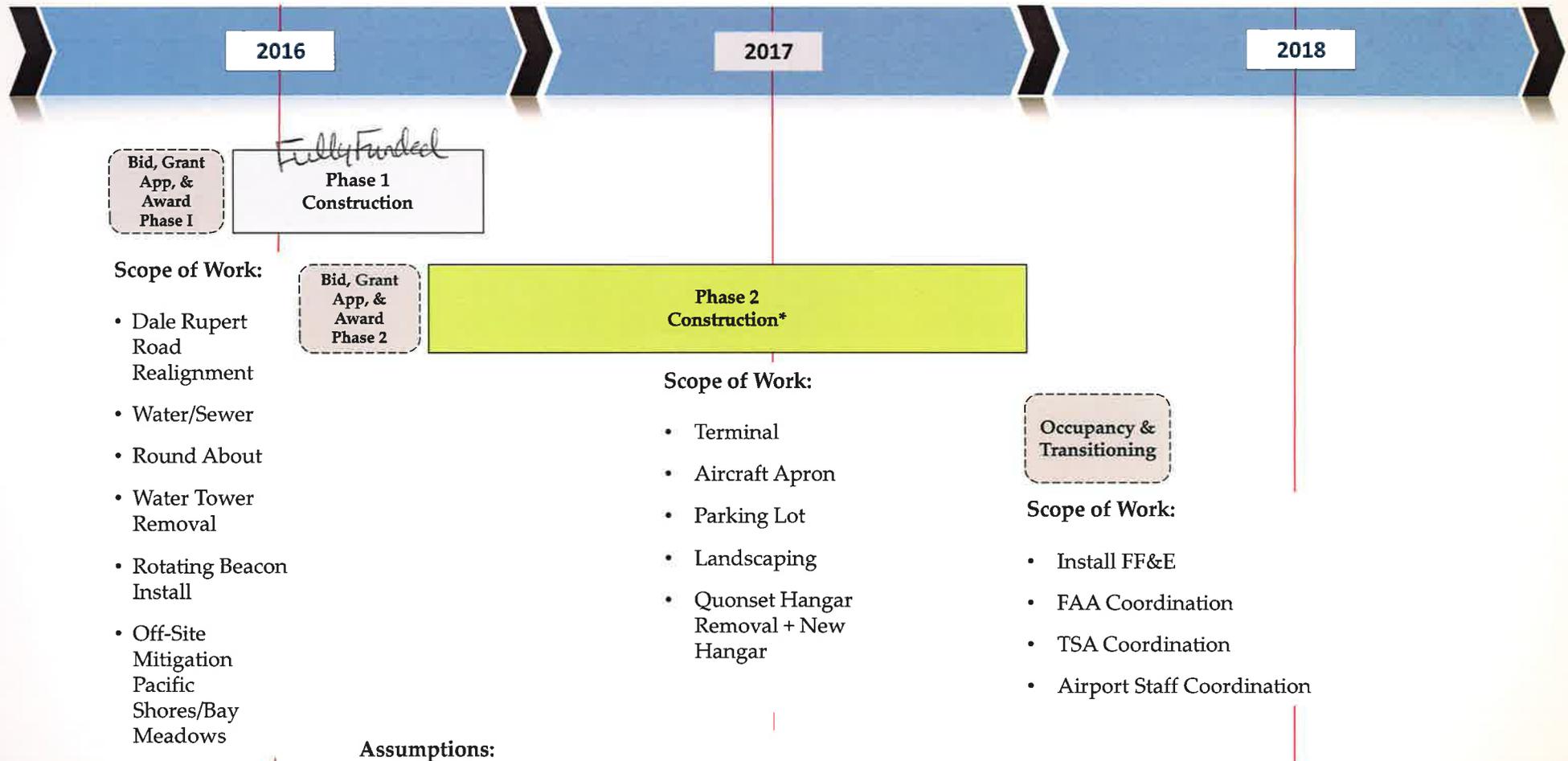


Assumptions:

1. Project is constructed in two phases and funded in three ACIP grants.
2. Project/Construction Management/Consultant Costs are not included the above chart.
3. * indicates Value Engineering/Reduce Scope was applied

Revised Schedule Overview

Del Norte County Regional Airport Terminal Replacement Program



Assumptions:

1. Project is constructed in two phases and funded in three ACIP grants.
2. Phase 2 Construction is dependent on FAA funding allocation in September 2016.
3. *Value Engineering would reduce Phase 2 construction duration. Duration TBD.

Base Bid Alternates

Del Norte County Regional Airport Terminal Replacement Program

Description	Estimated Savings	Notes
Parking Lot – \$628K		
1. Remove parking lot canopy	\$ 280,000 Construction	Reduce construction costs
2. Reduce parking lot from 102 spaces to 66 spaces	\$ 348,141 Construction	Reduce construction & landscaping costs; increase design cost
Aircraft Apron – \$934K		
3. Apron - Value Engineering	\$933,986 Construction	Reduce construction costs; increase design cost
Terminal – \$417K		
4. Spec pre-engineered structural frame and roof	\$417,199 Construction	Reduce construction costs; increase design cost

Total Alternates Amount

\$1,979,326

Program Cost Overview

Del Norte County Regional Airport Terminal Replacement Program

	Phase 1			Phase 2		
	Water / Sewer Infrastructure	Dale Rupert Road & Roundabout	Off-Site Mitigation - Pac Shore/Bay Meadows	Terminal Replacement	Aircraft Apron	Parking Lot + Landscaping
Estimated Construction Cost	\$2,679,561	\$1,560,993	\$236,801	\$9,163,449	\$1,539,435	\$1,185,332
Land Acquisition/ Seeding Cost			\$20,000			
Estimate FFE Cost				\$500,000		
2016 Consultants + BCRAA Cost	\$1,406,915 + \$150,000					
2017 Consultants + BCRAA Cost				\$1,772,329 + \$200,000		

Total Program Costs \$20,414,816

<i>Secured funding, FAA ACIP Grant</i>	\$17,166,898	<i>Total Program Cost</i>	\$20,414,816
<i>Secured funding, DNC Line of Credit</i>	<u>\$ 1,400,000</u>	<i>Secured Funding Total</i>	\$18,566,898
<i>Secured funding, TOTAL</i>	\$18,566,898	<i>Not Defined, FAA Eligible Funding</i>	\$ 5,510
		<i>Balance Remaining, FAA Ineligible Funding</i>	\$ 1,853,428

Del Norte County Regional Airport Terminal Replacement Program



Financing

Funding during Construction

WORST CASE

	<u>ELIGIBLE</u>	<u>INELIGIBLE</u>	<u>TOTAL</u>
CURRENT PROJECTED COST	\$ 18,561,308	\$ 1,853,428	\$ 20,414,736
FAA FUNDING	\$ (17,166,898)	\$ -	\$ (17,166,898)
5% Match (DNC LOAN)	\$ (903,521)	\$ -	\$ (903,521)
FURTHER FUNDING (DNC LOAN)	\$ (490,889)	\$ (5,590)	\$ (496,479)
FUNDING STILL NEEDED	\$ -	\$ 1,847,838	<u>\$ 1,847,838</u>

Potential Reduction

FUNDING NEEDED	\$	-	\$ 1,847,838	\$ 1,847,838
ODOT COVI GRANT (August, 2016)	\$	(584,210)		\$ (584,210)
DNC LOAN FUNDS	\$	584,210	\$ (584,210)	\$ -
BCRAA RESERVES (PAYROLL CHARGED TO GRANTS)			\$ (122,000)	\$ (122,000)
<hr/>				
FUNDING NEEDED	\$	-	\$ 1,141,628	<u>\$ 1,141,628</u>

NOTE: The only further reduction to this number would be if the final bid for the terminal came in at a lower amount than expected or if further grants were found to free up DNC loan funds.

BEST CASE

	<u>ELIGIBLE</u>	<u>INELIGIBLE</u>	<u>TOTAL</u>
BID AT FINANCED LEVEL	\$ 18,070,419	\$ 1,853,428	\$ 19,923,847
FAA FUNDING	\$ (17,166,898)	\$ -	\$ (17,166,898)
5% Match (DNC LOAN)	\$ (319,311)	\$ -	\$ (319,311)
ODOT COVI GRANT (August, 2016)	\$ (584,210)		\$ (584,210)
FURTHER FUNDING (DNC LOAN)	\$ -	\$ (1,080,689)	\$ (1,080,689)
BCRAA RESERVES (PAYROLL CHARGED TO GRANTS)		\$ (122,000)	\$ (122,000)
FUNDING NEEDED	\$ -	\$ 650,739	<u>\$ 650,739</u>

Dates

The AIP grant application will be submitted after the terminal construction bid is complete. At that time we have to know where the funding for the ineligible portion will come from. The anticipated date is August, 2016.

The ODOT Connect Oregon VI grant award is anticipated In August, 2016.

Financing

Post Construction

USDA Loan

WORST CASE : $\$1,800,000 + \$1,847,838 = \$3,647,838$

POTENTIAL REDUCTION: $\$1,800,000 + \$1,141,628 = \$2,941,628$

BEST CASE: $\$1,800,000 + \$ 650,739 = \$2,450,739$

DNC LOAN WILL BE THE FULL \$1,800,000 in spite of prior payments
It is a drawdown note that will be used to the full amount for the terminal project.

We would need a co-applicant to apply for a USDA loan

LOAN AMOUNT	# YEARS	w/4% INTEREST ANNUAL PAYMENT	6 PER MEMBER
\$3,647,838	30	\$208,984	\$34,831
\$2,941,628	30	\$168,525	\$28,088
\$2,450,739	30	\$140,402	\$23,400
\$3,647,838	40	\$182,949	\$30,492
\$2,941,628	40	\$147,530	\$24,588
\$2,450,739	40	\$122,911	\$20,485

Dates

The pre-application for a USDA loan would need to be submitted in the next few months. A co-applicant is needed before this process may begin.

The completion of the terminal is anticipated by Spring of 2018.

BORDER COAST REGIONAL AIRPORT AUTHORITY



150 Dale Rupert Road
Crescent City, CA 95531

Telephone: (707) 464-7288
Fax: (707) 464-1023
www.flycrescentcity.com

March 22, 2016

Mr. Gary Milliman
City Manager
City of Brookings
898 Elk Drive
Brookings, OR 97415

Dear Gary:

Thank you for your email dated March 16, 2016 and the affixed copy of the November 22, 2013 Funding Memo to the BCRAA Board authored by you which incorporates a comprehensive list of suggestions. I wish to respond specifically to those suggestions and explain the actions taken, or not taken. My response is a composite of what I understand to have occurred before my tenure as director synthesized with what has transpired subsequent to my arrival.

1. The land at the Del Norte County Airport is owned by the County of Del Norte, not BCRAA. This land is dedicated airport land and noted as such in the FAA-required Airport Layout Plan. Land dedicated as airport land is required to be utilized for aviation related purposes in a manner consistent with our FAA Airport Layout Plan and sponsor grant assurances. We're very constrained when it comes to land leases or mineral/timber extraction; additionally, anything of this nature would have to go through the California Coastal Commission.
2. We have and continue to query BCRAA membership to see if any of our member entities have long-term reserve or discretionary funds available that could be "loaned" to BCRAA under favorable terms. It is this action that resulted in the low-interest "draw-down" loan with the County of Del Norte for \$1.8 Million, the majority of which will be used for the terminal project.
3. The existing leaseholds are minor in nature, other than CEC's Fixed Base Operator, Cal-Ore. The revenues from the existing leaseholds, including Cal-Ore, provide revenue essential to the maintenance and management of the airport. To siphon from this funding would leave us with a deficit for recurring maintenance required at a commercial airport, none of which is considered eligible for FAA funding. We will secure future leases for space in the new terminal and have ascertained the increased lease revenues will be needed to cover the increase in expenses derived from operation of the new terminal facility.
4. Currently, there are no prospective new leases for hangars or other projects at the airport. Any new facilities would have to be airport related and would fall under the jurisdiction of the California Coastal Commission for permitting, which adds considerable expense and time to any form of construction. At any given time, we typically have one or two small hangars available for lease.

5. Airport property is required to be aviation-related. Sponsor assurances to this effect are required by the FAA regarding the use of airport property if CEC is to continue to be eligible for FAA Airport Improvement Program grants.
6. The existing terminal has space for a car rental agency and we anticipate our current car rental concessionaire will occupy space allocated in the new terminal. Our other car rental business is a Hertz franchise in our Fixed Base Operation (FBO) adjacent to the current terminal. It is our understanding they will remain in this location after the new terminal is constructed.

CEC's new terminal will have a location for vending machines and perhaps a food service cart; however, with the opening of the new terminal at least 2 years away, we haven't formally established specific arrangements. Regulations for such vendors fall under the Federal Airport Concessionaires DBE program which has very strict guidelines. We have recently submitted the required filing for the ACDBE program and will be further educating ourselves on leasing requirements in the coming year.

7. As mentioned above, all airport property is under the jurisdiction of the California Coastal Commission and subject to the requisite permitting conditions. To illustrate further, it takes years of environmental study to even address obstructions that are noncompliant with FAR Part 77 protected airspace both on airport property and peripheral to it. The airport has numerous wetland and Environmentally Sensitive Habitat Areas (ESHAs) which preclude material disposal.
8. Property acquired by BCRAA for mitigation use is required, under our Coastal Commission Permit Special Conditions, to be transferred to a reliable government agency which must maintain the property in perpetuity. The Pacific Shores properties will be transferred to a state agency. The Bay Meadows property will be transferred to Del Norte County and BCRAA has pledged up to \$15,000 annually to assist the county toward maintenance of said property.
9. Any naming rights for the new terminal would have to be consistent with the consensus of the County of Del Norte, which owns the land the terminal will occupy. The primary access road (Dale Rupert) is also county-owned; additionally, this road is listed under the Elk Valley Rancheria listing of roads.

With regard to the services provided by Vanir, Inc. aimed at providing alternative sources of funding: The BCRAA board entered into a contract with the financial consultant proffered by Vanir when additional funding for both the Runway Safety Area and Terminal Projects was needed. After meeting with all member agencies and their staff, the consultant concluded that our best options were a low-interest loan with a member agency to be converted to a long-term loan upon the completion of both projects. This led to the loan with the County of Del Norte and precipitated our intention to enter into a long-term loan through the USDA or I-Bank.

Vanir has also provided assistance with value engineering to reduce project costs, provided detailed cost estimates and ancillary information used in grant applications, and supplied copies of successful USDA loan packages for our use. Vanir is committed to prepare or review the submittal of a loan package to the USDA for this project. Additionally, we are and have been researching other governmental financing options.

Staff has done their utmost to ensure the BCRAA is informed with respect to long-term financing requirements and options thereof. The board reviews the BCRAA budget bi-annually and is fully aware that BCRAA resources are very limited. Any resources that BCRAA could contribute toward loan repayment in future years would be the result of staff reductions and/or deferred maintenance. As we move forward, we will continue to evaluate the feasibility of this option. However, we have a very limited staff and reductions would drastically reduce our operational capabilities.

BCRAA staff is appreciative of any suggestions which would assist in locating and securing further funding. What does seem to be clear at this point is that, whatever the interim funding source may be, a long-term repayment plan will require member assistance.

Please let me know if you should like further information.

Warm Regards,



Matthew Leitner
Airports Director

cc: BCRAA Board
Jeannine Galatioto
Susan Daugherty

VANIR PROJECT PHILOSOPHY



Vanir believes firmly in the team approach to project delivery and that our interest are those of the owner. This fundamental belief will be the cornerstone of our approach to construction management services to the Border Coast Regional Airport Authority's (BCRAA) Airport Project.

Our emphasis in fulfilling our program/project/construction management responsibilities will be based on the following key objectives that contribute to our value-added approach.

PROMOTE THE BCRAA'S INTEREST EXCLUSIVELY

We are able to work objectively and effectively with all parties involved, and will fully and fairly represent BCRAA interests at all times. BCRAA goals will be our goals.

KEEP THE BCRAA INFORMED

Communication is the lifeblood of any construction project. We will establish a system of communication and formal reporting that will ensure that important facts and realistic choices are identified and conveyed to the BCRAA in a clear timely manner.

MANAGE AND CONTROL THE PROJECT

Vanir will use state-of-the-art tools and techniques, including computerized scheduling and cost control systems, to effectively manage the Airport Project. Vanir will provide project reporting and process in accordance with BCRAA requirements for project accounting.

ANTICIPATE

The thrust of our approach is to look-ahead to identify potential problems early and head them off before they occur, to pinpoint opportunities to save time and money, and to work aggressively to achieve the best results possible.

PROMOTE LOCAL PARTICIPATION

Vanir will explore every opportunity in the airport design and construction to promote maximum local community participation. This will result in multiple project delivery methods and smaller bid packages to maximize local bidding. Vanir will also employ available professional firms or individuals as needed.

BEING SHOVEL READY

Vanir will work with the BCRAA to isolate projects that can be "shovel ready" fairly quickly so as to elevate the potential for Grant funding.

IDENTIFY OTHER PROJECT FUNDING SOURCES

Vanir will work with the BCRAA to identify other funding sources for the airport project and provide the necessary information and documentation to solicit such funding.

FUNDING EXPERIENCE

Vanir staff have been involved with numerous grant, bond, and loan agencies representing federal, state and local entities. An example of the funding agencies includes:

- Connect Oregon III Grant
- Connect Oregon III - Rural Grant
- Corrections Standards Authority - Propositions 2, 16, 52, 86, AB900, SB81 Corrections Funding
- Unified School Districts - General Obligation Bonds
- USDA Rural - Rural Development Loan Program
- Community Development Block Grant (CDGB)
- California Energy Grants
- California Historic Grant
- California Boating and Waterways Funding
- California Endowment Grant
- Local Bank Interim Loans
- AIP Grant Processes

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 of support for Sudden Oak Death Task Force

AGENDA DATE^a: 4/6/16 **DEPARTMENT:** Commissioners **TIME NEEDED:** 10 min

^aSubmit by seven days prior to the next General Meeting (eight days if a holiday falls within that seven day period)

CONTACT PERSON: Comm Smith **PHONE/EXT:** 3260 **TODAY'S DATE:** 3/30/16

BRIEF BACKGROUND OR NOTE^b: Curry, Coos, Douglas and Josephine Counties, AOC, AOCC, Coastal Caucus, ODF, ODA, USFS, BLM and others are working to address and eradicate Sudden Oak Death in Curry County.

^bIndicate if more than one copy to be signed

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

- (1)SOD Informational Packet
- (2)AOC, AOCC and OCZMA Letters of Support

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

- | | |
|---|-----------------|
| <input type="checkbox"/> File with County Clerk | Name: |
| <input type="checkbox"/> Send Printed Copy to: | Address: |
| <input type="checkbox"/> Email a Digital Copy to: | City/State/Zip: |
| <input type="checkbox"/> 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: New 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



Oregon Coastal Zone Management Association

1201 Court Street • Suite 300 • Salem, Oregon 97301 • 541-265-8918 • www.oczma.org

March 29, 2016

RE: Sudden Oak Death

To Whom It May Concern,

Sudden Oak Death (SOD), is a forest disease caused by the plant pathogen *Phytophthora ramorum*. When the pathogen infects susceptible trees – such as Tanoak, Coast Live Oak, Shreve's Oak, California Black Oak, and Canyon Live Oak – the name Sudden Oak Death is appropriate. These trees are infected through the trunk of the tree (except for tanoak, which can also be infected through the leaves) and are known as bole hosts. Many other non-oak plant species in the forest – such as Douglas-Fir, Rhododendron, Madrone, and others, are showing signs of infection.

This pathogen is active on the north coast of California and the South Coast of Oregon in Curry County, and effects over 120 species of trees, shrubs, herbs and ferns. SOD's aggressiveness has caused the recent expansion of the SOD Quarantine Zone for the seventh time, from 9 square miles in 2001, expanding to 515 square miles in 2015. It is spreading north, by north east and current USFS practices have not been successful in containing the disease. If it is not stopped, the pathogen will continue to expand, threatening the timber, floral green, Christmas tree, plant nursery, cranberry and blueberry type industries in Curry, Coos, Douglas and Josephine Counties, the Umpqua and Willamette Valleys, as well as other Counties throughout the State. The expansion of the disease and associated domestic and international regulations could cause quarantines at the Port of Coos Bay as well as horticulture and agriculture export issues throughout Oregon. The Oregon Coastal Zone Management Association (OCZMA) is in agreement with the Association of O&C Counties (AOCC), the Association of Oregon Counties (AOC), and the Oregon Coastal Caucus and we identify that in order to contain the disease, a new urgency and a new approach is greatly needed.

We support Curry County Commissioner Smith's work on this critical issue and agree with his assessment that a Task Force needs to be convened to develop strategies to stop the spread of the SOD disease. We also agree that Curry, Coos, Douglas and Josephine Counties, AOC, AOCC, the Coquille Indian Tribe, Lumber Companies, timber owners, environmental organizations, the Department of Agriculture, the Division of State Lands, Oregon Department of Forestry, the Oregon Association of Nurseries, OSU, BLM and the U.S. Forest Service are some, but certainly not all of the stakeholders that need to be involved. OCZMA understands that the Task Force will leverage resources from public, private and civic sources to raise the substantial resources required to contain, control and eradicate the pathogen from Curry County, and prevent the impending industry disaster.

With the ever increasing effected area and expanding quarantine zone, it is clear that current containment practices are ineffective. The urgency has never been greater and the increase in susceptible species affected coupled with the continued spread of the pathogen will cause devastating economic hardships to Southwest Oregon and the State as a whole.

We support the efforts of Commissioner Smith and his work with OCZMA, the Association of O&C Counties, the Association of Oregon Counties, the Coastal Caucus and partners. OCZMA considers Sudden Oak Death an epidemic, on a catastrophic scale, and urge the support of the State of Oregon to assist with the proposed Task Force to mitigate and eradicate this disease before it decimates already struggling southwest Oregon County economies, that are all within OCZMA's region.

Respectfully,

Tim Josi, OCZMA Chair (Tillamook County Commissioner)
Oregon Coastal Zone Management Association (OCZMA)

File Code: 3400

Date: February 9, 2016

Commissioner David Brock Smith
Curry County Board of Commissioners
94235 Moore Street, Suite 122
Gold Beach, Oregon 97444

Dear Commissioner Smith:

The information you requested pertaining to Sudden Oak Death in Oregon is enclosed.

Ellen Goheen, the Rogue River-Siskiyou National Forest Plant Pathologist, and Alan Kanaskie, Forest Pathologist with the Oregon Department of Forestry, coordinated in the development of the briefing materials.

I hope the content suits your needs. Please feel free to contact me if you have questions or if we can be of further assistance.

Sincerely,



TINA C LANIER
District Ranger Gold Beach

cc: Rob MacWhorter, Craig Trulock, Allan Hahn, Karl Dalla Rosa, Ellen Goheen, Alan Kanaskie, Tina Lanier, Jessie Berner, Virginia Gibbons, Kim Hunter, Ron Rhatigan



Briefing Paper

Sudden Oak Death in Oregon

Prepared by: Ellen Goheen, Rogue River-Siskiyou National Forest

Alan Kanaskie, Oregon Department of Forestry

February 9, 2016

What is Sudden Oak Death?

Sudden oak death (SOD), caused by a non-native pathogen *Phytophthora ramorum*, is a devastating disease that has killed hundreds of thousands of tanoak trees in Curry County Oregon. Genetic evidence indicates that the pathogen was introduced into Curry County on three separate occasions, most likely on nursery stock. It was first detected there in 2001. In Oregon, it occurs only in the forests of SW Curry County where a containment-slow the spread program is in place. In California, the disease has killed millions of oaks and tanoaks in the coastal region from Monterey to Humboldt Counties. It has not been detected in Del Norte County in California.

Phytophthora ramorum causes disease in over 120 species of trees, shrubs, herbs, and ferns. It kills black oaks (not Oregon white oak) and tanoaks and causes leaf spots or twig/branch dieback on most other hosts. Many SOD hosts are important nursery and landscape plants; others are collected in the forests for the floriculture industry. In Curry County the pathogen mainly infects tanoak, Pacific rhododendron, evergreen huckleberry, and less commonly, Oregon myrtlewood. It occasionally infects new shoots and twigs of conifer species in areas with high spore loads. *P. ramorum* spreads naturally when clouds and rain move spores within forest canopies—from treetops to stems and shrubs below, or across landscapes from treetop to treetop. Human-assisted spread occurs when people transport infected plants or plant parts or infested soil. The pathogen survives in infested plant material, litter, soil, and water.

Quarantine regulations

Phytophthora ramorum is an internationally quarantined plant pathogen and there are Federal and State regulations in place to prevent the human-assisted spread of this destructive pathogen (ORS 603-052-1230 and 7 CFR 301.92). Since 2001 the area under quarantine has expanded 7 times: from 9 mi² in 2001 to approximately 515 mi² in 2015, which is approximately 31% of the total area of Curry County (Fig 1). Following a sharp increase in disease in 2010 and 2011 and a shift of program goals from complete eradication to slowing spread, the quarantine regulations were changed in 2012 by establishing a Generally Infested Area (GIA) in which eradication was no longer required by law. Since then, eradication treatments (cutting and burning host plants) have been focused on new infestations that occur outside of the GIA. All new infestations outside the GIA are cut and burned, but the size of the treatment area varies with available funds and location of the site. While not required by federal or state regulations, the BLM and USFS have treated all known sudden oak death sites on lands within their jurisdiction.



for the greatest good

BRIEFING PAPER - (continued)

Acres Affected by Quarantine Regulations				
Ownership	Generally Infested Area Acres	Total Quarantine Acres	Curry County Acres	House District 1 Acres
BLM	6,214	18,325	67,467	525,654
ODF	0	0	604	20,901
Other	141	697	1,909	6,730
Other federal	0	137	137	1,114
Other state	180	640	6,763	11,007
Private industrial	12,305	78,845	174,975	752,264
Private non-industrial	18,045	59,669	174,631	659,020
Tribal	0	0	0	5,395
USFS	0	169,815	617,701	972,087
Total	36,885	328,127	1,044,187	2,954,171

These quarantine regulations:

- Require treatments on non-federal lands anywhere it is found in Oregon, except within the GIA.
- Prohibit/restrict the removal of tanoak from the quarantine area.
- Prohibit the removal of Douglas-fir, grand fir, or coast redwood foliage or small branches from the quarantine area.
- Prohibit the removal of listed host species from the quarantine area unless the source area is surveyed and found to be disease-free.
- Prohibit the removal of soil from those sites where the disease has been confirmed.

To date, the total cost of the SOD program in Oregon has been 16 million dollars. This includes all surveys, treatment, monitoring, and administration. It does not include the cost of regulatory compliance for timber companies and nurseries. Quarantines and regulatory compliance will impact economic gains of growing wood and plants in Oregon and will continue to present fiscal challenges for private enterprise and land management agencies without direct budget allocations for treatments.

What is at risk?

The disease and associated domestic and international regulations threaten timber trade, the floral green industry, Christmas tree production, and plant nurseries throughout Oregon. It has the potential to increase wildfire fuel loads, affect slope stability, affect wild mushroom populations that depend on tanoak, and alter forage and structural components of wildlife habitat. It threatens resources valuable to local Native American tribes.

In 2010 researchers developed a model of the potential for disease establishment and spread for western Oregon based on the occurrence of important host species and on environmental factors important for survival and spread of the pathogen (Fig 2). Based on this model, 608 mi² in Curry County, which is 38 percent of the county area is considered to be at high or very high risk for the disease. Josephine County is predicted to have 116 mi², Coos County has 85 mi², and Douglas has 12 mi² of high and very high risk area.

What are we doing in Curry County?

Oregon Department of Forestry, Oregon Department of Agriculture, Oregon State University, USDA Forest Service, and USDI Bureau of Land Management are working together with private landowners to stop the spread of Sudden Oak Death. Aerial and ground surveys are done continuously throughout the year to detect dead and dying tanoaks. Stream baiting is done most of the year to detect the presence of *P. ramorum* in watersheds. Vegetation and soil samples are sent to Oregon State University for confirmation of *P. ramorum*.

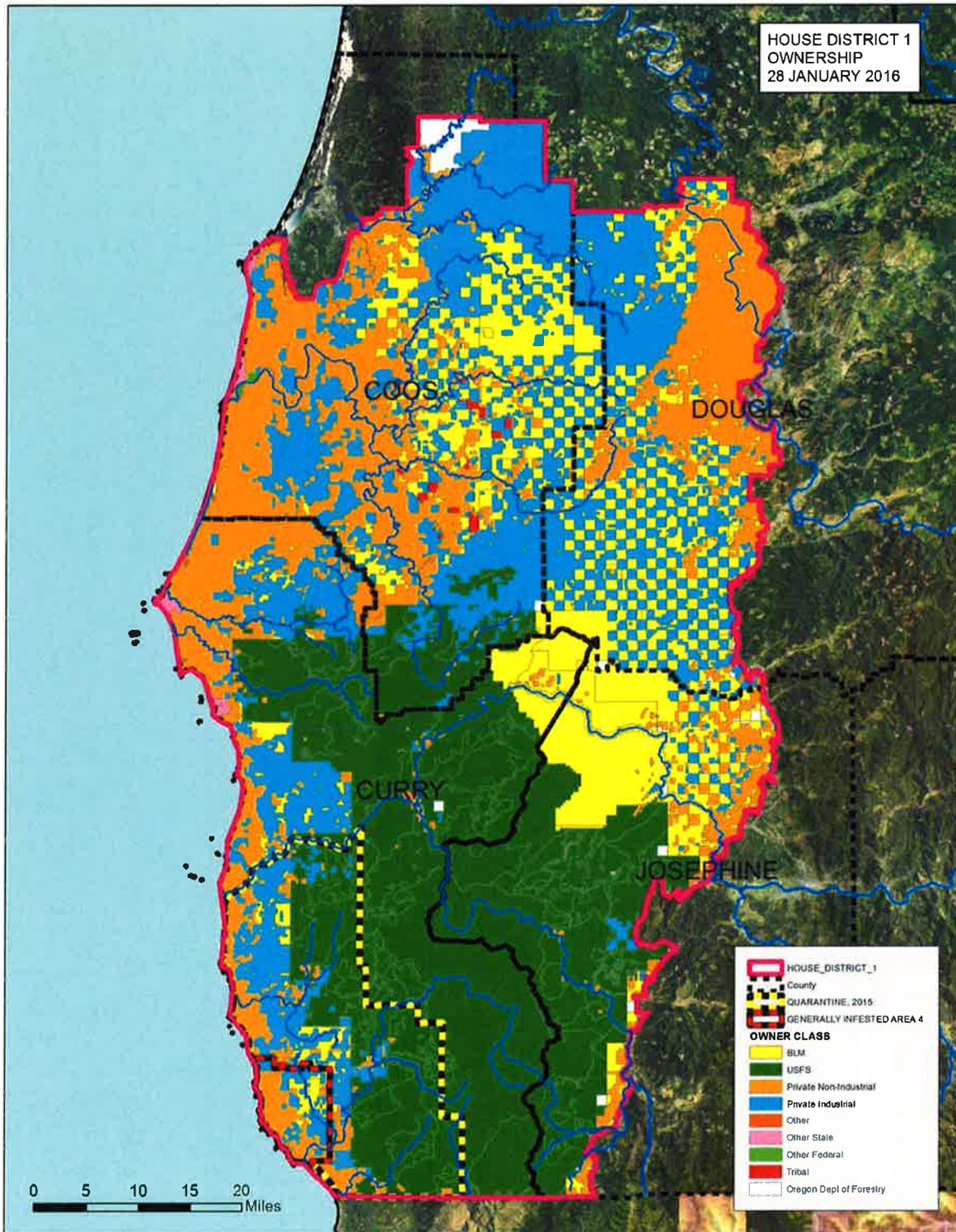
BRIEFING PAPER - (continued)

When new infestations are found, they are treated by cutting and burning the infected trees and other host plants on the site, and those within an adjacent buffer of 50 to 600 feet, depending on location of the site and available funds. Since 2001, approximately 5350 acres of forest land have been treated to eradicate the pathogen and slow the spread of the disease. The majority of treated acres occur on private industrial or non-industrial forest land. A small percentage of acres treated are on State Parks land or land owned by the City of Brookings. Twenty-five percent occur on federal land administered by the Coos Bay District, Bureau of Land Management and the Rogue River-Siskiyou National Forest. Treatments have been shown to be effective when done soon after diseased trees are found and if done thoroughly.

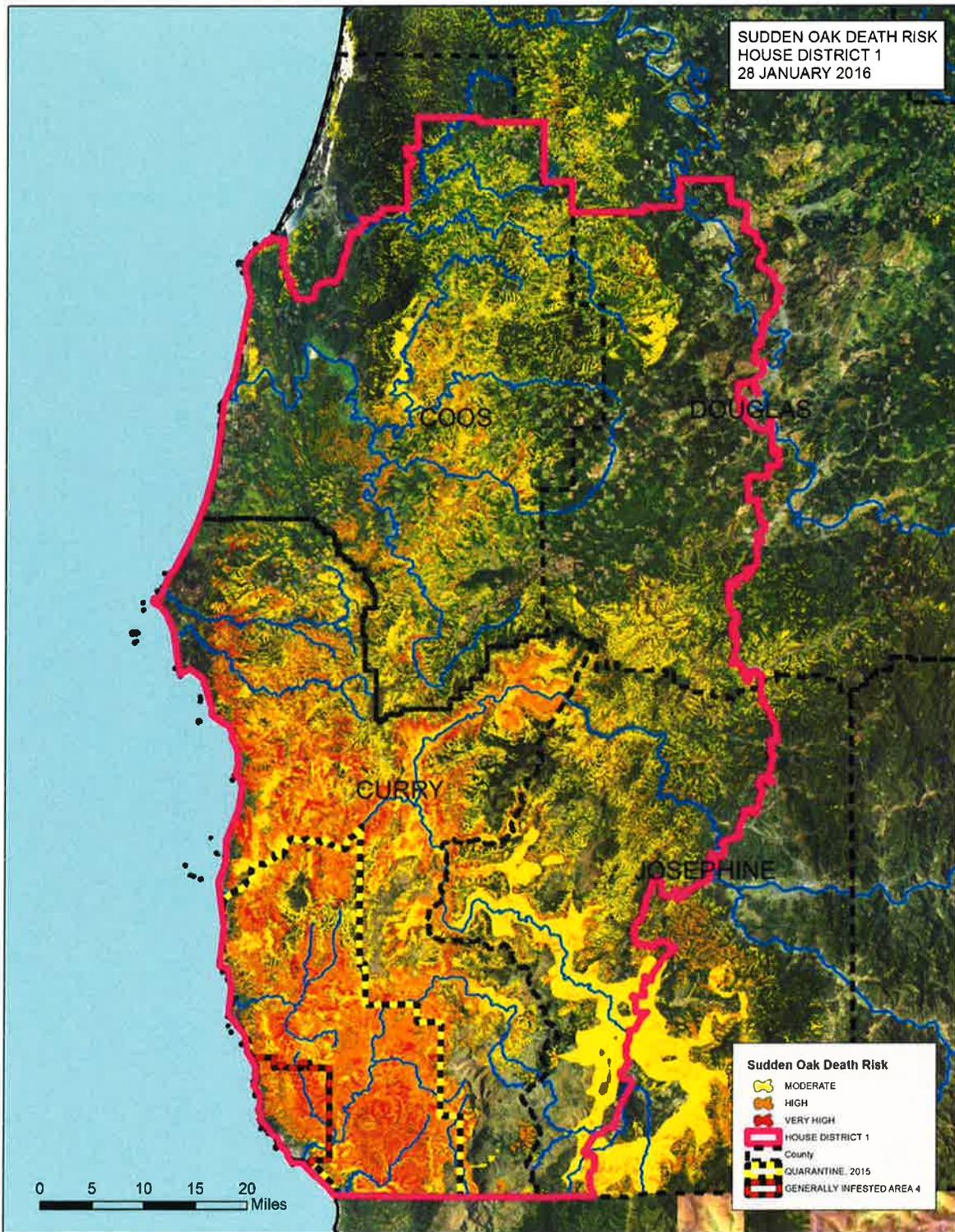
Some private landowners in the Brookings area have successfully protected individual tanoak trees from the disease by injecting Agri-Fos®, a registered fungicide, into uninfected trees on their property. Landscape-scale aerial applications of this chemical have not been demonstrated to be effective. This approach would require comprehensive environmental analysis on public lands with significant public input.

Please contact Ellen Goheen, Rogue River-Siskiyou National Forest Plant Pathologist, at (541) 858 6126 or Alan Kanaskie, Oregon Department of Forestry, Forest Pathologist at (503) 945-7397, for more information about Sudden Oak Death.

BRIEFING PAPER - (continued)



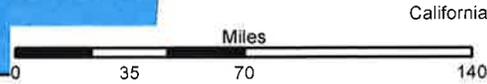
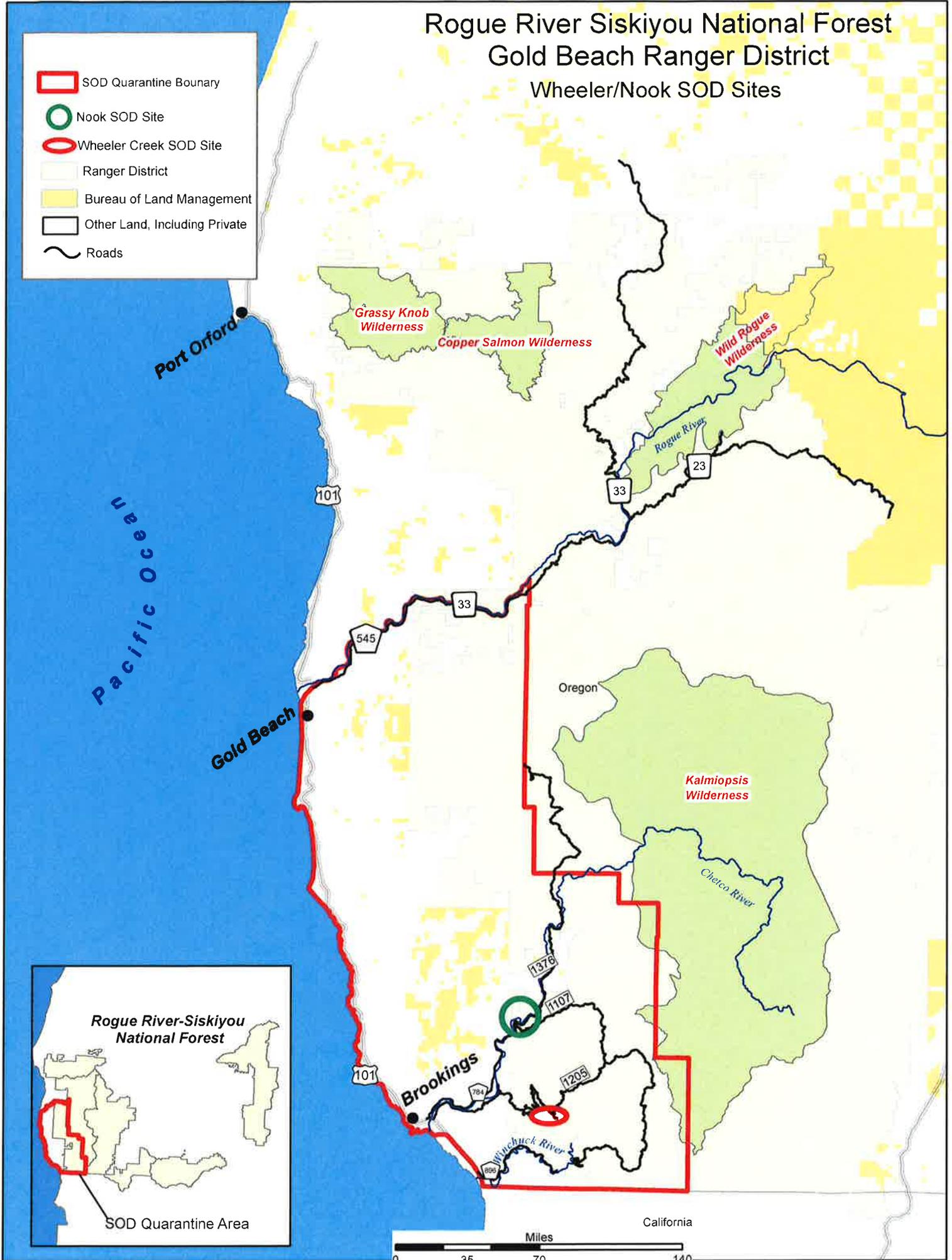
BRIEFING PAPER - (continued)



Rogue River Siskiyou National Forest Gold Beach Ranger District

Wheeler/Nook SOD Sites

-  SOD Quarantine Boundary
-  Nook SOD Site
-  Wheeler Creek SOD Site
-  Ranger District
-  Bureau of Land Management
-  Other Land, Including Private
-  Roads





**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

April 6th, 2016

Oregon Coastal Caucus,

Sudden Oak Death (SOD), is a forest disease caused by the plant pathogen *Phytophthora Ramorum*. When the pathogen infects susceptible trees – such as Tanoak, Coast Live Oak, Shreve's Oak, California Black Oak, and Canyon Live Oak – the name Sudden Oak Death is appropriate. These trees are infected through the trunk of the tree (except for tanoak, which can also be infected through the leaves) and are known as bole hosts. Many other non-oak plant species in the forest – such as Douglas-Fir, Rhododendron, Madrone, and others, are showing signs of infection.

This pathogen is active on the north coast of California and the south coast of Oregon in Curry County and effects over 120 species of trees, shrubs, herbs and ferns. SOD's aggressiveness has caused the recent expansion of the SOD Quarantine Zone for the seventh time, from 9 square miles in 2001, expanding to 515 square miles in 2015. It is spreading north by north east and current USFS practices have not been successful in containing the disease. If it is not stopped, the pathogen will continue to expand continuing to further threaten the timber, floral green, Christmas tree, plant nursery, cranberry, blueberry and lily bulb type industries in Curry, Coos, Douglas and Josephine Counties, the Umpqua and Willamette Valleys, as well as other Counties throughout the State. The expansion of the disease and associated domestic and international regulations could cause quarantines at the Port of Coos Bay as well as horticulture and agriculture export issues throughout Oregon. The Curry County is in agreement with the Association of O&C Counties (AOCC), the Association of Oregon Counties (AOC), and the Oregon Coastal Caucus and we identify that in order to contain the disease, a new urgency and a new approach is greatly needed.

Curry County understands the needed work on this critical issue and agrees with the assessment that a Task Force needs to be convened to develop strategies to stop the spread of the SOD disease. We also agree that Curry, Coos, Douglas and Josephine Counties, AOC, AOCC, the Tribes, Lumber Companies, timber owners, environmental organizations, the Department of Agriculture, the Division of State Lands, Oregon Department of Forestry, the Oregon Association of Nurseries, OSU, BLM and the U.S. Forest Service are some, but certainly not all, of the stakeholders that need to be involved. Curry County understands that the Task Force will leverage resources from public, private and civic sources to raise the substantial resources required to contain, control and eradicate the pathogen from Curry County and prevent the impending industry disaster.

With the ever increasing effected area and expanding quarantine zone, it is clear that current containment practices have been ineffective. The urgency has never been greater and the increase in susceptible species affected coupled with the continued spread of the pathogen will cause devastating economic hardships to Southwest Oregon and the State as a whole.

Curry County supports the efforts of the Coastal Caucus, OCZMA, the Association of O&C Counties, the Association of Oregon Counties and partners. We too consider Sudden Oak Death an epidemic, on a catastrophic scale, as this disease currently has roughly a third of Curry County quarantined. We urge the support of the State of Oregon and their assistance with the proposed Task Force to mitigate and eradicate this disease before it decimates already struggling southwest Oregon County economies.

CURRY COUNTY BOARD OF COMMISSIONERS

Thomas Huxley, Chair

Susan Brown, Vice Chair

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: National County Government Month: Coffee with the County

AGENDA DATE^a: April 6, 2016 **DEPARTMENT:** Admin **TIME NEEDED:** 10 min.

^aSubmit 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:** 03/29/2016

BRIEF BACKGROUND OR NOTE^b: Forums and social media show an interest in better understanding county government responsibilities and staff. This offers a 'meet and greet' opportunity to better know staff and the services they provide.

^bIndicate if more than one copy to be signed

FILES ATTACHED:

SUBMISSION TYPE: Memorandum

- (1) Memo to BOC from Julie Schmelzer
- (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) Those listed in the memo
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: (Select)

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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MEMORANDUM

Date: March 29, 2016

To: Board of Commissioners

From: Julie A. Schmelzer

Re: National County Government Month

April is National County Government Month. In an effort to help the public better understand what services the County departments provide, and, to help them get to know the County employees, the County will be offering three 'meet and greet' sessions in April. The sessions, referred to as 'Coffee with the County', will be held from 10:00-11:00 a.m. on Tuesday April 12, 19 and 26.

Departments participating in the coffee hour are:

- Assessor/Taxation
- Board of Commissioners
- Counsel
- District Attorney
- Economic Development
- Juvenile and Parks
- Roads
- Sheriff

The meeting opportunity is not intended to discuss budgets or complaints, rather a proactive opportunity to better understand County functions and staff. The sessions will be held in the Blue Room of the Courthouse Annex, 94235 Moore Street, Gold Beach. Coffee will be provided by the employees.

The Commissioners will provide opportunities to discuss the budget in May and June. (Be advised Commissioners are discussing possible Town Hall Workshops regarding the budget process, but the dates, if held, have not been confirmed yet.)

For more information on services mandated to the County, please see the attached inventory compiled by former County Counsel, Jerry Herbage. For information about County government and statistical data visit www.naco.org/counties-matter.

Att.

MANDATED COUNTY SERVICES
QUICK REFERENCE GUIDE
[2011]

ANIMAL CONTROL (SHERIFF'S OFFICE)

- The County may declare a dog control district. (This has been done.) – ORS 609.030
- The County may hold an election to determine if dogs may run at large. (This has been done.) – ORS 609-040
- Regulation of dogs subject to the provisions of ORS Ch. 609 & Curry County Code [CCC], Article IV
- Dog licenses – CCC §4.01.050
- Complaint process – ORS 609.095 and CCC §4.01.090
- Hearings required – ORS 609.156 and CCC §4.01.170
- Impoundment – ORS 609.090, 609.155, 433.375-.390; CCC § 4.01.090 and §4.01.170

ASSESSOR

- Annual appraisal & assessment of all taxable property in County – ORS Ch. 305, 306, 307, 308, 308A, 309
- Write annual report about the County's appraisal program – ORS 308.050
- Assessment of historical properties – ORS 358.505-.565
- Update & maintain assessment roll and records – ORS Ch. 308
- Create and maintain Assessor's maps of all property in County – ORS Ch. 306
- Maintain record of all property appraisals – ORS Ch. 308
- Process special assessments & exemptions – ORS Ch. 307, 308A, 321
- Collect sales data for FMV – ORS 308.050, 308.210, 308.234, 309.200-.400
- Update property ownership records – ORS Ch. 308
- Ratio review studies – ORS Ch. 309
- Process boundary district changes – ORS 198.747

BOARD OF COMMISSIONERS

- Compensation for elected officials – ORS 204.112, 204.116, 204.126, 209.080
- Elections expenses – ORS 246.250(2)
- County fees – CCC Art. IX, Div. 1
- Code Enforcement – CCC Art. X, Div. 1
- Economic Development – ORS 280.500
- BOC Procedures – CCC Art. I, Div. 7, & 10
- Contract Review Board – County Order No. 12053 as amended
- Provide office to Sheriff – ORS 206.180
- Surveyor expenses – ORS 209.230
- Compensation for DDAs – ORS 8.760
- Appoint ME – ORS 146.065
- Burial of unclaimed bodies – ORS 146.075(5), 146.100, 146.121(4)
- Appoint Budget Officer & Budget Committee – ORS 294.331; 294.336
- Appoint BOPTA pool – ORS 309.067

- Appoint Tax Collector – ORS 311.055
- Appoint Emergency Program Manager – ORS 401.305(2)
- Costs associated with involuntary commitments [custody, medical care, hospital, etc.] – ORS 426.250, 426.255
- Adopt budget subject to local budget law – ORS 294.305-.565
- Levy of taxes- ORS 310.022
- Examine books and papers of County Clerk, Clerk of the County Court, Treasurer and Sheriff of the County – ORS 294.085
- Annual audit of County’s fiscal affairs – ORS 297.405-.555
- Audits of circuit courts, all elected or appointed county officials, & cost account for County road work – ORS 297.515; 297.525
- Creation of County School Fund – ORS 328.015
- Fix number & compensation of employees – ORS 204.116 & 204.601
- Hearings on road vacations, LIDs, road legalizations, ways of necessity – ORS Ch. 368
- Sale of County lands – ORS Ch. 271, 275
- Declare and prosecute nuisances by ordinance – ORS 203.065
- Adopt plan and establish ambulance service areas – ORS 682.062; CCC Art. II, Div. 1
- Responsible for disposal of solid waste – ORS 459.017; choice of operating own facility subject to DEQ permits [ORS 459.205], issuing licenses to private industry providers, or allocating franchises – ORS 459.085; recycling program – ORS 459A.065
- Regulation of County service districts: Curry County Public Transit Service District, 4-H Extension, – ORS Ch. 451
- Local Public Health Authority – ORS 431.375 [automatic unless relinquished to State or contract with private entity]
- Develop a policy on removal of homeless persons camping on public property – ORS 203.077 and County Order No. 9968
- Designate partnership [State, County, private] on juvenile crime prevention & lead agency to develop juvenile crime prevention plan – ORS 417.855
- Establish Local Public Safety Coordinating Council [LPSCC] – ORS 423.560-.565
- Local Board of Health *ex officio* – ORS 431.410
- (1) Must provide sufficient funds for operation of Health Department – ORS 431.510

BOPTA

- Hears and decides property tax appeals – ORS Ch. 309
- Publish public notice of when BOPTA will convene – ORS 309.025
- Keep records of hearings – ORS 309.024

BUDGET OFFICER (CURRY COUNTY ACCOUNTANT)

- Appointed by and acts under direction of BOC – ORS 294.331
- Preparation of budget subject to local budget law, and publication of financial summary and adopted budget – ORS 294.391-.435

BUILDING (PUBLIC SERVICES)

- The County may administer all or part of a building inspection program – ORS 455.150(1)
- Programs run for four years. – ORS 455.150(2).
- The County must appoint a building official. - ORS 455.150(3)
- At any time the County can give notice to the State that it will be abandoning the building program, but in such event it will be difficult to take back the program at a later date. – ORS 455.150(13)

CCPTSD (Curry County Public Transit Service District) – ORS 451.010(1)(h);
ORS Chapter 451

CLERK (Mandated pursuant to Article VI, Section 6 of the Oregon Constitution)

- Maintain County records [BOC, liens/mortgages, deeds, etc.] – ORS Ch. 87, 93, 205
- Maintain Marriage licenses domestic; partnership registration & records, death certificates, – ORS 432.205, 432.405 432.408; 106.041, 106.100; 205.110-.130
- Serves as the County registrar for state vital statistic records – ORS 432.040
- May, but is not required to, solemnize marriages – ORS 106.120
- Collection & distribution of various fees: ORS 203.148(2); 106.045(2) & 205.323
 - (1) Public Land Corner Preservation Fund
 - (2) Domestic Violence Fund
 - (3) OLIS Fund
 - (4) A&T Fund
- Elections – ORS Ch. 246, 247, 253, 254, 255, 258; CCC Art. VII, Div. 1, 2, & 3
 - (1) Board must cover election expenses – ORS 246.250
 - (2) Clerk must register voters, maintain the voter register, deliver and safeguard absentee ballots, publish and distribute voter pamphlets, and process all voter ballots. ORS Chapters 247, 253, 254
- Open 9am-4pm (with exceptions provided for by statute)– ORS 205.242
- Open 7am to 8pm on election days- ORS 246.270
- Appoints BOPTA members from pool; serves as clerk – ORS 309.020-.150

COMMISSION ON CHILDREN & FAMILIES [CCCCF]

- A County Board of Commissioners must establish a regional commission on children and families – ORS 417.760
- A county may enter into an agreement with other contiguous counties to establish one of these commissions - ORS 417.760(1)
- This department, through the local commission, must create a local coordinated comprehensive plan to promote the wellness of children, submit the plan to the Board of Commissioners for approval, and then submit it to the State Commission on Children and Families which determines the amount of State funds to submit to the County. ORS 417.760(1)(c) and 417.787(1)

COMMUNITY CORRECTIONS AND PAROLE AND PROBATION (SHERIFF'S OFFICE)

The County can give this program back to the State under the circumstances outlined in ORS 423.483, with certain ramifications for doing so.

- County responsible for felony offenders sentenced < 12 months - ORS 423.475-.565; post-prison parole & supervision – 137.523; 144.104
- Community-based supervision, sanctions and services – ORS 423.478
- LPSCC participation – ORS 423.560

COUNTY COUNSEL

- Discretionary appointment – ORS 203.145
- Board must provide necessary expenses, personnel, facilities, office space necessary to provide services – ORS 203.145(2)
- Counsel acts as risk manager for the County. The County is liable for its torts and contracts. It can sue and be sued, and these types of activities are processed through the Office of County Legal Counsel

COUNTY SCHOOL FUND

- Although this fund is mandatory, it is a pass through fund. - ORS 328.005

DISTRICT ATTORNEY*

- Prosecution of crimes/violations, general duties – ORS 8.610, 8.650-.670
- Services for prosecution of involuntary commitment hearings including services of DA, costs of transport, costs of hearings, and fees charged by physicians and other qualified persons– ORS 426.100
- Support enforcement – ORS 8.675 [This program was given back to the State in 2000, and it remains with the State.]
- Grand jury – ORS 8.670
- Forfeitures/collection – ORS 8.680
- Assist juvenile court – ORS 8.685
- County must provide office space, facilities, supplies, & “stenographic assistance” necessary to efficiently perform duties – ORS 8.850

***Note: Under many statutes, the DA [a state employee] is required to perform services, although the mandate is not applied to the County *per se*. As a practical matter, a local DA could not perform all of his/her mandated services without County staff & support; some of these services are provided under state & federal grants or IGAs that impose contractual obligations to provide the services. The list above generally only reflects clear county responsibility for specific duties and services.**

ECONOMIC DEVELOPMENT (This is not a mandated department)

- Funding is provided through the Oregon State Lottery, ORS Chapter 461

EMERGENCY SERVICES (SHERIFF'S OFFICE)

- Establish emergency management agency – ORS 401.305(1); CCC Article VI, Division 6 (This may need to be amended.)
- Emergency Program Manager – ORS 401.305(2)
- Shall perform emergency management functions – ORS 401.305(4)&(5)
- Emergency Operations Plan – ORS 401.305(5)
- Emergency Operating facilities – ORS 401.305(5)(a)
- Coordination with OEM, NIMS model – ORS 410.305(5)(c)
- Must participate in 9-1-1 emergency reporting system – ORS 403.115

FAIR (EVENT CENTER ON THE BEACH)

- Discretionary creation – ORS 565.210

FINANCE (INCLUDES HUMAN RESOURCES FUNCTIONS)

- Required to provide various mandated payroll services for employees – pay wages, deduct payroll taxes and other assessments required by state and federal law
- Provide accounts payable services
- Enter into collective bargaining with employees and conform to federal, state and local personnel and employment rules.
- The BOC by ordinance may create the office of County Accountant - ORS 210.100, CCC Art. I, Division 4 (This is not a mandatory position by statute.)

HOME HEALTH AND HOSPICE

- This is a discretionary program that will be spun off from Curry County on June 30, 2011.

INFORMATION TECHNOLOGY [IT]

- Discretionary/administrative services
- Subject to requirements of Public Records law – ORS Ch. 192

JUVENILE

- Establish Juvenile Dept. & appoint 1 or more juvenile counselors – ORS 419A.010(1)(a)
- County responsibility for operating costs of department - 419A.020
- Coordination of youth services through LPSCC – ORS 423.560-.565
- Supervision of youth on probation – ORS 419C.570(1)
- Conduct investigations & provide information to court; designate places of temporary custody – ORS 419A.012; 419A.059
- Report annually to the Oregon Criminal Justice Commission – ORS 419A.014
- Monthly reports to school districts – ORS 419A.015
- May conduct programs for the prevention, reduction or control of juvenile delinquency, including youth centers – ORS 418.025

LAW LIBRARY

- Discretionary creation – ORS 9.840
- Funded by court fees – ORS 9.850

MAINTENANCE

- Requirements of State Building Code – ORS Ch. 455
- Requirements of State Fire Marshall – ORS Ch. 479
- Occupational Health & Safety – ORS Ch. 654
- Elevator maintenance & alarm -
- Fire extinguisher maintenance –

MEDICAL EXAMINER

- Required position/appointment – ORS 146.065
- Investigate questionable deaths – ORS 146.065(1)
- County must pay for expenses for office, equipment, investigations – ORS 146.075-.095
- County must pay for the burial of unclaimed bodies- ORS 146.075(2)

MENTAL HEALTH (HEALTH AND HUMAN SERVICES)

- Discretionary creation of Community Mental Health Program [CMHP] under statute – ORS 430.620; 430.640
- CMHP basic services required *subject to availability of funds* – ORS 430.630; 430.675
- Participation in Jefferson Behavioral Health intergovernmental entity
- BOC must appoint local alcoholism planning committee – ORS 430.342
- Must provide/cover costs of emergency psychiatric care, custody & treatment – ORS 426.241
- Must develop a comprehensive plan for delivery of services – ORS 430.630(11)

OFFICE SERVICES

- This is a discretionary department. However, functions such as copying and mail services have to be provided by someone.

OSU EXTENSION

- County Service District ORS 451.010(1)(i); ORS Chapter 451

PARKS

- Discretionary creation under statute – ORS 275.320
- Regulation under CCC Art. Five

PLANNING (PUBLIC SERVICES)

- BOC must appoint Planning Director – ORS 215.042
- Must maintain comprehensive plan and zoning ordinance - ORS 215.050

- Land use hearings & decisions – ORS 215.406; 197.175
- Coordination with cities & special districts – ORS 195.065
- Coordination with DLCD; compliance with state law – ORS Ch. 195, 197 & 215

PUBLIC HEALTH (HEALTH AND HUMAN SERVICES)

- The county must manage local public health services unless the county relinquishes its health authority to the state or contracts out its health related duties.
- BOC is Local Public Health Authority *ex officio* – ORS 431.410
- Must provide sufficient funds for operation of Health Department – ORS 431.510
- Administration and enforcement of public health laws – ORS 431.416(1); OAR 333-014-0050;
- Investigate & control preventable diseases – ORS 431.416(2)(a); 433.006
- Parent & child health services – 431.416(2)(b)
- Collection and reporting of health statistics – ORS 431.416(2)(c); 432.040
- Information & Referral in health related services – 431.416(2)(d)
- Environmental Health services – ORS 431.416(2)(e); 448.100(1); 448.170(1); 624.495(2); 624.510
- Make immunizations available regardless of ability to pay; provide preventive immunizations to employees – ORS 433.269, 433.416
- Investigate, control and report communicable/reportable diseases – ORS 433.269, 433.006
- Provide family planning and birth control services [within available funds] – ORS 435.205, 431.416(2)(b)
- Declaration, quarantine, enforcement of public health emergencies – ORS 433.035; 433.121; 433.443(4)(a); 433.452
- Investigation/reports of animal bites to humans, rabies – ORS 433.345(1)
- Licensing, inspection & enforcement of tourist facilities – ORS 446.310 to 446.350
- Submit annual plan – ORS 431.385; OAR 333-014-0060

ROAD

- Jurisdiction over & regulation of all county roads, local access roads & trails – ORS Chapters 368, 371, 374, 368.016; CCC Art. III
- Maintain complete cost accounting of County roadwork – ORS 368.051
- Process road vacations – ORS 368.326-.366
- Process road improvements/LIDs – ORS 371.605-.660
- Road legalizations – ORS 368.201-.221; CCC Art. IV, Div. 7
- Abate road hazards – ORS 368.251-.281
- Regulate access onto public roads, gate permits – 368.056
- Manage maintenance and improvement of County roads - ORS 368.016
- Process Facility Permits-CCC Article III Division 4
- Coordination with ODOT & County Planning on Transportation System Plan [TSP] OAR 660-012-0015
- May remove materials unlawfully posted within the rights of way. ORS 368.945

SANITATION (PUBLIC SERVICES)

- This is a discretionary program under which the County has contracted with the State to perform these services. – ORS 454.725
- Program can be terminated with 30 days notice.
- When assuming responsibility for the program, the County must maintain adequate personnel and resources to receive and process applications for evaluation reports and permits for all on-site sewage disposal systems proposed for construction, alteration, repair or connection within the County.

SHERIFF (Mandated pursuant to Article VI, Section 6 of the Oregon Constitution)

- Office in courthouse – ORS 206.180
- Maintain order/arrest – ORS 206.010
- Service of process & warrants, court orders & subpoenas – ORS 206.010(3); 206.030; 105.161; 419B.845; 136.585
- Sell property (Sheriff's sales in judgment proceedings) – ORS 18.758
- Collect fees in certain civil actions, suits and proceedings – ORS 21.410
- Keep records of fees – ORS 206.020
- Serve on the Court Security Advisory Board- ORS 1.180
- Provide security for a jury sequestered or kept overnight when so ordered- ORS 10.125
- Summon additional jurors when so ordered by the Court- ORS 10.235; ORCP 57B
- Perform various functions relating to provisional process- ORCP 84 & 85
- Collect various fees- ORS 21.410
- Have a designated person available during normal business hours to accept service of subpoenas- ORCP 55D
- Enter foreign restraining orders into LEDS- ORS 24.190
- Conduct sales for foreclosure by advertisement and sale- ORS 87.306
- Act as a receiver for certain property under lien (when so ordered)- ORS 87.326
- Remove a group home tenant given termination notice- ORS 90.440
- Conduct sale of unclaimed consigned or bailed property- ORS 98.179
- Comply with a court order in a writ of habeus corpus – ORS 34.380
- Enforce writs of execution – ORS 105.161
- Perform various functions with respect to the Family Abuse Prevention Act- ORS 107.700 to 107.735
- Perform various duties relating to service, LEDS entry and enforcement regarding abuse prevention- ORS Chapter 124
- Dispose of and distribute forfeited property when seizing agency is not the state – ORS 131.594
- Seize and handle stolen live meat animal or fowl, any meat food animal or carcass, vehicles of transport, etc. ORS 133.460 to 133.495
- Provide interpreters to disabled arrestees- ORS 133.515
- Take material witness into custody- ORS 136.611
- Select jurors for an inquest – ORS 146.145
- Enter stalking orders into LEDS – ORS 163.741
- Properly dispose of forfeited deadly weapons – ORS 166.279

- Process, issue, renew and revoke concealed handgun permits – ORS 166.291, 166.292, 166.293, and 166.295
- Sell County- owned property – ORS 275.110-.160
- Must provide jail/correctional facility – ORS 169.030-.677
- Custody & care of prisoners – ORS 169.220, 169.320
- Levy on assets to pay warrant issued by Department of Revenue and Department of Transportation- ORS 314.430, 319.182, 320.080, 323.390, 323.610 and 324.190
- Search & Rescue – ORS 404.120, 404.130
- Must participate in 9-1-1 emergency reporting system – ORS 403.115
- Investigation of reports of child abuse – ORS 419B.020(1); 430.743(2)
- Impoundment of animals that bite humans – ORS 433.355(4); not inoculated for rabies – ORS 433.375(2), 433.385-.390; dogs running at large – ORS 609.090, CCC Art. IV § 04.01.120
- Provide sex offender information – ORS 181.592
- Transports & costs: inmates – ORS 131.415; 136.603; 131.415; 135.767; 206.315; Mental commitments – ORS 426.190

SOLID WASTE

- Solid waste planning & management – ORS 459.017; CCC Art. II, Div. 5, 6, & 7; OARs
- Provide opportunity for citizens to recycle – ORS Ch. 459A
- Send annual post closure reports on Port Orford Landfill to DEQ

STATE COURTS

- County must provide courtrooms, offices, jury rooms & maintenance/utility costs – ORS 1.185(1)

SURVEYOR

- Elected position in Curry County–CCC Art. I, Division 13
- Approve plats of subdivisions and partitions and condominium plats– ORS 92.050(4); 92.100; 100.115(4)
- Approve, mark and record affidavits of correction to plats – ORS 92.170; 100.115(5)
- Perform field, mathematical and office checks of all new cemetery plats submitted for recording – ORS 97.310
- Must act as a commissioner in the establishment of a public land survey corner that is the subject of an action in Circuit Court – ORS 105.718
- Maintain records of all County surveys – ORS Ch. 209
- Establish & maintain all public land survey corners; fees – ORS 203.148; 209.070; CCC Art. IX, Div. 5
- Conduct surveys of county land when a Court orders the county surveyor to do so – ORS 209.020; 209.030
- The Board must compensate the Surveyor, and pay for the surveyor’s materials and other job-related expenses- ORS 209.080 and 209.030.
- Review all surveys for state and local compliance- ORS 209.250(4)

RSVP

- This is not a mandated service.

TAX COLLECTOR

- BOC designated/appointed position – ORS 311.055
- Levy of property taxes – ORS Ch. 310
- Collection of property taxes – ORS Ch. 311
- Foreclosure of tax liens – ORS Ch. 312

TREASURER (Mandated pursuant to Article VI, Section 6 of the Oregon Constitution)

- Receive monies & disburse County payments; maintain records & accounts – ORS 208.010, 208.070
- Prepare monthly financial statements – ORS 208.090
- Annual settlement of debt to BOC – 208.140
- Makes books available to the BOC- ORS 294.085
- County Road Fund – ORS 368.705(1)
- Accept & hold lien deposits – ORS Ch. 87

VETERANS

- Appointment of Veterans Service Officer discretionary – ORS 408.410

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: Discussion On How To Get the GIS System Back Online and Continue The Work Needed To Complete the Product

AGENDA DATE^a: 04-06-2016 **DEPARTMENT:** Com, IT, etc **TIME NEEDED:** 30 min?

^aSubmit by seven days prior to the next General Meeting (eight days if a holiday falls within that seven day period)

CONTACT PERSON: Shelía **PHONE/EXT:** 3296 **TODAY'S DATE:** 03-30-2016

BRIEF BACKGROUND OR NOTE^b: As directed by the Board and County Counsel during Special Meeting on 03-30-2016

^bIndicate 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:

***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: Last Minute Agenda Item Additions

AGENDA DATE^a: 4-6-2016 **DEPARTMENT:** Commissioners **TIME NEEDED:** 10 min

^aSubmit by seven days prior to the next General Meeting (eight days if a holiday falls within that seven day period)

CONTACT PERSON: Tom Huxley **PHONE/EXT:** 3213 **TODAY’S DATE:** 3-29-2016

BRIEF BACKGROUND OR NOTE^b: Citizen comments - late agenda item additions: Suggestions to restrict additions and improve transparency when additions are necessary.

^bIndicate if more than one copy to be signed

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

- (1) Last Minute Board of Commissioner Agenda Additions:
- (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:

^cNote: 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

Subject: Last Minute Board of Commissioner Agenda Additions:

Suggestions to Restrict Additions and Improve Transparency when Additions are Necessary

March 16, 2016

To: Commissioners Brown; Smith,

From: Commissioner Huxley

These are comments and thoughts for further discussion during the April 6, 2016 general meeting.

Following these comments is the full text of an email received March 3, 2016 from Dana Gurnee regarding a last-minute addition to the March 2, 2016 meeting agenda. His point and example raised the question – was the Agenda Item addition really urgent and necessary? If so, the topic and discussion lacked transparency. In this particular example, the letter in question was first signed by me following the meeting. After receiving the email from Dana the following day and reviewing the letter mentioned in his email I noticed the letter was dated 2012 and not 2016. Fortunately the letter had not yet been mailed as Commissioner Smith had not signed it.

Currently any addition to any commissioner meeting that is submitted after the submittal deadline is NOT available for public review. These late additions are added (in red text) to the meeting Agenda document commissioners are provided prior to the meeting. A supplemental packet with any additional associated document(s) is also provided to commissioners prior to the meeting. None of this information is available to the public for review prior to, during or after the meeting.

Thoughts for consideration prior to discussion April 6, 2016:

- Is the Agenda addition being considered really an emergency or can it wait until the next meeting?
- Post any amended Agenda online at least 24 hours prior to the scheduled meeting
- Have a few hard copies of the amended Agenda available for interested citizens at the meeting
- Post any supplemental (late submissions) documents online at least 24 hours prior to the meeting
- Have a few hard copies of these (late submissions) documents available for interested citizens at the meeting if the document(s) are not lengthy
- Regardless of whether copies of late submissions are available to those attending the meeting, letters such as was the case in the example above should be read in their entirety prior to discussion or approval by commissioners.

Full Text of March 3, 2016 Email:

Hello, Commissioners:

At your March 2, 2016, meeting, there was a last-minute addition to the agenda – whether to approve a letter drafted by Commissioner Smith on the matter of BLM road closures.

Or so I gathered. No copies of the letter were made available to the public; the letter was not read aloud; and there was no discussion among you before your quick unanimous vote to approve Smith's letter. (Smith did promise after the meeting to e-mail me a copy of the letter. I have not received it yet.)

I know that there are emergency situations when it's truly necessary to add agenda items at the last minute. I was 10 minutes late to this meeting, so I do not know whether an emergency justification was set forth.

But I fail to see an emergency here. Smith knew many weeks ago that the day would come when BLM would make recommendations about road closures. The foregone conclusion all along has been that BLM would do something that Smith did not agree with; it was only a matter of degree, of which alternative among several would be decided upon by BLM. (In May 2015, I saw Smith at the BLM public meeting at Mill Casino, at which various alternatives were revealed.)

Smith could have asked long ago for preemptive Board support of this letter, or one similar to it. And four or six weeks ago, he could have had this letter matter heard as a regular-meeting agenda item, upon which the public could have commented. Then, with or without public support, you three as a body could have proceeded today with a bit more ... don't know the exact word, but this one is close ... decency.

I know how Smith objected to the emergency declaration within that minimum-wage legislation just passed in Salem, and how he lamented that an emergency declaration forecloses a quick citizen referendum. Well, I don't see a difference in principle between that emergency declaration and today's use of a last-minute addition to the agenda. Both techniques are designed to minimize citizen "interference."

This inconsistency reminds me of the old joke involving, I believe, W.C. Fields.

Fields asks a woman if she would sleep with him for a million dollars.

She says that she would.

Fields then asks her if she would sleep with him for ten dollars.

She takes great offense: "Goodness, no! What do you take me for?"

Fields replies, "Madam, we have already established what you are. We're just discussing a price."

– Dana Gurnee, Port Orford



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Coos Bay District Office

1300 Airport Lane, North Bend, OR 97459

Web Address: <http://www.blm.gov/or/districts/coosbay>

E-mail: BLM_OR_CB_Mail@blm.gov

Telephone: (541) 756-0100 Toll Free: (888) 809-0839 Fax: (541) 751-4303



IN REPLY REFER TO

5400/1792 (ORC040)

Six Twigs Environmental Analysis (EA)

DOI-BLM-OR-C040-2013-0003-EA

FEB 01 2016

Mr. Rocky McVay
Executive Director
Association of O&C Counties
P.O. Box 2327
Harbor, Oregon 97415

Dear Mr. McVay:

The Myrtlewood Field Office is finalizing the Six Twigs Environmental Assessment (EA) that will soon be available for public comment. I want to give you the opportunity to review the roads that will be proposed for closure following management activities. The Six Twigs EA contains analysis of conducting 217 acres of regeneration harvest treatments which will potentially provide timber sales for the Coos Bay District in 2016-2017. Please see the enclosures, which include a spreadsheet and map showing these proposed road closures.

The spreadsheet displays the roads longer than 0.25 miles in length on BLM lands that the Field Office plans for decommissioning. You will see on the map there are numerous spurs less than 0.25 miles planned for decommissioning, existing roads behind existing gates, and roads located on private lands planned for decommissioning. These roads are not included on the spreadsheet. All dirt/natural surface roads that are constructed or reopened will be decommissioned. If you require further information on these roads or the project area, please feel free to contact Matthew Wells at (541) 756-0100.

Sincerely,

Patricia M. Burke
Coos Bay District Manager

Enclosures

David Brock Smith

From: Dana Gurnee <[REDACTED]>
Sent: Thursday, March 10, 2016 10:39 PM
To: David Brock Smith
Subject: Re: Letter re Road Closures

Dear Commissioner Smith,

And I thank *you* for your prompt and full responses.

No need for apologies. But rather than feeling on top of things, I feel buried by them!

From: [David Brock Smith](#)
Sent: Thursday, March 10, 2016 8:44 PM
To: [Dana Gurnee](#) ; [Julie Schmelzer](#) ; [Brett Webb](#)
Subject: RE: Letter re Road Closures

Mr. Gurnee,

Thank you for your response and the thought put into it. My apologies to you if my comments came off snide, as it was not my intention. I do appreciate your engagement and I do find that you are on top of things. Again, thank you for your reply and have a good evening.

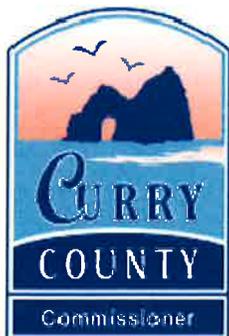
Best,

David Brock Smith

David Brock Smith, Commissioner
Curry County Board of Commissioners
94235 Moore St., Suite 122
Gold Beach, OR 97444
541-247-3260
SmithD@co.curry.or.us

In compliance with Oregon public meetings law, this message is intended for the listed recipient(s) only. Please do not forward this message without the express permission of the sender.

“Extraordinary measures were required and I realize that not all of these steps were popular.” Governor Tom McCall.



commissioners, and I am disappointed in them, too, for not resisting in any way the use of what amounts to a claim of emergency.

Lastly, I'm puzzled, Mr. Gurnee, that you are not alarmed by the fact that no executive session was posted on the agenda (other than a placeholder) nor added to the agenda by the Chair, until of course the end of the meeting. To which the Chair only read the ORS associated with the 3 different topics he wanted to discuss and to which I forced more disclosure as to the subjects to be discussed, after which I opposed the Executive Session. There was never ANY information shared, as to what the Chair read, he did not supply me or staff any documentation, to this day. I know that you are always on top of these things, so again, it's odd that this is not a concern to you. Although, maybe the Chair discussed this with you at the point when I saw you both speaking quietly in the hall during the break in the meeting before the executive session.

Given that executive sessions are a special animal and are by definition private, and are by their nature outside of citizen scrutiny, I can't expect to know anything about them, I don't feel entitled to details, and I don't feel alarmed that such sessions are held in this way. I trust that the County Counsel and the media will somehow establish an atmosphere where abuse will not occur. As for me being "always on top of these things," I certainly am not on top of anything! I hope you are being snide! I hope you are not implying that I somehow have an inside track.

In the hallway, the Chair did not discuss with me anything of an executive nature. I am tempted to be insulted that you would expect me to solicit anything that is privileged, and that I would even allow such information to be volunteered by an insider. I'm willing to guess on such matters with other outsiders, but I hope never to be in a situation in which I'm told something I should not know.

Although it is not your business, I will tell you what Commissioner Huxley and I were talking about: It was the chronology of his citizen complaint against you, in lush detail. I told him the same things that I posted on Facebook pages, to which you replied at length: that to me, the troubling aspect of the whole complaint affair was the confusion and lack of clear procedure that exists when a citizen believes he is being mistreated in illegal fashion by an elected official. I pointed out to him that the whole thing worked poorly for BOTH of you. That's it!

Well, Huxley and I also agreed that John Huttli looks to be an excellent catch for County Counsel. My opinion is due, in part, to Huttli's clarification of your DOJ letter – i.e., that it did not "clear" you, as you suggested, but said instead that there wasn't the evidence to proceed. I think that everyone knows that "there isn't evidence to investigate" is just about the best exoneration you will ever get from a DOJ, and that it is a victory for you. (It's like a jury verdict: a person is not declared innocent, he is declared not guilty.) And I appreciated Huttli's precision and neutrality. I hope you did, too, and I hope all of us will discover that he serves us well.

Thank you for your interest, Mr. Gurnee.

Thank you for your time, Commissioner Smith. (More replies below.)

Best,

David Brock Smith
David Brock Smith, Commissioner
Curry County Board of Commissioners
94235 Moore St., Suite 122
Gold Beach, OR 97444

541-247-3260

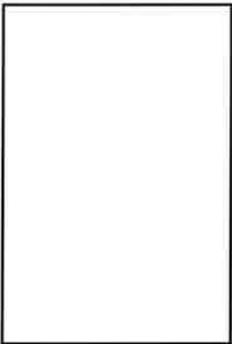
SmithD@co.curry.or.us

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Because you included them in your e-mail to me, I am including Brett Webb and Julie Schmelzer in my reply, but not understanding why they were included in your e-mail to me. Come to think of it: Does your forwarding of my message to them not comply with the Oregon public meetings law cited above? Might you tell me why Brett and Julie are in this loop?

“Extraordinary measures were required and I realize that not all of these steps were popular.” Governor Tom McCall.

Also from Tom McCall: “We want you to visit our State of Excitement often. Come again and again. But for heaven's sake, don't move here to live. Or if you do have to move in to live, don't tell any of your neighbors where you are going.”



On Mar 2, 2016, at 4:49 PM, Dana Gurnee [REDACTED] wrote:

Hello, Commissioners:

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conclusion all along has been that BLM would do something that Smith did not agree with; it was only a matter of degree, of which alternative among several would be decided upon by BLM. (In May 2015, I saw Smith at the BLM public meeting at Mill Casino, at which various alternatives were revealed.)

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– Dana Gurnee, Port Orford

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March 16, 2016

To: Commissioners Brown; Smith,

From: Commissioner Huxley

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– Dana Gurnee, Port Orford



CURRY COUNTY BOARD OF COMMISSIONERS

MINUTES – GENERAL MEETING

Wednesday, March 02, 2016 –10:00 A.M.

Commissioners' Hearing Room, Courthouse Annex
94235 Moore St., Gold Beach, Oregon 97444

Commissioners Present: Chair Thomas Huxley, Vice-Chair Susan Brown, David Brock Smith

Support Staff Present: County Counsel John HuttI, Administrative Assistant Shelia Megson

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Commissioner Huxley called the meeting to order at 10:00 a.m. The Pledge was recited by all.

2. AGENDA AMENDMENTS

a. **ADDITION: Item 9.k. Budget Calendar Workbook**

b. **ADDITION: Item 9.l. BLM Road Closures Letter**

c. **ADDITION: Item 7.a. Letter from Department of Justice Clearing Commissioner Smith of Unsubstantiated Accusations of Records Tampering made by Thomas Huxley**

Motion by Commissioner Smith to approve the additions of items 2.b. and 2.c. Commissioner Huxley would like to include item 2.a. only as a handout but not for discussion. Smith said that he did hope for some discussion on item 2.a. in order to put positions and strategies in place. Smith amended motion to include item 2.a., second by Commissioner Brown. Motion carried unanimously.

3. APPROVAL OF AGENDA

(Commissioner Huxley declared it was approved. No motion or vote.)

4. PRESENTATIONS TO THE BOARD

a. **20 Years of Service - Shelley Denney – Clerk**

County Clerk Kolen presented Clerk Denney with a certificate for 20 years of service. She said what a pleasure it had been to work with such an asset to the County. Kolen thanked Denney for choosing to work at the County and then choosing to remain during challenging times. Commissioner Smith thanked Denney for her work and helping him many times over the last decade. Kolen thanked the Board for having the recognition program.

5. PUBLIC COMMENTS

County Counsel HuttI handed out a newspaper article and said that he would like to recognize the Sheriff and some Deputies that received an award from the Coast Guard for a life-saving event during 2014. The Coast Guard awarded Terry L. Brown with the Gold Lifesaving Medal. Logan Couch, Sheriff John Ward, and Kyle Kennedy received the Silver Lifesaving Medal, Certificates of Valor, and the Meritorious Public Service Award respectively. Sheriff Ward was asked to recount the situation. He shared the chilling water conditions, attempts to use life-line ropes that were just not long enough, kayaks that would not remain upright in the rough waters, and acts of heroism by the participants that put their own lives in danger to save a boy in the ocean rip current.

k. ADDED: Budget Calendar Workbook

Huxley gave a printed handout of the workbook and said it had three pages of administrative rules from County Accountant Short. He talked about the schedule of the Budget Committee last year and said he wanted input from the lay members this year. The Board directed Administrative Assistant Megson to call Sam Scaffo concerning scheduling. Megson verified that lay member Hanscam had responded with a preference of the last two weeks offered. Huxley said that there was a letter emailed out with six points from Short on February 04, 2016 and said that they had already decided to have County Counsel work with Short to see if there would be participation.

Commissioner Brown said staff wanted direction to know when to have their budgets completed. Huxley said that he would like to be firm on the dates beginning May 09, 2016, but would defer that and ask Short. Brown said that staff had already been given direction on how to build their budgets. Smith asked if it was to build status quo budgets with the assumption of using Road Department monies. All agreed.

Commissioner Huxley said that he wanted County Counsel Huttel to ask Short to perform as the Budget Officer and then tell the Board what the deadlines are. As the Budget officer, Short would prepare the budget message and then bring it to the Board. Commissioner Smith again expressed hope that Short would engage in a contract with the County.

l. ADDED: BLM Road Closures Letter

Commissioner Smith said that he asked to add this item since he would like to take it with him to an AOCC meeting that afternoon. He said that Commissioner Brown had spoken about the subject at the last General Meeting. Motion to approve by Smith, second by Brown. Motion carried unanimously.

10. CONSENT CALENDAR

- a. **Workshop Minutes 12-09-2015**
- b. **Special Meeting Minutes 01-26-2016**
- c. **Workshop Minutes 02-02-2016**
- d. **Workshop Minutes 02-03-2016**

Motion to approve by Commissioner Smith, second by Commissioner Brown. Commissioner Huxley said that he wanted to address a few things on the minutes. Smith told Huxley that a procedure had been put in place that allowed ample time for review, accessible to all persons involved, a way to suggest modifications, a way to track what changes were made, and have a finished product before presenting to the Board. He suggested that Huxley utilize that system as everyone else does, print them, take them home, and use rainbow colors on them if he so wished, instead of using time during the Board meetings. Huxley said that he had just looked over them during the weekend and there were radical fixes needed that were not caught by the others during review. Smith said that he could have suggested any needed fixes utilizing the system on the computer prior to the meeting. Huxley said that he would if he had the time, but otherwise he would continue to bring them to the Board.

Commissioner Huxley pointed out a section on the minutes that he didn't understand. He said it had claimed within the minutes that he had said that the video would be a good one hour length.

In another section it had claimed that he did not like the use of the word ‘reasonable’. It was determined that he had used those phrases and was remembered by the other participants. In a separate section he expressed concern that the dirt fill lost in the sinkhole had been shown as 60-65 yards of material but it should include the word ‘thousands’ to adequately convey the actual amount. Everyone agreed the change was needed. He liked the use of the word Commissioner and titles for participants within the text instead of being in a header key.

Commissioner Huxley asked for a motion. County Counsel Huttl suggested a friendly amendment to the existing motion. Commissioner Smith asked for clarification on the wanted change and amended his motion to include it, Commissioner Brown agreed to the change. Motion carried unanimously.

11. COMMISSIONER UPDATES/ LIAISON & STAFF REPORTS

a. Notice of Grant Award-RSVP – Commissioner Brown

Commissioner Brown informed that the grant had been awarded and her efforts will bring to the County \$40,000 per year. Commissioner Smith congratulated her and thanked her for her work on it.

Commissioner Smith said he had been working with the Juvenile Director and the Roadmaster to expand the park system. During the prior week he attended a summit in which Red Fish Rocks Marine Preserve had made a presentation and showed the benefits of the project done here in the County. A dive tank fill station has been put in place. He also attended a salmon industry meeting and they are working on the Oregon Preferred Option to advocate for local fishermen. Smith also informed the Board that he had provided an impromptu testimony concerning HBR 202 for veterans and would bring more funds to the County from lottery income.

Commissioner Huxley said that County Counsel Huttl, Personnel Coordinator Swift, and Curry Community Health Director Dukek had discussed the option of working with an outside firm to find a candidate for the open County Accountant position. The fee would be 25% of the offered salary. He asked for consensus from the Board to continue to move forward on this since they had not yet gotten and viable candidates to apply. Commissioner Brown asked if that included the candidates already interviewed as well as two new applicants. Huxley said that it did include all of the mentioned candidates except that he had not yet seen one of the recent applications. Huttl said that the agency would bring candidates for consideration matching the criteria that would be provided to them by the County.

12. ANNOUNCEMENTS

Commissioner Huxley read the list of announcements after Item 13.

13. EXECUTIVE SESSION

Commissioner Huxley announced to adjourn to Executive Session and read the ORS reasoning. He said it would be to consider adding another ORS reason to the upcoming already noticed Executive Session on March 09, 2016. Smith said that past procedure had been to publish the topic to be discussed in the Executive Sessions yet lately had only seen the ORS numbers given recently. Smith also expressed concern of the recent procedure of directing staff to proceed as discussed when back in open session. He felt that was too vague a description. He also pointed

- e. **Resignation from the Safety Committee J. Herbage – Counsel**
Motion to accept by Smith, second by Huxley. Motion carried unanimously.
- f. **Appointment to the Safety Committee C. Johnson – Counsel**
Motion to appoint by Smith, second by Huxley. Motion carried unanimously.

10. Consent Calendar

- a. **MasterCard Request B. Starbird, County Counsel Legal Assistant**
Motion to approve by Smith, second by Huxley. Motion carried unanimously.

11. Commissioner Updates , Liaison and Staff Reports

- a. **Community Development Activity Report**

Brown thanked Johnson in absentia for submitting this report and remarked on her surprise concerning the data. She said that polls indicate positive public opinion and interaction and would like more departmental reports.

Smith requested a change of a general meeting date in December. He is scheduled at that time for a sustainable forest meeting which is of high value to the County. He also added that the general meeting would need to include an Executive Session to discuss potential litigation and there would be an attorney present. There was consensus to move the meeting to the following day after Community Development's public hearing.

Smith said that he has been working with Curry Citizens for Public Land Access. They have worked on grading, clearing, and have their own equipment. They have an MOA with various federal agencies like BLM and US Forest and Ag services. According to RS2477, any roads prior to 1905 in the federal system cannot be 'closed' now. He would like to bring this matter to the Board by 17th or first of the year for coordination to make sure roads are not closed by federal agencies. He sent a letter to them yesterday and to Rob McWarder.

Smith talked about the concept of sister counties that help each other in times of need. He suggested that they consider sistering with Klamath. It is far enough inland that if the Cascadia event does happen they should be okay and that they have road reserves. He will get information for the partnerships.

Smith thanked the Board for passing the Malheur County support letter in opposition of the proposed National Monument. Another issue had come up and the State Representatives and Senators were looking for funding streams for it.

Huxley said that he did not make the deadline for submitting agenda items so he wanted to address a topic during Commissioner Updates. He read from what he called a memo that he had written to the Board and gave copies to the Board. He said the letter subject was "Request that the Curry County Board of Commissioners direct Todd Weeks to coordinate with and provide the State of Oregon Geospatial Enterprise Office (GEO) staff remote access to all software effecting or related to GIS currymap.org so that they may see where the web app currently stands." He said that things during the last two months make the county dependent on one individual. He said Weeks was directed to remove all access from Keith Massie and anyone from Lane Council from the GIS system and no other changes were to be done. He said that Weeks had responded unprofessionally but did as he was directed. Immediately afterwards, the entire system was offline. He had advised that he had received various letters from the cities

concerning GIS and that they did not have access or correct passwords. He talked of various attempts that he had coordinated for access to the system were unsuccessful due to a firewall block. He talked about the workshop concerning GIS in September. GEO officials have been given information during this time. Cy Smith, the senior officer from GEO, said that he would be willing to help without cost to the County. Huxley said that he recently created what he called a Final GIS information packet.

Smith asked that directions from the Board to a department head be given without derogatory comments during the delivery. Smith asked where the current statuses of the contract with Massie as well as the letter that was sent to him requesting a response. Brown said there were no contracts. Smith said that there had been a contract for service and that is what he is addressing. Huxley said he had a zip file with correspondence between Brown and Massie. Smith said that an Executive Session had happened concerning this topic and that the result had been to send the letter to Massie. Herbage said that Assistant Counsel had informed him that a response had not yet been received but that the given period of thirty days had not expired. Smith said that he appreciated Huxley getting consultations and asked if he consulted with the County IT Director. Huxley replied that he had not. Based upon the correspondence that had gone between IT and Brown, he felt that communication with him would cause a confrontation.

Smith said that a firewall being present to block outside access would be normal to protect our systems. He said that the IT department doesn't do anything to the program, does not use the program, does not code the program, and only housed in inside the server machines in the basement. IT did not have the expertise to manipulate the GIS at all so he suggested moving it to another department that has people that do use it. Rob Schafer in the Roads Department is such an individual and was requested access by Huxley. Motion by Smith to give the GIS to the Road Department. Motion died for lack of a second.

Huxley said the motion was a knee-jerk reaction. He said that his concern was that things had happened that showed there were indeed changes such as exemplified by Lucas with screenshots of the site at different times. If the GIS were to move then it would further open access permissions and he'd want to figure out if this was sabotage first. Smith said that the person that would have access is one that they had already tried to give access, Rob Schafer. Huxley said that the motion was not prudent at this time.

Brown said that she would like the state to look into the situation and take things slow. Smith asked Huxley who he wanted to have access. Huxley replied naming Cy Smith and his staff as well as Schafer from the County Road Department.

Smith asked if Weeks would have a problem with any of those individuals having access. Weeks said that he just gotten wind about this discussion and had not been notified to it. He explained that he knew Cy Smith and has a high opinion of him. He said that Cy had actually worked with Massie to put in place things used by the County. Weeks explained that he had received a request from a subordinate in another department to access a system under his department. This was a direct security issue and had not gone through proper channels. He suggested they should have gone to their manager to handle this issue. Weeks said that he would be happy to work with Cy Smith on this issue and security of the County system will continue at a high standard.

Commissioner Smith left the meeting.

Trost shared his opinions on the use of those properties and shared his idea of an annual park pass that the public would purchase as revenue to the County and increase use and attention to the eventually developed properties. He also brought up that there are two working County Parks yet the large wood map in the Commissioners' Hearing Room showed five. He said a lifetime pass should be offered for people to find them. Schmelzer said that the Parks Department is on that is making money and has exceeded budget income annual predictions. She also suggests that we need a dog park.

A lot on Langlois Mountain Road had been gifted to the County for a right-of-way and should be transferred to the Road Department. The County shop is currently used for Road Department stockpile and could also be utilized for tsunami equipment storage. The property should be transferred to the Road Department. Misty Lane could be developed and provide access to Sixes River and should be transferred to the Parks Department. She wanted to address the County highway shop in three separate parcels. One of the lots is across the river is not accessible to roads so therefore should be traded. The remaining two should be transferred to the Road Department. Menasha Bar which is a rock source and a right-of-way on Boat Basin Road should both be transferred to the Road Department. A rock source near the south end of the Chetco River is surrounded by other quarries and should kept and transferred to the Road Department. There was consensus to proceed with those properties as presented.

Schmelzer said she would bring all of the properties to the Board at the next available General Meeting after the transfers were prepared. Smith thanked Schmelzer and the task force. He thanked Jay for work in the Parks Department. Schmelzer said she will bring more properties for discussion to the Board and warned that the decisions will be more difficult.

Resident Carl King told the Board how some deed restrictions apply in another state. Smith said that if the properties were transferred into other departments or developed for use then it would be more beneficial to the County than receiving a small percentage of money from selling them.

Huttl asked if transferring the properties was referring to actual deeds or if only talking about budgetary entries. Existing deed restrictions and covenants would need to be researched. Schmelzer told him that the task force had summarily reviewed the restrictions. Huxley gave an example of a deed having a clouded title issue and wanted to know if the County would look into them more to avoid such things. Brown said that Counsel would be utilized for that.

DISCUSSION TOPIC 2: Public Records Request Policy

Huxley handed out a document that he prepared to each board member and said that he wanted to go over some background. He had sent three pages of revisions that he would like in the policy to the Director of Administration. Those suggestions were included as well as other comments and then sent to Department Heads as well as the Commissioners. He suggested that the sharing of the information could be a public meeting and records law infraction and that the staff should not do this in the future. Schmelzer said that the other Commissioners had not replied to all like he did so therefore they did not violate law. Huxley said that any information from a Commissioner should not be shared with the others concerning topics that may be in future discussion.

9. **NEW BUSINESS**

a. **RSVP Continuation Grant Discussion – Commissioners**

Commissioner Brown updated the Board and said that this needed to be filed by next Friday. It is an increase in funding but requires a 30% match. It is difficult since this is before budget discussions. It will begin on April 01 so will cross fiscal budget calendars. Commissioner Smith said it is an important service not only to the County but the residents. Brown thanked the Board for recognizing the importance. Brown said that they had cleaned up most of the audit problems with a minor one left concerning a job description. She will submit for the grant and will then bring it back to the Board. Motion by Smith to allow Brown to move forward with signature authority under this focus, second by Brown. Motion carried unanimously.

10. **OLD BUSINESS**

GIS Discussion – Commissioners

Motion by Smith to move forward with the recommendation by Assistant County Counsel to have Assistant County Counsel and staff work with Massie to bring the GIS system up to the standards that were in the contract, second by Brown for discussion. Legal Assistant Starbird got Assistant County Counsel Kudlac on the speaker phone. Commissioner Huxley said he had some confusion so was glad to hear the motion again. Smith pointed out that the motion would not hinder any other possible issues that might be going on.

Commissioner Huxley passed out a handout of steps that he wanted followed. The Board had not previously seen this document. **He said that he would be in agreement of the motion if the steps were included.** He said that the list was pointed and talked about why the steps were needed. Brown said that it looked like normal items for doing contracts.

Commissioner Smith asked Kudlac to expound on the communications with Massie and Columbia Cartographic. She explained that he had agreed to do the work necessary to finish the agreed upon scope within the contract. Smith asked Huxley if the steps he was submitting would allow the scope of work already paid for and the software to be done. Huxley replied strongly affirmative. Smith asked if the final acceptance of the test plan were included. Huxley answered in the affirmative.

Smith directed Administrative Assistant Megson to hand a copy to IT Director Weeks. Weeks said that the document had not been shared publicly and could have been included in the meeting packet but was not. Smith asked Weeks if he immediately saw any issues with the suggested steps. Assessor Kolen requested a copy of the handout. Kolen said that his first reaction to it would be the question of allowing volunteers into the system. He then added that he hoped that the steps did not create onerous hoops for Massie to jump through. Brown said that the volunteers would be the cities which are vested partners in the project. Kudlac, Weeks, and Smith all said they did not have a problem with accepting the steps if they were to not hinder Massie working with staff and altering the original contract at all. Huxley said that if the steps on his handout were included then he would guarantee success. **Motion to amend his original motion by Smith to implement the steps on Huxley's handout, second by Brown.** Smith and Kolen both expressed happiness that the project would be allowed to move forward. Smith thanked Kudlac for all her work on this. Motion carried unanimously.

i. ADDITION: Letter of Opposition to SB 1532 A Minimum Wage Increase

Commissioner Smith said that the timing of this issue would not allow him to wait until the next meeting and is currently happening in the legislature. He said that there have been many documents from various bureaus and counties concerning this matter. He addressed this while working in Salem and there were six hours of testimony or debate. He said that the increase was being pushed through a short session and absolutely should not be. This letter says that in the end it should be left to the vote of the people instead of legislators deciding something critical on a short session.

He feels there are very good reasons to be against the increase besides the rushed decision. The CPI increases the State minimum wage already which is the same for determining the raise for our seniors on Social Security. This will take many beyond the qualification limits for healthcare or other benefits and negatively affect nonprofits. The inflation that happens from every increase will impact the most on the ones that are supposedly helped with the increase. The increased cost of goods will push up product prices and therefore negate any savings to the people that come here due to no sales tax. He said that the push for the increase is union backed who will then demand equitable increases in all the pays. Smith said that County Accountant Short has said that such a move could cost the County an additional \$717,000.

Commissioner Brown said it was unfortunate the way this was being pushed though. She said it does not solve poverty. The County has high percentages of poverty in every city and Oregon is one of the highest in wage rates. The County is in need of real living wage jobs and not just service industry entry positions. Motion to support the letter by Smith, second by Brown. Motion carried unanimously.

10. CONSENT CALENDAR

- a. Master Card Request J. Hensley – Sheriff**
- b. Approval Meeting Minutes 01-20-2016**
- c. Approval Meeting Minutes 01-27-2016**
- d. Approval Meeting Minutes 11-04-2015**
- e. Approval Meeting Minutes 11-24-2015**
- f. Approval Meeting Minutes 12-21-2015**

Commissioner Huxley said that on item d. the word ‘resignation’ should have been ‘retirement’. He would like the titles of the Commissioners and positions shown each time they are presented in each paragraph to show respect instead of just a key at the top. Commissioner Brown said that it would remind people. They directed Administrative Assistant Megson to make the changes. Motion by Commissioner Smith to approve, second by Brown. Motion carried unanimously.

11. COMMISSIONER UPDATES/ LIAISON & STAFF REPORTS

- a. Surveyor January Report**
- b. Community Development Activity Report**

Commissioner Brown said that are some proposed road closures through BLM lands and access for the O&C activities could be affected. She forwarded it to the Roadmaster to find out if any

County owned roads would be affected as well but he had said no. She said that since they were moving into budget season, she suggested maybe having budget town halls in all three cities.

Commissioner Huxley said that he had seen an email from the Juvenile Department asking if there had been a budget direction given and asked the Board. Smith and Brown said that there had not yet been one but will be addressed at a coming meeting. He reminded the Board of his time schedule last year while participating on the Budget Committee. There was consensus to add the budget direction to the March 02, 2016 general meeting agenda.

Commissioner Brown left the meeting.

Commissioner Smith said that the proposed IP28 corporate tax is a serious concern and has some opposition. It is an additional 2% tax on any sales over \$25million. He asked that the added special meeting and requested that the date be moved so that he could attend. It was agreed to move it to Friday February 26, 2016 at 10:00 a.m. with County Counsel Huttl communicating with Commissioner Brown. He also wanted to address the scheduled joint Board of Commissioners and Planning Commission meeting that he will not be able to attend. All of his experience has taught him many times that the two should not be meeting together and could open up decisions for appeal reasons on land use issues. Huxley said that the issue of regulations concerning the marijuana industry had been added to the agenda of that meeting since it would be during the night hours and they would get more public comment. Huttl said that the cautions are legitimate, but there will be no decisions, and it is a workshop so it should be alright. Planning Director Johnson said that she had done lots of meetings together like that. Smith reminded the Board that Oregon has strict land use rules. The Planning Commission is able to make some decisions without the Board. Huttl said it is an overall and not quasi (single applicant) discussions so he is more comfortable with the scheduled meeting.

12. ANNOUNCEMENTS

Commissioner Huxley read the announcements.

13. EXECUTIVE SESSION

(None.)

14. ADJOURN

Commissioner Huxley adjourned the meeting at 1:35 p.m.

Respectfully Submitted,
Shelía M. Megson

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: Draft Ordinance Regarding the Taxation of Cannabis

AGENDA DATE^a: 04/06/2016 **DEPARTMENT:** Counsel **TIME NEEDED:** 45 min

^aSubmit by seven days prior to the next General Meeting (eight days if a holiday falls within that seven day period)

CONTACT PERSON: John Hutt **PHONE/EXT:** 3218 **TODAY'S DATE:** 3/30/2016

BRIEF BACKGROUND OR NOTE^b: Workshop directive was to prepare a draft tax measure for the November ballot

^bIndicate if more than one copy to be signed

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

- (1) Two Examples of how the Ordinance Could be Drafted
- (2) Tax Facts Sheet

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:
Email:

Due date to send: / /

^cNote: 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

Marijuana Tax



www.oregon.gov/dor/news

Temporary tax on recreational sales by medical dispensaries

- Approximately 400 dispensaries will be participating in the temporary tax on recreational sales by medical dispensaries tax program authorized by Senate Bill 460.
- A 25-percent point-of-sale tax on recreational marijuana sales by medical dispensaries starts on January 4, 2016. Medical marijuana still isn't taxed.
- Dispensaries can sell marijuana seeds, dried leaves, flowers, and non-flowering plants for recreational use from October 1, 2015 to December 31, 2016, while the full retail program is established.
- Returns must be filed quarterly and taxes remitted monthly.
- The safety and security of Revenue staff and our taxpayers is one of our top concerns. We're putting a lot of thought and effort into the design of our payment and cash-handling procedures to mitigate any risks to the physical safety of our employees or any visitors to our building.

Marijuana tax program (Retail)

- The permanent tax rate on recreational marijuana is 17 percent.
- Estimates indicate approximately 350 licensed retailers in 2015–17, and approximately 550 licensed retailers in 2017–19.

Tax collection

- Tax returns are due quarterly.
- Tax payments are due monthly.
- We won't be involved in the administration or collection of local taxes.

Revenue disbursement

Per House Bill 2041 (2015), we'll use marijuana tax revenue to cover our costs for administering the marijuana tax. After that, money will be distributed as follows:

- Common School Fund: 40 percent.
- Mental Health, Alcoholism, and Drug Services Account (ORS 430.380): 20 percent.
- State Police: 15 percent.

- Cities, for local law enforcement: 10 percent.
- Counties, for local law enforcement: 10 percent.
- Oregon Health Authority, for alcohol and drug abuse prevention, early intervention, and treatment services: 5 percent.

The formula for disbursements to cities and counties will be determined by population through July 2017. After this date, disbursements will be determined by the number of licenses issued by OLCC in a given area. Areas that prohibit recreational marijuana facilities won't receive any marijuana tax revenue.

For more information on the temporary tax on dispensary retail sales or the retail tax, visit the tax program's webpage at www.oregon.gov/dor/marijuana.

Title and Purpose

This ordinance shall be known and may be cited as the "Marijuana Retail Sales Tax Ordinance of the Curry County."

The purpose of this Ordinance is to impose a tax on the sale of marijuana items by a licensee under ORS 475B.110 (retail licensee) to the fullest extent possible under ORS 475B.345 (local tax option), and to adopt local rules and procedures to administer such a tax.

Definitions

As used herein, words shall have such meaning as defined in ORS 475B.015 and ORS 475B.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) "Licensee" means a holder of a recreational marijuana retail license under ORS 475B.110 and the rules promulgated thereunder.

(2) "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.

(3) "Consumer" means a person who purchases, acquires, owns, holds or uses marijuana items other than for the purpose of resale.

(16) "Marijuana items" means marijuana, cannabinoid products, cannabinoid concentrates and cannabinoid extracts.

(2) "Cannabinoid" means any of the chemical compounds that are the active constituents of marijuana.

(6)(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:

(A) Usable marijuana by itself;

(B) A cannabinoid concentrate by itself;

(C) A cannabinoid extract by itself; or

(D) Industrial hemp, as defined in ORS 571.300.

(7)(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:

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

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

(14)(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.

(15) "Marijuana flowers" means the flowers of the plant genus Cannabis within the plant family Cannabaceae.

(17) "Marijuana leaves" means the leaves of the plant genus Cannabis within the plant family Cannabaceae.

(20) "Marijuana retailer" means a person who sells marijuana items to a consumer in this state.

(22) "Mature marijuana plant" means a marijuana plant that is not an immature marijuana plant.

(23) "Noncommercial" means not dependent or conditioned upon the provision or receipt of financial consideration.

(24)(a) "Premises" or "licensed premises" includes the following areas of a location licensed under 475B.110:

(A) 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;

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

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

(28) "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.

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

(b) "Usable marijuana" does not include:

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

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

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

(3) "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]

(2) "Board of Commissioners / BOC" means the Curry County Board of County Commissioners.

(5) "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.

(10) "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.

(11) "Economic Development Director" or "Director" means the Economic Development Director of the Curry County, Oregon, or designee.

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 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 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.

Collection of Tax by Licensee; Rules for Collection

(1) Every Licensee in this County, shall collect the taxes herein from the consumer. The tax collected or accrued by the licensee constitutes a debt owing by the licensee to the County. In addition the tax constitutes a debt owed by the consumer to the County which is held by the licensee extinguished only by payment to the County.

(2) Taxes imposed shall be in United States Government Currency (Cash).

(3) The Economic Development Director shall enforce provisions of this ordinance and shall have the power to adopt rules and regulations not inconsistent with this ordinance as may be necessary to aid in the enforcement.

(4) The rate imposed by section ____ shall be rounded to the nearest whole cent.

Licensee's Duties

Each licensee shall collect the tax imposed by this ordinance at the same time as the rent is collected from every transient. The amount of tax shall be separately stated upon the licensee's records, and any receipt rendered by the licensee. No licensee shall advertise that the tax or any part of the tax will be assumed or absorbed by the licensee, or that it will not be

added to the rent, or that, when added, any part will be refunded, except in the manner provided by this ordinance.

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 his 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 nonassignable 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 the 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 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 the Curry County. This certificate does not constitute a permit."

Due Date; Returns and Payments

(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 his 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. Private delivery services (PDS) shipping date may be treated as an equivalent to 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.

Penalties and Interest; Fines and Enforcement

(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 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 County Council for waiver and refund of the penalty or any portion thereof and the County Council 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 X of the Curry County Ordinances. Further, the County reserves all rights at law or in equity to enforce the provisions of this Ordinance.

Deficiency Determinations; Fraud, Evasion, Licensee 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 his possession or that may come into his 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_____.

(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_____.

(b) The Economic Development Director shall give to the licensee or occupant a written notice of his determination. The notice may be served personally or by mail; if by mail, the notice shall be addressed to the licensee at his 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 wilfully attempts to evade this ordinance, the Economic Development Director shall proceed in such manner as he 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 an licensee who has failed or refused to collect the same and to report and remit said tax, he 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 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.

Redeterminations

(1) Any person against whom a determination is made under Section _____, or any person directly interested, may petition for a redetermination and redemption and refund within the time required in Section 8.809. 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 his petition, shall grant the person an oral hearing and shall give him ten days 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 County Council 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.

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 him 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 he 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 County Council 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.

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 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 Jackson 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 Jackson 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.

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, his 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 him to the consumer, provided a verified claim in writing therefor, 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.

Collection Fee

Every licensee liable for the collection and remittance of the tax imposed by this ordinance may withhold five percent (5%) of the net tax due to cover the licensee's expense in the collection and remittance of said tax.

Administration Special Fund

(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 Retailers 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 Board of Commissioners 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 whatever 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 a the 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.

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).

AN ORDINANCE OF THE COUNTY OF CURRY IMPOSING A THREE PERCENT TAX
ON THE SALE OF MARIJUANA ITEMS BY A MARIJUANA RETAILER AND
REFERRING ORDINANCE

Whereas, section 34a of House Bill 3400 (2015) provides that a County may adopt an ordinance to be referred to the voters that imposes up to a three percent tax or fee on the sale of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the County;

Whereas, the Curry County Board of Commissioners want to impose a tax on the sale of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the County of Curry, Oregon;

NOW THEREFORE, BASED ON THE FOREGOING, THE COUNTY OF CURRY ORDAINS AS FOLLOWS:

DEFINITIONS.

Marijuana item has the meaning given that term in Oregon Laws 2015, chapter 614, section 1.

Marijuana retailer means a person who sells marijuana items to a consumer in the state of Oregon.

Retail sale 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.

TAX IMPOSED. As described in section 34a of House Bill 3400 (2015), the Curry County Board of Commissioners hereby imposes a tax of three percent on the retail sale price of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the County of Curry.

COLLECTION. 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.

REFERRAL. This ordinance shall be referred to the electors of Curry County at the next statewide general election on Tuesday, November 8, 2016.

A RESOLUTION APPROVING REFERAL TO THE ELECTORS OF THE COUNTY OF
CURRY THE QUESTION OF IMPOSING A THREE PERCENT TAX ON THE SALE OF
MARIJUANA ITEMS BY A MARIJUANA RETAILER WITHIN THE COUNTY OF CURRY

Whereas, section 34a of House Bill 3400 (2015) provides that a County may adopt an ordinance to be referred to the voters that imposes up to a three percent tax or fee on the sale of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the County of Curry;

Whereas, the Curry County Board of Commissioners adopted Ordinance {number}, which imposes a tax three percent on the sale of marijuana items by a marijuana retailer in the area subject to the jurisdiction of Curry County;

NOW, THEREFORE, THE CURRY COUNTY OF BOARD OF COMMISSIONERS
RESOLVES AS FOLLOWS:

MEASURE. A measure election is hereby called for the purpose of submitting to the electors of the County of Curry a measure imposing a three percent tax on the sale of marijuana items by a marijuana retailer in the area subject to the jurisdiction of the County of Curry, a copy of which is attached hereto as "Exhibit 1," and incorporated herein by reference.

ELECTION CONDUCTED BY MAIL. The measure election shall be held in the County of Curry on November 8, 2016. As required by ORS 254.465, the measure election shall be conducted by mail by the County Clerk of Curry County, according to the procedures adopted by the Oregon Secretary of State.

DELEGATION. The County of Curry authorizes the Curry County Counsel, or the Curry County Counsel's designee, to act on behalf of the County of Curry and to take such further action as is necessary to carry out the intent and purposes set forth herein, in compliance with the applicable provisions of law.

PREPARATION OF BALLOT TITLE. The Curry County Counsel is hereby directed to prepare the ballot title for the measure, and deposit the ballot title with the Curry County Elections Officer within the times set forth by law.

NOTICE OF BALLOT TITLE AND RIGHT TO APPEAL. Upon receiving the ballot title for this measure, the Curry County Elections Officer shall publish in the next available edition of a newspaper of general circulation in the County of Curry a notice of receipt of the ballot title, including notice that an elector may file a petition for review of the ballot title.

EXPLANATORY STATEMENT. The explanatory statement for the measure, which is attached hereto as "Exhibit 2," and incorporated herein by reference, is hereby approved.

FILING WITH COUNTY ELECTIONS OFFICE. The Curry County Elections Officer shall deliver the Notice of Measure Election to the County Clerk for Curry County for inclusion on the ballot for the November election.

EFFECTIVE DATE. This resolution is effective upon adoption.

BALLOT TITLE

A caption which reasonably identifies the subject of the measure
10 word limit under ORS 250.035(1)(a)

Imposes Curry County tax on marijuana retailer's sale of marijuana items.

QUESTION

A question which plainly phrases the chief purpose of the measure so that an affirmative response to the question corresponds to an affirmative vote on the measure
20 word limit under ORS 250.035(1)(b)

Shall Curry County impose a three percent tax on the sale in Curry County of marijuana items by a marijuana retailer?

SUMMARY

A concise and impartial statement summarizing the measure and its major effect
175 word limit under ORS 250.035(1)(c)

Under state law, a County may adopt an ordinance to be referred to the voters of the County imposing up to a three percent tax or fee on the sale of marijuana items in the County by a licensed marijuana retailer.

Approval of this measure would impose a three percent tax on the sale of marijuana items in the County of Curry by a licensed marijuana retailer. The tax would be collected at the point of sale and remitted by the marijuana retailer.

EXPLANATORY STATEMENT

An impartial, simple and understandable statement explaining the measure and its effect for use in the county voters' pamphlet
500 word limit under ORS 251.345 and OAR 165-022-0040(3)

Approval of this measure would impose a three percent tax on the sale of marijuana items by a marijuana retailer within the Curry County. If approved, the revenues from this tax are estimated to be \$_____. There are no restrictions on how Curry County may use the revenues generated by this tax.

Under Measure 91, adopted by Oregon voters in November 2014 and amended by the Legislature in 2015, the Oregon Liquor Control Commission must license the retail sale of recreational marijuana. The 2015 Legislation provides that a County may adopt an ordinance imposing up to a three percent tax on the sale of marijuana items (which include marijuana concentrates, extracts, edibles, and other products intended for human consumption and use) by retail licensees in County, but the Board of Commissioners must refer that ordinance to the voters at a statewide general election. The County of Curry Board of Commissioners has adopted an ordinance imposing a three percent tax on the sale of marijuana items by a retail licensee in Curry County, and, as a result, has referred this measure to the voters.

DRAFT

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 2

AGENDA DATE^a: 04/06/2016 **DEPARTMENT:** Econ Dev **TIME NEEDED:** 15 min

^aSubmit 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:** 03/28/2016

BRIEF BACKGROUND OR NOTE^b: This was discussed at the most recent Workshop, and is brought before the Board for approval to proceed as recommended by the Task Force.

^bIndicate if more than one copy to be signed

FILES ATTACHED:

SUBMISSION TYPE: Discussion/Decision

- (1) Schmelzer letter and attached maps
- (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) Counsel, Assessor, Clerk
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:
Email:

Due date to send: / /

^cNote: 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



Julie A. Schmelzer
Director of Administration and Economic Development

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

March 28, 2016

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

Dear Commissioners:

At the upcoming April 6, 2016 Regular Meeting I propose the Board approve the following recommendations made by the 2015 Real Property Task Force. These recommendations were also reviewed at the March 23, 2016 Workshop.

Specifics are as follows:

1. 3315-05CA-01200 right-of-way to King Street in Port Orford. Deed to city, city to pay transfer costs. Acceptable to Port Orford.
2. 3615-36DB-02503 triangle by Community Health apartments in Gold Beach. Deed to CCH, CCH to pay transfer costs. Acceptable to CCH.
3. 3615-36DB-02510 triangle by the Senior Center in Gold Beach. Deed to Center, Center to pay all transfer costs. Acceptable to Senior Center.
4. 3615-36DC-01813 and 01814 are two thin strips of land in Gold Beach. Deed to Port of Gold Beach, the Port to pay transfer costs. Acceptable to the Port.
5. 3615-36DD-01100 thin strip to serve as access to city of Gold Beach park. Deed to city, Gold Beach to pay transfer costs. Acceptable to city.
6. 3715-01AC-00300 triangle by Fairgrounds. Re-class to Fairgrounds.
7. 3715-01AD-03200 strip by Museum in Gold Beach. Deed to Historical Society, Society to pay transfer costs. (Being considered at the Historical Society meeting the third week of the month.)
8. 3215-29D-00615 building lot near Port Orford on Silver Butte Road. Deed to Habitat for Humanity. H4H to pay transfer costs. Acceptable to Habitat for Humanity. Allows for one home or one duplex.
9. 4013-31CB-00817 building lot back to back with Harris Beach State Park. Deed to Habitat for Humanity. H4H to pay transfer costs. Acceptable to Habitat for Humanity. Property lends itself to several lots or a PUD.
10. 4013-32CD-03400-00 and 4113-05B-00300-00 two properties in Brookings that show as being owned by the county, but deeds show they are owned by the city. Direct Assessor to correct ownership listing.

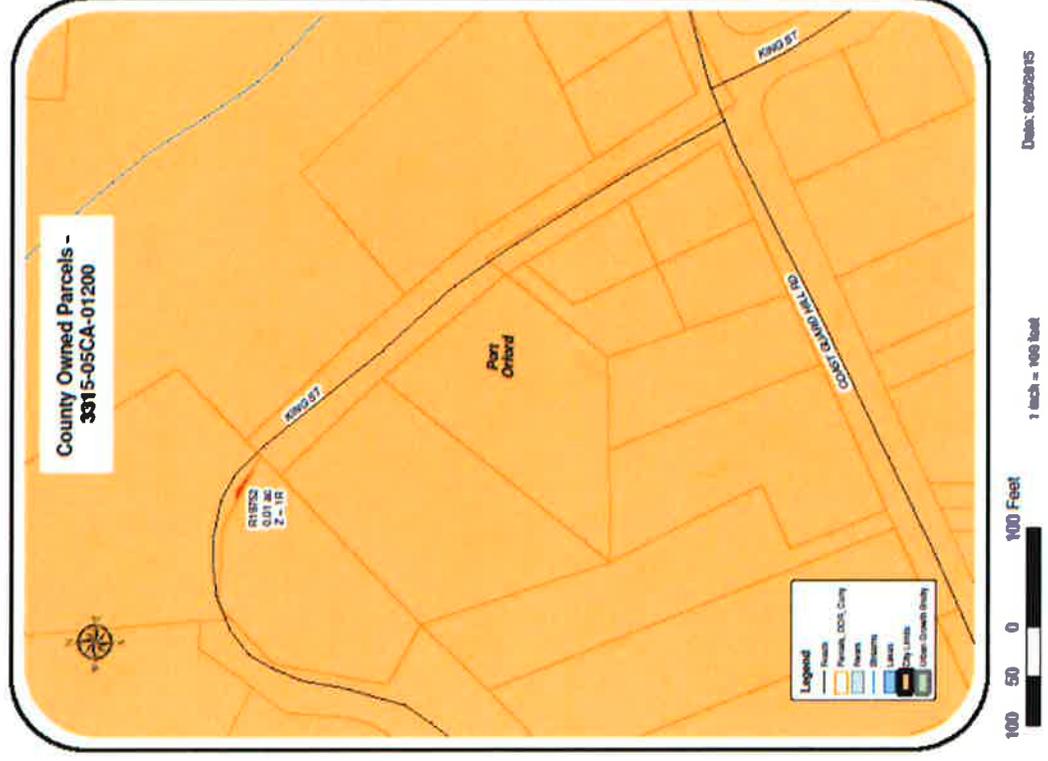
Thank you for your consideration.

Sincerely,

Julie A. Schmelzer
Director of Administration and Economic Development

Att. Maps

5. Deed to City (Cities to Pay Filing/Paperwork) Port Orford

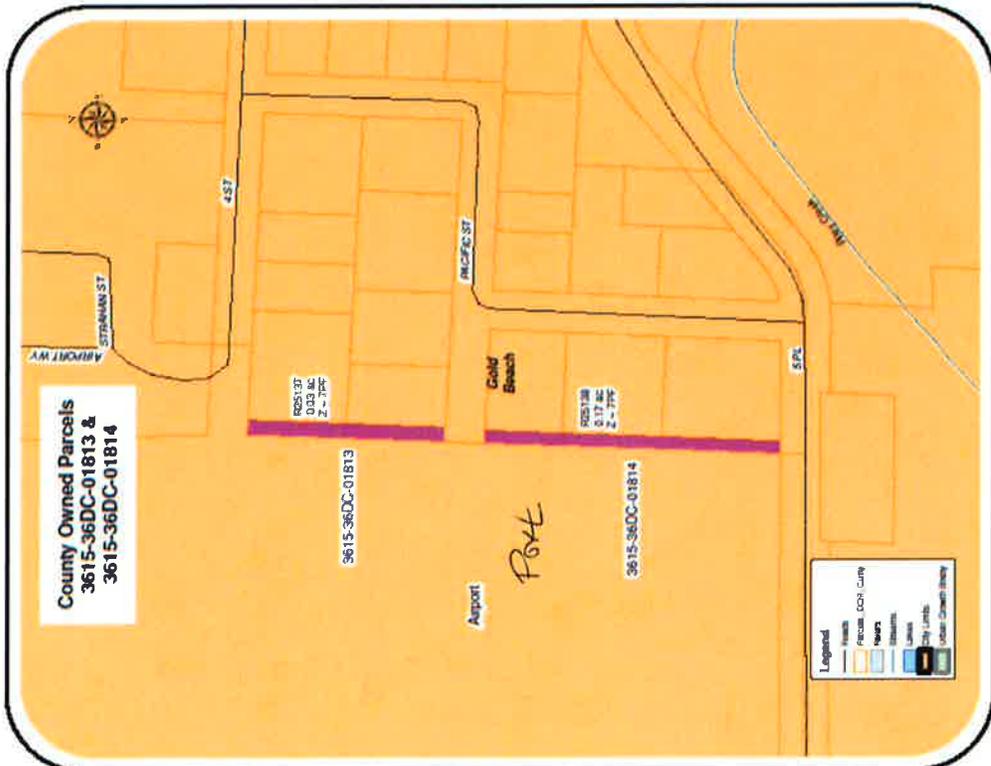


More Gift...

.01 Community Health .01 Gold Beach Senior Center



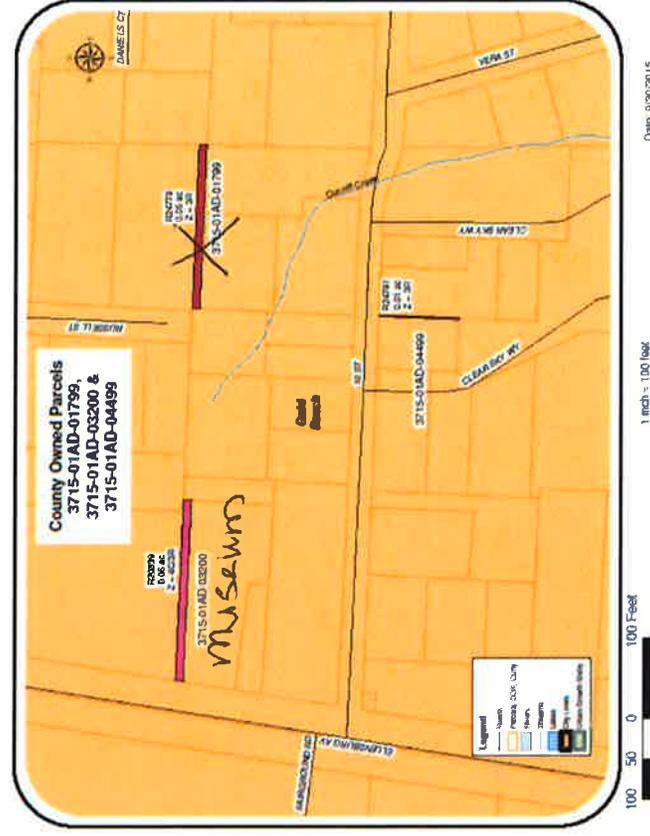
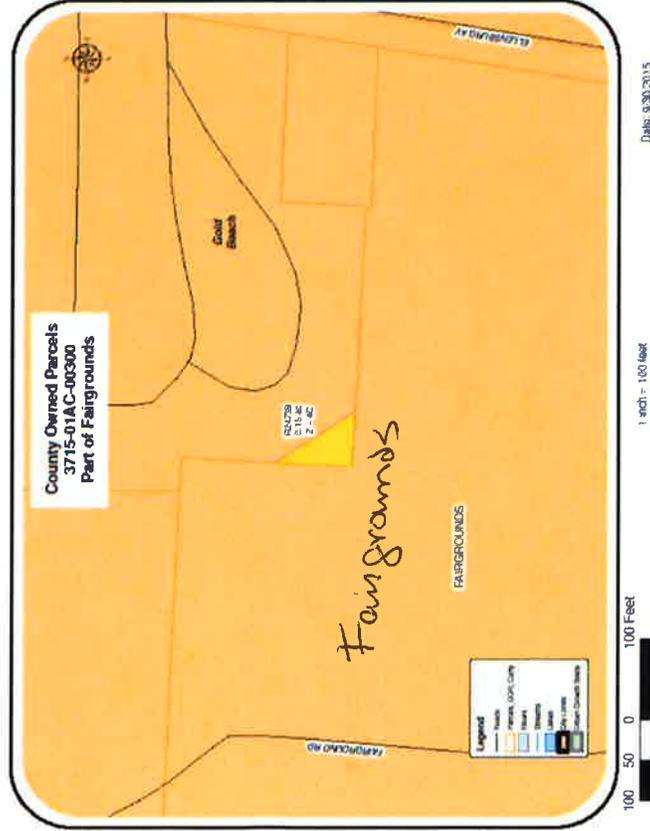
Gold Beach



6. Gift (Recipient to Pay Filing/Paperwork)

.15 Ac. Fairgrounds

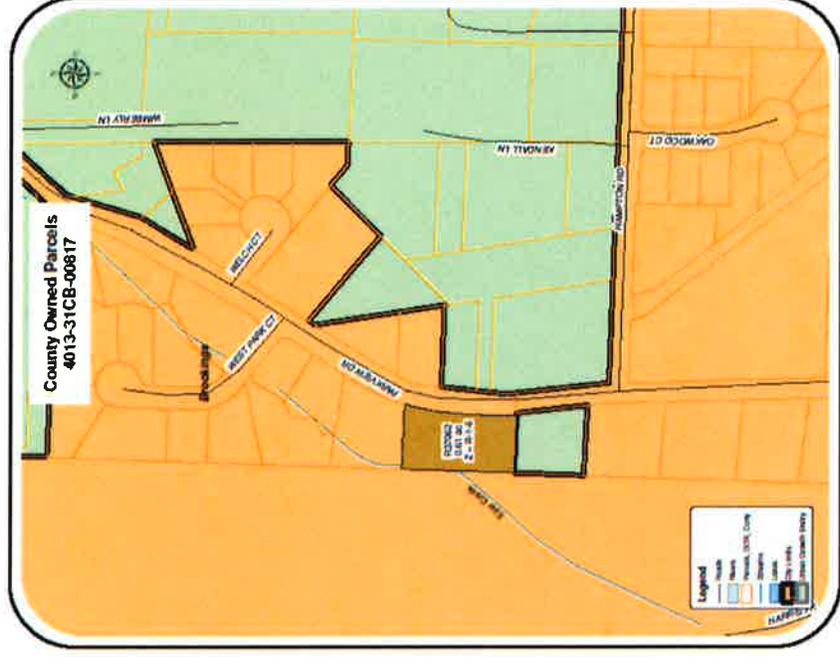
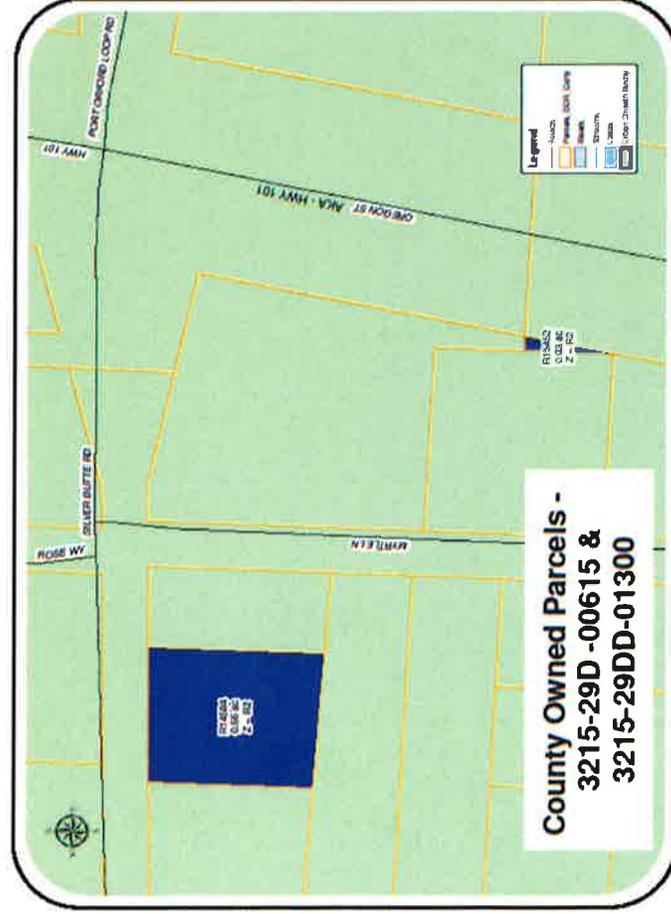
.05 Historical Society



7. Habitat for Humanity

.66 Ac, Silver Butte Rd., P.O.

.61 Ac. Parkview Dr., Brook.



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: Child Abuse and Prevention Awareness Month - April

AGENDA DATE^a: 04/06/16 **DEPARTMENT:** Child Advocacy **TIME NEEDED:** 10 min

^aSubmit by seven days prior to the next General Meeting (eight days if a holiday falls within that seven day period)

CONTACT PERSON: Jackalene Antunes **PHONE/EXT:** 3340 **TODAY'S DATE:**
03/25/2016

BRIEF BACKGROUND OR NOTE^b: Bringing Child Abuse and Prevention Awareness month to the attention of the county citizens

^bIndicate if more than one copy to be signed

FILES ATTACHED:

SUBMISSION TYPE: Proclamation

(1) Proclamation

(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: Jackalene Antunes

Send Printed Copy to:

Address: 94235 Moore Street, Suite 211

Email a Digital Copy to:

City/State/Zip: Gold Beach, OR 97444

Other

Phone: 541-247-3340

Due date to send: / /

Email: antunesj@co.curry.or.us

***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 a Resolution Proclaiming)
the Month of April as Child Abuse) Resolution No. _____
and Prevention Month)

Whereas; nearly five children die every day in America from abuse and neglect; and

Whereas; a high number of children ages 0-17 in Curry County, Oregon are victims of neglect and abuse each year; and

Whereas; President Barack Obama has proclaimed the month of April as National Child Abuse Awareness and Prevention Month; and

Whereas; the victory over child abuse and neglect will not be achieved without the support of the entire community and recognition of the importance of awareness raising to decrease incidents of abuse and to support child abuse victims and their families; and

Whereas; each April Curry County's Wally's House, Curry Child Abuse Intervention Center and other supporters of the Child Advocacy & Abuse Prevention Movement ask the community to join the outreach efforts to reduce and prevent child abuse.

**NOW THEREFORE, THE BOARD OF CURRY COUNTY COMMISSIONERS
HEREBY RESOLVES TO** proclaim April 2016 to be

Child Abuse Prevention and Awareness Month

In the County of Curry, and encourage all citizens to join in a national effort to raise awareness and help prevent child abuse and neglect.

DATED this 06 day of April, 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 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: Rural Impact County Challenge Resolution

AGENDA DATE^a: 4/6/2016 **DEPARTMENT:** Commissioners **TIME NEEDED:** 10 min

^aSubmit 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:**
3/29/2016

BRIEF BACKGROUND OR NOTE^b:

^bIndicate if more than one copy to be signed

FILES ATTACHED:

SUBMISSION TYPE: Resolution

- (1)Resolution
- (2)NaCo Rural Impact County Challenge Call to Action

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: Susan Brown

Send Printed Copy to:

Address:

Email a Digital Copy to:

City/State/Zip:

Other

Phone:

Due date to send: / /

Email:

^cNote: 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: Proclamations/Resolutions

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

Rural Impact County Challenge: A National Effort to Combat Rural Child Poverty



Small towns and rural communities are home to millions of Americans, are a vibrant part of our nation's economy, and include some of the most beautiful landmarks in the country. Rural America provides the vast majority of food, energy, and environmental benefits for the rest of the country. Additionally, rural communities are the source of nearly 90 percent of renewable water resources, and home to important service sector and manufacturing hubs.

Despite this critical role in our nation's economy, too many Americans in rural areas are not sharing in our nation's economic growth. A full 85 percent of our country's persistent poverty counties are in rural America. Lack of opportunity for rural kids and families is often compounded by other challenges, including distance from health and early learning programs, lack of access to public transportation, and higher rates of drug and substance abuse. But for all kids, the road to successful adulthood relies on a strong foundation of access to basic health, nutrition, high-quality early education, strong schools, and support from parents and caregivers.

Counties Leading the Way

Recognizing the critical role local officials play in supporting innovation and change, the National Association of Counties (NACo) <<http://www.naco.org/>> and the White House Rural Council <<https://www.whitehouse.gov/administration/eop/rural-council>> have come together on a national initiative to help advance counties' efforts to reduce the number of rural children and families living in poverty. The Rural Impact County Challenge (RICC) seeks to recognize and support counties making real difference in the lives of children in rural communities.

The RICC consists of two components:

(1) A Call to Action demonstrating strong county leadership, commitment, and vision to achieve concrete results on behalf of rural children and families. The Call to Action asks counties to develop or refine an actionable plan that can be used to achieve local and state-level impacts. As part of this Call to Action, county elected officials will pass a resolution to work with local, state, and federal entities (e.g., schools, health and social service providers, and state and federal policymakers), children and families, and other key stakeholders on the following actions:

Convene or draw on a diverse team of leaders and decision makers from multiple agencies committed to reducing the number of children and families in rural areas living in poverty

Develop a plan with measurable outcomes that improves access, participation, and/or impact of evidence-based and other promising practices in one or more of the following areas: early childhood education, nutrition, workforce development, and health and human services.

Implement research-based approaches that advance the plan.

Create a process to track progress using data and information systems, and to report on successes.

A sample resolution for your county board can be found here <<http://www.naco.org/sites/default/files/attachments/Rural%20Impact%20County%20Challenge%20Resolution%20draft.docx>> .

In addition to national recognition as local leaders creating opportunity in rural communities, County Challenge participants will receive a weekly newsletter with rural-focused research and state and federal funding opportunities, invitations to participate in monthly webinars with Senior Administration Officials and fellow Challenge participants, and a platform for peer learning opportunities to share best practices and barriers

(2) A National Convening of County Challenge participants, Administration officials, thought leaders, and practitioners. This summer, the White House Rural Council <<https://www.whitehouse.gov/administration/eop/rural-council>> and NACo will lead a convening to highlight progress and innovation in advancing county-led plans to reduce the number of rural children and families living in poverty. The summit will help counties advance their plans and measure progress while identifying best practices from counties across the country that have developed successful and scalable evidence-based programs or initiatives designed to combat chronic rural poverty on a local and regional basis.

If your county is interested in participating in the Rural Impact County Challenge, please complete the short form below. Please be sure to attach any relevant files (passed county resolution, additional information or materials on County Challenge project) before submitting your completed form.

First Name:

Last Name:

County

State - None -

Title:

Elected: - None -

Email:

Phone

Preferred Contact: - None -

Has your county passed a County Challenge resolution?

- None -

Please attach a PDF copy of the County Challenge resolution:

Files must be less than 2 MB.

Allowed file types: pdf.

Browse... No file selected.

UPLOAD

Please attach any additional files relating to your County Challenge Project

Files must be less than 2 MB.

Allowed file types: pdf.

RURAL IMPACT COUNTY CHALLENGE

WHEREAS, small towns and rural communities are home to millions of Americans and are a vibrant part of our nation's economy; and

WHEREAS, in 2014, approximately 1.4 million children in rural areas were poor and over 700,000 children lived in rural families with cash incomes that fell below half of the poverty line; and

WHEREAS, high rates of poverty have persisted for generations, including over 300 rural counties with poverty rates of over 20 percent in every Census since 1980; and

WHEREAS, investing in poor children and their families not only reduces poverty in the near term, but also improves children's education, health, and earnings outcomes later in life; and

WHEREAS, rural and tribal communities face distinct challenges, including limited access to critical services, fewer job prospects, and in some places, relative lack of institutional capacity; and

WHEREAS, no matter where they live, all families aspire for the cornerstones of economic security: a well-paying job, child care, a college education, health care, a home, and retirement; and

WHEREAS, Curry County and all counties recognize that a child's zip code should not determine his or her destiny, and that every child should have the opportunity to succeed; and

WHEREAS, according to the Department of Education, Curry County has 131 homeless students who are in need of services and hope. Curry County is partnering with the local Community Action Agency to address the needs of our children through programs, such as the 5 Bridges Project and working with the Curry County Homeless Coalition for housing and stability; and

WHEREAS, through *The Rural Impact County Challenge*, the National Association of Counties and the White House Rural Council are encouraging public, private and nonprofit leaders to reduce the number of children living in poverty in rural areas;

NOW, THEREFORE, LET IT BE RESOLVED, THAT the Curry County Board of Commissioners do hereby sign on to the Call to Action to reduce the number of children living in poverty, commit to sharing lessons learned with other counties in my state and across the country to support a national initiative and encourage all county officials, employees and residents to participate in *The Rural Impact County Challenge*. We resolve to utilize the resources available through *The Rural Impact County Challenge* to:

- Convene or draw on a diverse team of leaders and decision makers from multiple agencies committed to reducing the number of children and families in rural areas living in poverty.
- Develop a plan with measurable outcomes that improves access, participation, and/or impact of evidence-based and other promising practices in one or more of the following areas: early childhood education, nutrition, workforce development, and health and human services.
- Implement research-based approaches that advance the plan.
- Create a process to track progress using data and information systems, and to report on successes.

Dated this 6th day of April, 2016.

CURRY COUNTY BOARD OF COMMISSIONERS

Thomas Huxley, Chair

Susan Brown, Vice Chair

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: Minutes

AGENDA DATE^a: 4-06-2016 **DEPARTMENT:** BOC Office **TIME NEEDED:** 5min

^aSubmit by seven days prior to the next General Meeting (eight days if a holiday falls within that seven day period)

CONTACT PERSON: Shelia **PHONE/EXT:** 3296 **TODAY'S DATE:** 3-30-2016

BRIEF BACKGROUND OR NOTE^b: Many set of minutes reviewed by all Commissioners

^bIndicate if more than one copy to be signed

FILES ATTACHED:

SUBMISSION TYPE: Minutes

(1)12-21-2015 Workshop, 01-06-2016 Genrl Mtg, 02-04-2016 Workshop, 02-17-2016 Genrl Mtg

(2)03-02-2016 General Mtg, 07-22-2015 Special Mtg, 07-29-2015 Workshop

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 Digi BocPkt, Online, Mark Sheet

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: Consent Calendar

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

MINUTES – WORKSHOP

Monday, December 21, 2015 –1:00 P.M.

Commissioners' Hearing Room, Courthouse Annex
94235 Moore St., Gold Beach, Oregon 97444

Commissioners Present: Vice-Chair Thomas Huxley, David Brock Smith

Commissioners Absent: Chair Susan Brown

Support Staff Present: Administrative Assistant Shelia Megson

1. Call to Order

Commissioner Huxley called the workshop to order at 1:02 pm. The Pledge was recited by all.

2. Public Comments

(None.)

3. New Business

a. Animal Impound Issue

Commissioner Brown recused herself and did not attend. Commissioner Huxley said he was unaware of what this was about and Sheriff Ward informed that he had requested the workshop. Ward said that when Pennies for Pooches was under the direction of Catherine Powers it had become a nonprofit. In February of 2012, the Sheriff's Department no longer had a position for an animal control officer and it was not budgeted. He had worked with County Counsel Jerry Herbage, Commissioner Brown, and Assistant County Counsel Shala McKenzie-Kudlac concerning this matter. Commissioner Smith asked Legal Assistant Starbird to try to get Kudlac on the phone but her attempt was unsuccessful.

Sheriff Ward said that he was told that Pennies for Pooches (PfP) would not take a dog that is brought in by the general public. PfP required the dogs to be impounded by the law enforcement agency of the area in which the dog was found. Ward explained that calls concerning animals to the Sheriff's Department were ranked according to immediate need by identifying urgency level numbers. He said that he would rather be able to provide 24hour service and respond to every call on the issue but due to staffing and funding, most of the calls did not qualify as something that needs a response. Ward continued that if an animal was impounded, liability would be assumed and an investigation with a report detailing events and reasoning would be required. Ward said that the Sheriff's Department was not required by the agreement between Pennies for Pooches and the County to impound all dogs nor did they have the resources to do so. The Board could appoint an outside person to be an Animal Resource Officer if it wished.

Commissioner Huxley was concerned that he had not seen all the documents prior to the workshop. He said that everything should be submitted and researched prior to workshops. Smith disagreed and said that workshops may have documents available prior to the date but the purpose was to have the opportunity to share more information and discuss the topic. Ward said that he had been in communication with Commissioner Brown but wanted all the Commissioners to have an input and knowledge of the topic. He said that all documents

discussed were in the Commissioners grasp. Huxley asked for the reference numbers, dates, titles and number of pages of any documents that would pertain to the subject and wrote them all down while saying aloud. The following documents were referred to:

- Reference Number 4623 – Agreement Between Curry County and Pennies for Pooches
- Reference Number 4624 – Animal Shelter Transfer Agreement
- Oregon Revised Statutes 609.090 – Impounding Certain Dogs
- Curry County Resolution – Pennies For Pooches as a Freestanding Nonprofit
- County Code Article 4 – Animal Control and Protection

Commissioner Smith asked that if the Board were to appoint someone from Pennies for Pooches as the officer, would that be agreeable to the Sheriff and would it limit the liability concerns. Ward said that the County would still retain liability since it is a person appointed by the Board. Lieutenant Espinoza suggested revisiting the processes behind the agreements. Ward said that the problems and discussions had been going on for quite a while and was irritated by a social media posting from Director Curran about the Sheriff's Department. The main document of Ward's focus and wanting to change is the 4623 Agreement. Ward said that he had heard from Commissioner Brown that Curran had agreed to be the Animal Control Officer.

Director of the Curry County Animal Shelter Mark Curran agreed that the 4623 agreement is the focus of the discussion. He referred to the agreement when saying that all public complaints concerning dogs are referred to the Sheriff. PfP does take in dogs from the public if they can. They do take dogs in from the Sheriff's Department utilizing impound forms to track the reasons and information as he does with other law enforcement agencies. Nobody at the shelter is able to impound a dog and need an agency to do so. Ward said that he would like the Board to take on the liability instead of it being assumed by the Sheriff.

Curran reminded them that PfP is a nonprofit and not an agency for the government. If someone brought in a dog they found running around in Langlois, they would feed, water and house it. If a dog is impounded they use Facebook and all sources to find the dog's owner. They have impound fees and licensing fees. It usually takes three to five days to find the owner. If the owner is not found they can spay or neuter and find it a new home. Without proper impounding they can not release the dog to anyone but the owner. They cannot legally do anything else for the dog even including flea treatment and it can end up sitting at the shelter with no other alternative. With only 24 kennels available this can be a problem as the dog could become a permanent resident.

Commissioner Smith asked Ward for his suggestions. Ward said that he would like the Board to appoint an animal control officer. Smith then asked Mark a question but Commissioner Huxley interrupted saying that he would like to run the meeting. Huxley then wrote down what Ward had suggested while confirming it aloud. Smith asked Curran if he would recommend an officer to the Board and submit for review a draft new agreement. Curran said that he would need to address that with his board. Smith said that the officer could handle at-large or nuisance complaints but the Sheriff would of course be utilized for anything of danger. Smith and Huxley again disagreed who would ask the questions. Huxley asserted that he was chairing the meeting and it needed to end quickly due to timing. Ward said he could work with Assistant County Counsel Kudlac to make a draft for review and Curran added that Ward already has his comments for it. Huxley said that he would want another workshop after he had had time to review all of the documents. Curran asked what to do with the non-impounded dogs until then.

There were three sitting in limbo until they were impounded which would allow them to find them homes. Huxley said he could not help that situation.

4. Old Business

(None.)

5. Commissioner Updates , Liaison and Staff Reports

(None.)

6. Adjourn

Commissioner Huxley called an end to the meeting at 1:59 p.m.

Respectfully Submitted,
Shelía M. Megson

These minutes from Monday, December 21, 2015 Board of Commissioners' Workshop approved this 06 day of April, 2016.

CURRY COUNTY BOARD OF COMMISSIONERS

RECUSED

Susan Brown, Chair

Thomas Huxley, Vice Chair

David Brock Smith, Commissioner



CURRY COUNTY BOARD OF COMMISSIONERS

MINUTES – GENERAL MEETING

Wednesday, January 06, 2016 –10:00 A.M.

Commissioners' Hearing Room, Courthouse Annex
94235 Moore St., Gold Beach, Oregon 97444

Commissioners Present: Chair Susan Brown, Vice-Chair Thomas Huxley, David Brock Smith

Support Staff Present: Administrative Assistant, Shelia Megson

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Chair Brown called the meeting to order at 10:00 a.m. The Pledge was said by all.

2. STATE OF THE COUNTY ADDRESS

Chair Brown read her State of the County Address. She would like a strategic plan and resolve to do what is best for the residents. Keep open minds and not dismiss ideas because of topic or personal views?. She listed successes such as the retirement of long serving County Counsel Herbage and new County Counsel Huttll will be a welcome addition. Sheriff Ward has had funding issues but has reached out for citizen input, increased jail space, and there have been many awards to people in the department. Planning Director Pratt retired and his replacement Johnson is showing positive growth in permits. Director of Administration and Economic Development Schmelzer has gotten the new TravelCurryCoast.com website up, formed the STED task force for the redundant fiber loop, and examined over 900 properties. There's a movie concerning the local cloning of the champion redwoods. Veterans Services Officer Voudy has finished his training and has helped over a thousand vets this year. Juvenile and Parks Director Trost is doing very well and cabins are being fixed through fundraisers. The Surveyor is now organized, and RSVP shows a great number of donated hours. The airport is in progress of finishing a new elk fence and Facilities Director Hanson had added a new ventilation system to the Courthouse. She said 2016 will be difficult and they need to be a team.

3. AGENDA AMENDMENTS

Commissioner Huxley requested moving the order of the items within the agenda. The Board agreed on the following order for items: Presentations, Items 12a-k, 11a-b, Item 9 and then Item 10. Motion by Huxley to make the changes as suggested by Huxley, second by Commissioner Smith. Motion carried unanimously.

4. APPROVAL OF AGENDA

Motion by Commissioner Smith to approve as amended, second by Commissioner Huxley. Motion carried unanimously.

5. APPOINTMENT OF THE CHAIR & VICE CHAIR OF THE CURRY COUNTY BOARD OF COMMISSIONERS

Commissioner Huxley requested that he be the Chair for the next year. Motion by Huxley to name himself as Chair, second by Commissioner Smith. Motion carried unanimously. Commissioner Brown handed the control of the meeting over to Huxley. Motion by Smith to name Brown as the Vice Chair, second by Brown. Motion carried unanimously.

6. ASSIGN COMMISSIONER LIAISON LIST AND OTHER RESPONSIBILITIES

Commissioner Huxley read off all the current department assignments. On other liaison responsibilities, Commissioner Smith had seven, Huxley three, and Commissioner Brown eight. Motion by Smith to keep the assignments the same as the previous year, second by Brown. Brown asked about liaison to the Sheriff's Department. Huxley said that he was told by the Sheriff in March that they were equals as elected. Huxley had told the Sheriff that he would not be his liaison and wished him well. Smith offered to be the liaison for the Sheriff's department. Brown asked Ward how he felt being without a liaison. Ward said he preferred not having a liaison. Huxley asked for a motion. Brown reminded him that there was currently a motion on the floor. Motion carried unanimously.

7. PRESENTATIONS TO THE BOARD

a. Years of Service Award W. Lang – Juvenile

Juvenile and Parks Director Trost thanked Commissioner Brown for her State of the County address and said that he likes the 'year of opportunity' attitude and hoped the new chair would continue in that spirit.

Trost had a certificate for Lang but said that she was not present due to working at her usual nonstop pace. He explained that this award was for ten years of service. During times of considerable cuts to the department, she used the opportunity to bring consistency to the youth services with unparalleled levels. She won the Juvenile Professional of the Year award, organized a 5k fundraising run, a dance for the youth during Halloween, and wrote a grant that the County received. Brown asked Trost to pass along the thanks of the Board.

b. PEG Task Force Recommendations

Chair of PEG task force and Director for the Gold Beach Library Jeremy Skinner read the recommendations of the Task Force to the Board. He said that the needed A/V professional could be a volunteer to reduce cost to the County. Whoever does the RFP work should be excluded from being allowed to submit a bid. He also said that when equipment is bid the item need to be accompanied by an explanation of why it is needed. Skinner said the Task Force agreed that the government channel should be addressed first with education being the next focus. It would be short-sighted to not set up the equipment to enable live internet streaming.

Commissioner Smith thanked Jeremy Skinner, Carl King, Todd Weeks, Shelía Megson, and Eric Hanson for serving on the Task Force. Commissioner Huxley talked about the presentation on 12-09-2015 from Brandt Media, a company that he had contacted, concerning purchasing equipment and a service contract for the A/V equipment.

8. PUBLIC COMMENTS

(None.)

12. ADMINISTRATIVE ACTIONS/ APPOINTMENTS

a. Promotion of Corrections Deputy 1 L. Tobias to Road Deputy 1-Sheriff

Sheriff Ward explained to the Board that there was a small correction needed on the paperwork. He said that there were seven positions for deputies and this is filling the sixth. He is trying to fill the last one but finding it difficult due to funding and work doing the

background checks. Motion by Smith to approve, second by Brown. Motion carried unanimously.

b. Copier Lease and Service Agreements – District Attorney

District Attorney Dial said that the old machine had begun to have lot of service problems. The new machine lease would be \$169/month. This would be the same as the old contract but get the department a new machine. Motion by Smith to approve with signature authority to Dial, second by Brown. Motion carried unanimously.

c. Employee Re-Hire Deputy District Attorney/Irregular G. Herbage – District Attorney

Motion by Smith to approve, second by Commissioner Brown. District Attorney Dial said that this was the recently resigned County Legal Counsel and that he was now working in the same room that he originally had in 1981 when hired by then District Attorney Wallace. Wallace had been the longest serving District Attorney in the County and then Herbage went on to be the longest serving County Legal Counsel. Herbage said that he had done a trial the day before and was successful. Commissioner Smith congratulated him and said that he was elated that Herbage was back to serve the County again. Herbage also said that there was a large backlog in the department and it would be hectic to catch it up. Dial pointed out that the Hire Order showed a retroactive date. Commissioner Huxley asked if a motion was needed. Commissioner Brown said that only a vote was needed. Motion carried unanimously.

d. Employee New Hire County Legal Counsel J. Huttel – Commissioners

Commissioner Huxley explained that two interviews had been done for this hire and that an offer had been accepted. Huttel had given notice to his current employer, City of Medford. It had been hoped that they would release him immediately but they had wished him to stay which is a good reflection on him. Huttel's expected start date is January 25, 2016. Motion by Brown to approve, second by Smith. Motion carried unanimously.

e. Employee New Hire On-Call Administrative Pool B. Boice – Commissioners

Commissioner Huxley said that Items 12.e. through 12.k. were all irregular and part time hires for the administrative pool. He asked Director of Administration and Economic Development Schmelzer if one motion could be used for all the items. Schmelzer said yes but make sure to name each person. Motion by Commissioner Brown to approve the hires of Boice, Colton, Jezuit, Manghillis, Creasey, Allen, and Nessel, second by Commissioner Smith. Motion carried unanimously.

f. Employee New Hire On-Call Administrative Pool B. Colton - Commissioners

g. Employee New Hire On-Call Administrative Pool J. Jezuit - Commissioners

h. Employee New Hire On-Call Administrative Pool J. Manghillis - Commissioners

i. Employee New Hire On-Call Administrative Pool K. Creasey - Commissioners

j. Employee New Hire On-Call Administrative Pool M. Allen - Commissioners

k. Employee New Hire On-Call Administrative Pool R Nessel – Commissioners

Commissioner Smith suggested continuing with items l. and m. since the Roadmaster was present in the room and he could then get back to his other work.

l. Temporary Construction Easement for Repair of Roadside on Pistol River Loop Rd. – Roads

Roadmaster Robbins said that this work needed to be done right away. Commissioner Huxley asked if the agreement had been looked over by Assistant County Counsel and Robbins said yes. Commissioner Smith thanked Robbins and his department for all the work being done especially recently with the significant amounts of water. Motion by Smith to approve, second by Brown. Motion carried unanimously.

m. Temporary/ Permanent Construction Easements for N. Fork Floras Cr. Bridge Project – Roads

Roadmaster Robbins explained that these were three properties that bordered and touching the needed work area. One is for a permanent easement and compensation will be given to the owners in return. Commissioner Huxley asked if the documents had been reviewed by Assistant County Counsel and Robbins replied in the affirmative. Commissioner Smith thanked Robbins for working amicably with the residents and then suggested that the motions be made separately since they require notaries. Motion by Smith to approve the easement with Flemming, second by Brown. Motion carried unanimously. Motion by Smith to approve the easement with Liptig, second by Brown. Motion carried unanimously. Motion by Smith to approve the second easement with Liptig, second by Brown. Motion carried unanimously. Motion by Smith to approve the final easement, second by Brown. Motion carried unanimously.

Commissioner Smith made note that with many agenda order changes, he was thankful for the page numbers of the packet being provided to the Board by Administrative Assistant Megson.

11. PROCLAMATIONS/RESOLUTIONS/LEGISLATIVE ACTIONS

a. Comprehensive Plan/Zone Change from Rural Residential-5 to Heavy Commercial C-2 at 15887 Highway 101 in Harbor – Community Development

Commissioner Brown explained this is the second reading on the matter and that the plan had been approved during the first reading. Commissioner Smith asked if Huxley would be recused on the matter, Commissioner Huxley answered affirmatively. He also said that some documents were not in the packet and said they could be referenced. Exhibits A, B, and C would be needed. Motion by Smith to reference by record, second by Brown. Motion carried by both voting ‘aye’. Motion to have the reading done by title only by Smith, second by Brown. Motion carried with both voting ‘aye’. Planning Director Johnson read the title. Motion by Smith to approve, second by Brown. Motion carried with both voting ‘aye’. Smith thanked Johnson for her work.

b. Budget Appropriations Transfers – Finance

County Accountant Short informed these were adjustments in various departments that are needed to correct titles to categories. He said the Surveyor wants to use the Cornerstone fund, repair work had been done to the Justice Department, and some required cameras would be included. There had been work done for less than expected so a \$20,000 refund had to be sent to the State. Smith asked if the Sheriff Department might need an adjustment due to damage caused by an inmate. Short said the damage would be covered by self-insurance. Motion by Smith to approve, second by Brown. Motion carried unanimously.

Commissioner Smith shared that he had received an email concerning the retirement of County Accountant Short. He thanked Short for his many budgets over the years and the making of many scenarios for the Board to investigate budget options. He said that Short would take the time to

thoroughly explain things so that others could understand, has amazing knowledge of the County finances, and served through the difficult and painful downsizing. Smith said that Short was very important to the County.

9. NEW BUSINESS

a. RSVP Continuation Grant Discussion – Commissioners

Commissioner Brown updated the Board and said that this needed to be filed by next Friday. It is an increase in funding but requires a 30% match. It is difficult since this is before budget discussions. It will begin on April 01 so will cross fiscal budget calendars. Commissioner Smith said it is an important service not only to the County but the residents. Brown thanked the Board for recognizing the importance. Brown said that they had cleaned up most of the audit problems with a minor one left concerning a job description. She will submit for the grant and will then bring it back to the Board. Motion by Smith to allow Brown to move forward with signature authority under this focus, second by Brown. Motion carried unanimously.

10. OLD BUSINESS

GIS Discussion – Commissioners

Motion by Smith to move forward with the recommendation by Assistant County Counsel to have Assistant County Counsel and staff work with Massie to bring the GIS system up to the standards that were in the contract, second by Brown for discussion. Legal Assistant Starbird got Assistant County Counsel Kudlac on the speaker phone. Commissioner Huxley said he had some confusion so was glad to hear the motion again. Smith pointed out that the motion would not hinder any other possible issues that might be going on.

Commissioner Huxley passed out a handout of steps that he wanted followed. The Board had not previously seen this document. He said that he would be in agreement of the motion if the steps were included. He said that the list was pointed and talked about why the steps were needed. Brown said that it looked like normal items for doing contracts.

Commissioner Smith asked Kudlac to expound on the communications with Massie and Columbia Cartographic. She explained that he had agreed to do the work necessary to finish the agreed upon scope within the contract. Smith asked Huxley if the steps he was submitting would allow the scope of work already paid for and the software to be done. Huxley replied strongly affirmative. Smith asked if the final acceptance of the test plan were included. Huxley answered in the affirmative.

Smith directed Administrative Assistant Megson to hand a copy to IT Director Weeks. Weeks said that the document had not been shared publicly and could have been included in the meeting packet but was not. Smith asked Weeks if he immediately saw any issues with the suggested steps. Assessor Kolen requested a copy of the handout. Kolen said that his first reaction to it would be the question of allowing volunteers into the system. He then added that he hoped that the steps did not create onerous hoops for Massie to jump through. Brown said that the volunteers would be the cities which are vested partners in the project. Kudlac, Weeks, and Smith all said they did not have a problem with accepting the steps if they were to not hinder Massie working with staff and altering the original contract at all. Huxley said that if the steps on his handout were included then he would

guarantee success. Motion to amend his original motion by Smith to implement the steps on Huxley's handout, second by Brown. Smith and Kolen both expressed happiness that the project would be allowed to move forward. Smith thanked Kudlac for all her work on this. Motion carried unanimously.

12. Cont. ADMINISTRATIVE ACTIONS/ APPOINTMENTS

n. Agenda Routing Slip Policy – Administration

Director of Administration and Economic Development Schmelzer said that the Board had asked her to bring this change that would require an agenda routing slip and documentation be submitted nine days prior to the meeting. If there was a holiday then the time requirement would be ten days. A field was added for the date of the submission. A wording change of administrative assistant replacing operations coordinator was also done. Any late submissions would have to wait until the next meeting to be added to the agenda unless the department's liaison Commissioner or the Chair approved it to be voted on in the Agenda Amendments part of the meeting.

Commissioner Brown said that she had asked Schmelzer to do this and her goal was to have the packet published one full week prior to the meeting. She said this will prevent items being slid in on the agenda and therefore the public will see everything.

Commissioner Smith said that Commissioners can bring any item to the agenda, even though it would need to be voted on. Commissioner Huxley agreed but said that submitting anything to meetings after the packet is published is a very bad habit and should not be done. He also said that the title of the items put on the agenda by Administrative Assistant Megson should be more descriptive so that the public can understand. Brown said that the titles are taken directly from the agenda routing slips and therefore the responsibility would lie with the department head.

Commissioner Smith gave examples of various items that each Commissioner has brought to the agenda late. He was concerned that it would in the end decrease transparency due to the increased time and would cause more things to be late and therefore not published in the public meeting packet. Many things are time sensitive and they may not know that far in advance that the item is needed. He asked Brown if there had been input from department heads on this matter. Huxley said that training will let them know that they can't get away with it. He also said that there should be some attention to the number of items because he did not want long meetings. Smith said a policy should have been in a workshop as well as addressed to the department heads in the Management Meeting before bringing the policy to a Board general meeting. Huxley said that they can pursue information and modify it later if needed. Motion by Brown to approve, second by Huxley. Motion carried by Huxley and Brown voting "aye" and Smith voting "no". Schmelzer volunteered to bring the matter to a Management Meeting for input. Brown added if the Department Heads didn't feel they could support the change, the Board could always amend the policy to revert back to seven days, but, we should give it a try for a month or so to see how things go before changing anything.

o. Workshop Policy – Administration

Director of Administration and Economic Development Schmelzer said that there had not been an existing workshop policy and this will define it. It says that the same timelines of nine or ten days and accompanying documentation as the agenda routing policy now has but

also require the name of the submitting person. Commissioner Huxley had talked to Schmelzer about this and that he wanted better descriptions on the notices. He also said that he wanted more days of workshops to again shorten possible meeting lengths. Schmelzer again reminded him that descriptions were determined by the submitting party.

Brown and Smith discussed that it had been determined in the past that striving to keep meetings on every Wednesdays had been the goal. They said it allowed the public to expect consistency. Smith said that he did not like the working of the timeline or required documentation or else the workshop would not be scheduled. He said that he cannot support a policy that would limit him in doing his job. Huxley said it should be dealt with on a case by case basis and he will know if it is unreasonable. Smith said that for the record, this does not limit the ability for Commissioners to schedule a workshop. Motion by Brown to approve, second by Smith. Motion carried unanimously.

13. CONSENT CALENDAR

- a. Letter to Oregon Dept. of Parks and Recreation for Temporary Beach Restrictions due to 2016 Western Snowy Plover Nesting Season - Counsel**
- b. Special Meeting Minutes 05-27-2014**
- c. Workshop Minutes 10-14-2015**
- d. General Meeting Minutes 10-21-2015**
- e. Special Meeting Minutes 11-30-2015**
- f. Special Meeting Minutes 12-09-2015**
- g. Resignation from Mountain Drive Special Road District Commissioners and Letter of Appreciation T. Brand**

Commissioner Huxley noted that he is listed as abstaining on the 2014 minutes since he was not a Commissioner. He had issues with many things on the other minutes such as one showing that he had not known that the topic would be discussed at the meeting. He feels that the new policies put in place today will remedy that and he will be able to be prepared in the future. Motion by Smith to approve, second by Brown. Motion carried unanimously.

14. COMMISSIONER UPDATES/ LIAISON & STAFF REPORTS

Commissioner Brown said that the Board had all received County Accountant Short's resignation that morning. She said the job description should be updated and have the open position announced. As liaison, Commissioner Huxley should take the lead on that. Commissioner Smith suggested utilizing Moss Adams for assistance in recruiting or advice. There was consensus to move forward.

Brown said that U.S. Senator Merkley would have a town hall in Brookings and that the Commissioners were invited. Smith said that he would be at an O&C meeting in Springfield so he couldn't attend. He advised the Board that a meeting that he will attend in a couple of days may prompt him to need the Board to call a Special Meeting with an Executive Session.

15. EXECUTIVE SESSION

(None.)

16. ANNOUNCEMENTS

Commissioner Huxley read the announcements.

17. ADJOURN

Commissioner Huxley adjourned the meeting at 12:33 p.m.

Respectfully Submitted,
Shelía M. Megson

These minutes from Wednesday, January 06, 2016 Board of Commissioners' General Meeting approved this 06 day of April, 2016.

CURRY COUNTY BOARD OF COMMISSIONERS

Thomas Huxley, Chair

Susan Brown, Vice Chair

David Brock Smith, Commissioner



CURRY COUNTY BOARD OF COMMISSIONERS

MINUTES – WORKSHOP

Thursday, February 04, 2016 –10:00 A.M.

Commissioners' Hearing Room, Courthouse Annex
94235 Moore St., Gold Beach, Oregon 97444

Commissioners Present: Chair Thomas Huxley, Vice-Chair Susan Brown, David Brock Smith

Support Staff Present: County Counsel John Huttel, Administrative Assistant Shelia Megson

CALL TO ORDER

Commissioner Huxley called the meeting to order at 10:01 a.m. The Pledge was recited by all.

DISCUSSION TOPIC: BUDGET

County Accountant Short recapped the sheets that he had presented on Tuesday 02-02-2016. He showed the most recent carry-forward sheet that showed the capital transfer of \$40,000 that was not included last time. He reviewed the non-departmental sheet that showed recent actual semi-year expenses/revenues. He said tobacco taxes usually come in monthly. It showed the current budget with numbers but he warned he is not proposing any of the numbers and just put them there as a starting point. He said that the District Attorney Victims Advocate and Child Advocacy Departments were probably going to need some adjustments. He explained that if they were set up by the Board for a fund in the past then it will take formal action to change that. He advises against pulling from self-funded insurance and Public Employee Retirement System (PERS).

Short addressed the timing issue concerning the County Assessment Function Funding Assistance (CAFFA) grant. It will be submitted to the State by May 01, 2016 but the Budget Committee will not be meeting until after that time. After the CAFFA is submitted, certain affected areas cannot be reduced in the final budget without jeopardy of losing the grant.

Various spreadsheets and examples are available to the staff if they are accessed from within the County system and if the computer had been updated with the most recent plug-in for Excel. He recalled that there had been a question of missing \$1.6 million in a category but said that the sheet had shown correct totals. Short said the tables showing the non-departmental figures were based on his current actual estimates. Commissioner Smith was working with the State and the Association of Oregon Counties (AOC) to make sure some of the external income sources would remain whole. Commissioner Huxley said those funds would be very restricted in their use.

Commissioner Brown asked about a few numbers shown on the spreadsheet. She said that the Board would need to decide whether to include Road Department funds for the Sheriff Department or not and then give the department heads direction for doing their own budgets. Commissioner Huxley talked about scheduling the Budget Committee. Short explained that a month would be needed in order to prepare for them. Short also cautioned to leave some time for any changes after the committee hearings. They would then publish a budget summary, followed by an official action by the Board adopting the annual budget. If any significant changes were to be made afterwards then it would require another published hearing.

Commissioner Huxley said that Budget Committee member John Spicer's term would soon be expiring and efforts should be made to see if anyone else would want to replace him. He also recalled the District Attorney's office speaking during the last workshop about their request to not lower their budget in the coming year. He said it had been well thought out with statistics and reason. He would like all departments to follow suit. Smith asked Huxley what his plans were for generating funds to support the County services. Huxley answered that his approach is to figure out things to cut from the budget and you can only provide services to the extent of what funding you already have. Smith disagreed with only cutting items and asked how Huxley planned to support the services on a \$2.6 million budget. He reminded Huxley that the available carryover amounts would be a one-time event.

Commissioner Huxley told Commissioner Smith that his time to speak was up. Smith said that he would appreciate not being interrupted, could continue talking, and again asked for plans to secure funding for services. Huxley disagreed with Smith and said that as Chair he could set limits of time on anyone. Tom said he thought there was plenty of money for this year and would want to sit down with each department to discuss their budgets. Smith said that he has the utmost trust in the department heads. Huxley again interrupted Smith citing time constraints and asked Brown if she would like three or four minutes to speak.

Brown said that Road Department money will need to be used. She will meet with her departments to figure out any needed cuts. She thought it important to identify what the County had available before trying to figure out what can be spent. Brown said that she was not in favor of using the worksheet tool presented by Smith at an earlier meeting because it already determines an end which has not yet been decided. Smith asked if the Board would want a workshop with the lay members of the Budget Committee so that they could see the worksheet. Short advised against the action saying there could be prohibitive laws concerning it. He said that the Budget Committee lay members could attend meetings as public residents. Brown said that she did not want to treat the budget as a shared pie to be fully consumed. Smith said that he had hoped the worksheet could be used so that department heads could collaborate and find ways of cost sharing and saving but not as an alternative to individual budgets.

Smith said that it was unfortunate but agreed that the Road Department funds be used to keep the services whole for the County and residents. Huxley said that maybe a department should be closed or researching to see if any position in the Sheriff's department as an example is not mandated. Smith asked what departments could be closed. Smith then asked if Huxley thought each department should be made to show their worth to which Huxley responded in the affirmative. Smith asked if Huxley thought any departments were more important than others. Smith said that the fat had already been cut and did not see where it could be done further.

Sheriff Ward said that the current budget for his department was not really enough and could not do with any less. He said as an example, the limited staffing created scenarios requiring expensive overtime. Ward said that the Sheriff's office had received over 500 calls concerning animal control alone. They were already in a situation where deputies could not be sent out on some calls and prioritization had to be implemented leaving some requests for services denied. The wages offered to the deputies were not competitive and increased the possibility of the employee accepting alternative employment after the County had paid for them to be trained. Ward addressed a recent letter to the local newspaper written by Huxley and said that the information wasn't completely true. He noted that not everyone gets raises and many had been there long enough or with enough experience and/or training to have been topped out on the wage scale and therefore had not been receiving increases. It was determined that \$3.3 million was needed for the Sheriff's Department not including the District Attorney or Juvenile offices. Smith pointed out that even with the carryover funds, only \$300,000 would remain to fund all other county services while remaining with an existing diminished Sheriff's Department. The District Attorney office would need \$340,000 and is already overwhelmed as talked about during the last meeting. Smith suggested revisiting the idea of a consolidation 911 call center. Sergeant Hensley said that due to new technology that there would need to be more communications towers erected. The current system would reach the end of its useful life in four years. Each new tower was estimated to cost \$1.3 million.

Consensus was reached to plan to include Road Department dollars in the development of the next fiscal budget. Brown would like the departments to prepare a budget and bring it to the Board. Huxley would like them to bring a budget with less expense than the prior year. Smith would like the Board to work on and support measures to increase funding.

Lieutenant Espinoza explained that he has many internal departments with many mandated services. He said he was not getting a clear direction from the Board and suggested that they give his department a definite number. He said that the departments should all work together and not be made to compete against each other to try to show worth. Smith asked for consensus to let the departments make status quo budgets. County Counsel Huttl said that the direction would be to only make budget proposals and not decisions. Huxley said that he agreed on status quo consensus but then said maybe it could be a ten percent cut.

Commissioner Brown left the meeting.

Huxley said that he will save the County over his four years in office \$325,000. Smith said 'you get what you pay for' and Ward said that most were not on retirement and do work for their paychecks. Huxley said that he worked for many years to earn the retirement income that he currently receives. Ward said that is what they were trying to do as well.

ADJOURN

Commissioner Huxley adjourned the meeting at 12:10 a.m.

Respectfully Submitted,
Shelía M. Megson

These minutes from Thursday, February 04, 2016 Board of Commissioners’ Workshop approved this 6 day of April, 2016.

CURRY COUNTY BOARD OF COMMISSIONERS

Thomas Huxley, Chair

Susan Brown, Vice Chair

David Brock Smith, Commissioner



CURRY COUNTY BOARD OF COMMISSIONERS

MINUTES – GENERAL MEETING

Wednesday, February 17, 2016 –10:00 A.M.

Commissioners' Hearing Room, Courthouse Annex
94235 Moore St., Gold Beach, Oregon 97444

Commissioners Present: Chair Thomas Huxley, Vice-Chair Susan Brown, David Brock Smith

Support Staff Present: County Counsel John Huttel, Administrative Assistant Shelia Megson

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Commissioner Huxley called the meeting to order at 10:02 a.m. The Pledge was recited by all.

2. AGENDA AMENDMENTS

- a. **ADDITION: Item 9.h.** Letter to Support Channel Maintenance for the Rogue River
- b. **ADDITION: Item 9.i.** Letter of Opposition to SB 1532 A Minimum Wage Increase
- c. **MOVEMENT OF ITEMS:** Items 9.c. New Hire, Survey Tech C. Coons and 9.d. New Hire, Survey Tech Q. Coons to be addressed before Item 4 Presentations to the Board.
- d. **TABLE:** Item 9.f. Re-Appointment to Curry County Budget Committee J. Spicer

Commissioner Smith commented that the advertisement for the Budget Committee had been more than standard procedures already. The re-appointment should not be delayed as many things concerning the budget will happen soon. Commissioner Brown spoke in favor of delaying the appointment.

Commissioner Brown said she was not prepared to discuss the letter about the minimum wage increase since the information had just come to her attention that morning and would like information on the possible impacts. Commissioner Smith said that the House would be voting on the topic the following day and encouraged a discussion during the Board meeting.

Motion by Commissioner Brown to approve the amendments, second by Commissioner Smith.
Motion carried unanimously.

3. APPROVAL OF AGENDA

(No vote taken.)

9. ADMINISTRATIVE ACTIONS/ APPOINTMENTS

- c. **New Hire, Survey Tech C. Coons – Surveyor**
- d. **New Hire, Survey Tech Q. Coons – Surveyor**

Surveyor Smith said these positions (Item c. and d.) would be funded with the Cornerstone Fund. That is a fund set aside with the additional ten dollar charge during surveys. He would work with these employees a couple of Saturdays a month making monuments. He said that they lack experience but could help load equipment. Commissioner Smith asked about the pay for other employees in the department. Surveyor Smith explained that his administrative person made \$14/hr. He said that these brothers would make \$15, only work approximately 16 hours per month, and after they gain some experience he will probably return to have their

pay increased to \$20/hr. Smith reminded him that his liaison is vocal about positions in the County should be only \$10/hr. There is only one other survey firm in the County and is only available part time.

County Counsel Huttel said that it would be acceptable to make a single motion for both new hire items (c. and d.). Motion to approve by Brown, second by Smith. Motion carried unanimously.

4. PRESENTATIONS TO THE BOARD

a. Opportunity to Recycle Update – Luke Pyke, Curry Transfer & Recycle

Luke Pyke wanted to have this presentation to let the Board know what had been happening with Curry Transfer and Recycling. He said that about 80% of the visitors to the transfer stations do bring in recycle materials with them. The amount of recycle materials have increased greatly over the years showing the public education has been effective. This decreases the amount of other material that needs to remain as general waste. The County goal is 30% of full recovery. In 2005 it was only 15% and in 2014 it had increased to 27%.

Glass used to be crushed and used as an aggregate but now is shipped to Portland for reuse in new bottles. Cardboard was the largest by tons commodity. Scrap metal had seen a huge increase due to the market price drop. Electronics had seen a large increase due to the change of monitor and televisions to the smaller flat screens. People disposed of the large units but as the smaller flat screens become old enough to be the waste product he predicts another dramatic decrease.

He talked about where the commodities go including Portland, Clackamas, Toledo, Eugene, and Longview, WA. Sometimes the location is dependent on the market. Sometimes some items will end up going to China. Much of the items are handpicked for sorting from a large conveyor system.

Tours are available at the center north of Brookings. They have a website and engage in many ways for public education and awareness. Smith thanked Pyke for his work and the school tours. He also thanked him for his helpful work concerning the recent Curry Blue Whale that beached which will be one of only six intact skeletons in existence.

5. PUBLIC COMMENTS

Jan Barbas said that he had questions about the rules of order item on the agenda but would like to delay his comments until after hearing the information during the discussion.

Carl King said that it is less expensive for a resident to take their trash to the dump themselves and there are incentives in the form of a lower dump fee if they separate recyclable items. He wanted to speak to minimum wage. In Curry County on July 1, 2016, the minimum wage will increase 25 cents. This will result in an average worker earning \$10 per week more which equates to \$5.20 net pay to take home. He said that by the year 2022 the minimum wage will reach \$12.50. By the year 2022, a family will barely be above the poverty line assuming no increase to the cost of living. The extra earned money will be locally spent and not exported. He asked the Board to not accept a knee-jerk position that would keep people in poverty. Commissioner Smith asked if King was aware that the minimum wage in Oregon adjusted every year with the cost of living and that Oregon was listed as second highest in Poverty. King said

that he did know and that Oregon was highest in poverty even among those working full-time. Concerning the kneejerk remark, Smith listed various opponents to the proposed increase and asked King if he thought that they were also having a kneejerk reaction. King responded affirmatively and cited an incident in Boston in which very expensive cars and limos were used by owners of fast food restaurants. He pointed out that Smith had charged the County for a one dollar tea in a drive-thru but he would happily pay \$1.25 that it might be due to a wage increase for the workers. Smith pointed out that his situation showed the inflation that would be a result. He also said that in the large percentage hospitality industry in the County, labor costs are important to control and a margin loss of 3 or 4 percent was extremely hard. Smith said that copies of the letter that he drafted had been put on the door for public access. He did not feel that this issue should have been put before the Oregon legislature during the short session and this letter asks that it be put to a vote by the people of Oregon. King said that he did not want kids going to the food pantry to say they did not have breakfast because it wasn't their turn. Smith said that he understood poverty and this was not to create more poverty. Huxley expressed a need for the participants to remain calm. King said he was doing it to push Smith's buttons. Smith said that he was not effective at pushing his buttons.

Ron Crook gave the Board a handout from the Oregon Fair Board in opposition to the minimum wage increase. Smith asked if the Oregon Fair Board was having a kneejerk reaction. Crook responded that he did not think so. The Fairgrounds were on a limited budget and the increase would have large and negative impacts including ticket sales. Crook said that he wanted to inform the public a big event the following week. It would be a statewide group of over 300 people coming for three days of meetings. The Friends of the Fair would be catering. Smith congratulated him and hoped that our destination would stay on the circuit.

Lonnie Sanborn said that he was a small business owner up to 25 employees. He said that minimum wage was not meant to be a living wage for families. It was meant to be a service industry wage while first learning the work. The laws used to address minors and 14 year old dishwashers but new laws took away the opportunity for them to work at all and steadily increased the lowest age. He said that the wage of \$15 per hour was realistically \$25 per hour in costs to the employer due to workman's comp and like expenses. Each time there is an increase in the minimum wage it brings positions such as dishwasher up to the same as the experienced cook. This in turn demands that you increase the cook's wage so that he doesn't quit. Big business may be able to absorb some of these costs and pass them along to the consumer but small businesses cannot and end up closing. Prices increase and service suffers.

6. NEW BUSINESS

(None.)

7. OLD BUSINESS

a. Real Property Task Force Recommendations – Economic Development

Director of Administration and Economic Development Schmelzer reminded the Board of the task force and the recommendations that she had already presented to the Board at a prior meeting. The property on Edson Creek was to be used for an equipment storage and emergency operations location. Sheriff Ward thanked Schmelzer for her work on this as it resolves some long standing challenges for his department. It would be also used by the fire departments and as a training area. Commissioner Smith asked if the parcels would require deed work. Schmelzer informed that it would only require label work in the Assessor's

office as long as the intent was not to transfer ownership. The task force had recommended to only re-classify. She said that she would need direction from the Board to move forward on the properties so that budgets for the affected departments could be done with more complete information. Each set could have consensus and then a final motion and vote on the entire block of parcels. There was consensus by the Board to direct staff to move forward. Huttel said that any final action would require the item to be brought before the Board again for approval.

Schmelzer then reminded the Board concerning the seven parcels that were to go to the Parks Department. Commissioner Brown said that she was excited about this project. Juvenile and Parks Director Trost thanked Schmelzer and the task force. He said that they had walked the properties and with forward thinking recommended things of value to the citizens. Commissioner Smith asked Trost about the little redwood project idea in the southern part of the County. Trost said that he and Schmelzer visited the site and could get it running quickly. Smith shared with the Board that they had discussed this with the Forest Service. There was consensus by the Board to direct staff to move forward.

The parcels to re-classify to the Road Department were presented. Smith said that the Sixes fire chief had requested a partnership on one of them citing the need to have closer resources in times of emergency. There was consensus by the Board to direct staff to move forward.

Schmelzer presented the properties for forestry operations. With the threat of Sudden Oak Death tree disease, she suggested they explore revenue possibilities with Smith taking the lead due to his experience with the various agencies. Motion to approve the recommendation from task force as outlined by Commissioner Smith, second by Commissioner Brown. Motion carried unanimously.

8. PROCLAMATIONS/RESOLUTIONS/ LEGISLATIVE ACTIONS

a. Ordinance Amending County Code, Article One, Division Seven, Maintenance of Order and Decorum of Board of Commissioner Meetings EMERGENCY ADOPTION

County Counsel Huttel spoke to the use of the word Emergency. An ordinance of file had used the language and he had instructed staff to use it for consistency. Motion by Commissioner Smith to approve the ordinance with the amendment of striking Exhibit A, Rosenberg's Rules of Order, and adding Roberts' Rules of Order, second by Commissioner Brown for discussion.

Commissioner Brown said that she looked over a simplified comparison of the two sets and she thought that Rosenberg appeared to be what the Board had been doing already. Commissioner Huxley said that he had begun researching this topic seven months prior. He showed a box set of disks to the audience of each set of rules to example the difference in complexity with Rosenberg being the vastly smaller display. Smith discussed with Brown that at Commissioner College they had been taught to use Roberts Rules of Order but there was not an official school for it. Huttel said that Medford and the rest of the counties that he had looked at were using Roberts Rules of Order. He said that Rosenberg said that time limits could be imposed upon the body by the Chair but Roberts offered more clarity and specifications which is why the visual example showed it to be larger. He preferred the use of Roberts due to the answers that would be available if needed. Smith said it had been his experience with school boards, cities, etc. that Roberts had been used in all examples.

Commissioner Huxley said that he would prefer it simplified as offered by Rosenberg. He felt it reduced it down and wanted common sense to be used as the guide with some latitude for control in various situations.

A Public Comment by Jan Barbas was asked for by Commissioner Brown. Barbas said that the current code is not online and had not heard in the Board discussion why this topic was presented. Brown said that the current code addressed decorum of the audience and the public but not the Board. Barbas said that he watched a posted video of a recent Board meeting in which Commissioner Huxley attempted to cut off Commissioner Smith. He suspect this is an attempt to take a side on that issue. He was concerned that is presented as an ordinance and thought it out of the ordinary with other counties. He asked what the enforcement steps were if the rules of order were not followed. Huxley said that he thought maybe it would be a ticket or something that would impose a fine not to exceed \$2000 and possibly trespass an individual. Barbas said that Rosenberg granted a lot of power to the Chair with examples such as the sole judge of the rules and can stop any discussion. He was concerned with that power and then done as an ordinance. Huxley said that a person needs to have a final control to avoid chaos but still use common sense. Barbas said that the meetings can sometimes go long but the exchange of ideas is valuable. He asked again for the reason why the ordinance was presented. Huxley replied it was for clarity.

Smith said that he saw no problems with the current way meetings were held and disagreed that the Chair would bring this only 45 days after assuming the position. Huxley said that there were things in meetings that he did not think should have happened and they were on video but would not go into detail at that time. Smith asked Huttel if Huxley were to tell him to stop talking but he did not, would Huxley then call the authorities to give him a citation? Huttel replied that is the specified result to a violation of an ordinance. Smith asked if Huxley had talked to Chief Andrews or the Sheriff about this topic. Huxley said that he'd like to halt the question and answering and give an example. The current topic had been discussed at length. As the Chair, he would need to determine if he needed to limit time for any speaker to allow for time for others or determine that it had already been debated sufficiently. It could also be used to break for lunch. He said he can make a decision and both sets of rules of order allow the Board to appeal and vote on his decision. If both of the other Board members were to agree, the Chair could be overruled. Smith said debate can be halted with a call for the question concerning the motion already on the floor.

Huttel asked the Board if they wanted the language to say that ordinance violations for this matter should not be handled like any other ordinance. Smith replied affirmatively. Commissioner Brown said that meetings should be able to be handled as adults without all of this about rules. She withdrew her second and said that she would not vote on this matter. Commissioner Smith withdrew his motion and said that he would not vote either.

Huxley said that there was a documented history on this and nothing would change if it were to be tabled and no action taken. Commissioner Huxley proclaimed that the item died for lack of a motion.

The Board took a break at 11:55 a.m. and returned at 12:07 p.m.

9. ADMINISTRATIVE ACTIONS/ APPOINTMENTS

a. The Use Of Land Division application fees as deposits for Land Division applications received between February 17, 2016 and June 30, 2016 – Community Development

Planning Director Johnson this was addressed by the Board during a workshop in January. It was said that fees for land division were too high in comparison to other counties. She said it is difficult to justify the cost unless you know the time spent by staff on each of the projects. This will make the process work on a deposit system. They will track staff time and use that in order to create a final fee. The applicant will deposit a set fee and will either be charged for the remainder or refunded if the balance was not used.

Johnson said that the County Accountant had told her that this could make annual budgets difficult but this does not concern the County general fund. Commissioner Brown verified that this will only be on land division applications at first. Commissioner Smith thanked Johnson and Brown as the liaison for their work on this project. Motion to approve by Brown, second by Smith. Motion carried unanimously.

b. Fourth Amendment to OHA 2015-17 Agreement #148007 Financing of Public Health Services– Curry Community Health

Curry Community Health (CCH) Director Dukek said that the Public Health Director Hollie Strahm will be the person coming to the Board for things such as this in the future as she is a County employee. He said that this item was a grant from the Oregon Health Authority and is focused on overdose prevention for the next two years. Commissioner Smith thanked Dukek for all the service CCH provides for the residents and said they have done very well since the separation from the County in 2013. Motion by Smith to approve with signature authority to the Chair, second by Brown. Motion carried unanimously.

Dukek offered thanks to Leann Yantis and her husband that own the Corner Drug Pharmacy. They've continuously cooperated successfully in a drug takeback program where residents can drop off unused prescriptions so that they may be disposed of properly. Smith asked that Dukek send along his thanks as well.

e. QuitClaim Deed from Curry County to Port of Brookings-Harbor – Counsel

Commissioner Smith explained that this is a parcel that should have been transferred over a long time ago. The parcel is located at the Port of Brookings Harbor, isn't usable or developable and needed to be cleared up so that sales of the lot would be without cloud. Motion by Smith to approve, second by Brown. Motion carried unanimously.

f. Re-Appointment to Curry County Budget Committee J. Spicer – Commissioners (TABLED during amendments.)

g. Order Rescinding Previously Adopted Agenda Routing Slip Policy Amendments – Commissioners

Commissioner Huxley said that he wanted this agenda item because people were getting confused. The timing requirement for submissions had been changed from seven to nine days. This caused an overlap of agenda routing slips. When looking over the policy he noticed an old Agenda Routing Slip and wanted a new one used. Director of Administration and Economic Development Schmelzer let him know it was part of the examples of old to new for the changes at that time.

Schmelzer said that by rescinding the entire policy then many other things would be affected than just the time component that he wished to change back. It was not as simple as just rescinding an action and would cause unintended consequences. Smith suggested letting staff go back to the old timeline requirements while Schmelzer works on a policy revision for the next meeting. Huxley and Smith agreed on directing staff to change the timelines and give the new agenda routing slip a revision date. Commissioner Brown said she was not generally in favor of the change back since her initial intent was to have the publishing done one week prior to the meetings. Smith said that until this agenda he had conformed to the nine day rules and had opposed the change when presented at the January 06, 2016 meeting. He said Mondays and Tuesdays were very hectic for all involved and to add the deadlines and publishing has been hard. Huxley said that some of the reason that they talked about the nine day rule before is because there was a time that publishing did not happen on a Friday and he added that they should always be published on Friday. Consensus reached with Smith and Huxley to move forward with Brown opposing. Huxley then said that the nine day rule would remain in effect until changed. The item was pronounced dead for lack of a motion.

h. ADDITION: Letter to Support Channel Maintenance for the Rogue River

Commissioner Smith said that the information for this item had come to him in an email on the previous Thursday. He made the support letter on Friday and had it put into the supplemental file for the Commissioners review. It is a letter about the needed dredging that is done by Jerry's Jets for commercial and recreational uses. With the dam gone, the aggregate from that is still coming down river and building up, yet the Army Corp of Engineers made no increase to compensate for that. Motion by Smith to approve, second by Brown. Smith thanked Brown for the second and said that permitting for the McNair's, owners of Jerry's Jets, has been getting strenuous. Motion carried unanimously.

i. ADDITION: Letter of Opposition to SB 1532 A Minimum Wage Increase

Commissioner Smith said that the timing of this issue would not allow him to wait until the next meeting and is currently happening in the legislature. He said that there have been many documents from various bureaus and counties concerning this matter. He addressed this while working in Salem and there were six hours of testimony or debate. He said that the increase was being pushed through a short session and absolutely should not be. This letter says that in the end it should be left to the vote of the people instead of legislators deciding something critical on a short session.

Commissioner Smith felt there were very good reasons to be against the increase besides the rushed decision. The CPI increases the State minimum wage already which is the same for determining the raise for our seniors on Social Security. This will take many beyond the qualification limits for healthcare or other benefits and negatively affect nonprofits. The inflation that happens from every increase will impact the most on the ones that are supposedly helped with the increase. The increased cost of goods will push up product prices and therefore negate any savings to the people that come here due to no sales tax. He said that the push for the increase is union backed who will then demand equitable increases in all the pays. Smith said that County Accountant Short has said that such a move could cost the County an additional \$717,000.

Commissioner Brown said it was unfortunate the way this was being pushed though. She said it does not solve poverty. The County has high percentages of poverty in every city and Oregon is one of the highest in wage rates. The County is in need of real living wage jobs and not just service industry entry positions. Motion to support the letter by Smith, second by Brown. Motion carried unanimously.

10. CONSENT CALENDAR

- a. Master Card Request J. Hensley – Sheriff**
- b. Approval Meeting Minutes 01-20-2016**
- c. Approval Meeting Minutes 01-27-2016**
- d. Approval Meeting Minutes 11-04-2015**
- e. Approval Meeting Minutes 11-24-2015**
- f. Approval Meeting Minutes 12-21-2015**

Commissioner Huxley said that on item d. the word ‘resignation’ should have been ‘retirement’. He would like the titles of the Commissioners and positions shown each time they are presented in each paragraph to show respect instead of just a key at the top. Commissioner Brown said that it would remind people. They directed Administrative Assistant Megson to make the changes. Motion by Commissioner Smith to approve, second by Brown. Motion carried unanimously.

11. COMMISSIONER UPDATES/ LIAISON & STAFF REPORTS

- a. Surveyor January Report**
- b. Community Development Activity Report**

Commissioner Brown said that are some proposed road closures through BLM lands and access for the O&C activities could be affected. She forwarded it to the Roadmaster to find out if any County owned roads would be affected as well but he had said no. She said that since they were moving into budget season, she suggested maybe having budget town halls in all three cities.

Commissioner Huxley said that he had seen an email from the Juvenile Department asking if there had been a budget direction given and asked the Board. Smith and Brown said that there had not yet been one but will be addressed at a coming meeting. He reminded the Board of his time schedule last year while participating on the Budget Committee. There was consensus to add the budget direction to the March 02, 2016 general meeting agenda.

Commissioner Brown left the meeting.

Commissioner Smith said that the proposed IP28 corporate tax is a serious concern and has some opposition. It is an additional 2% tax on any sales over \$25million. He asked that the added special meeting and requested that the date be moved so that he could attend. It was agreed to move it to Friday February 26, 2016 at 10:00 a.m. with County Counsel Huttl communicating with Commissioner Brown. He also wanted to address the scheduled joint Board of Commissioners and Planning Commission meeting that he will not be able to attend. All of his experience has taught him many times that the two should not be meeting together and could open up decisions for appeal reasons on land use issues. Huxley said that the issue of regulations concerning the marijuana industry had been added to the agenda of that meeting since it would be during the night hours and they would get more public comment. Huttl said that the cautions are legitimate, but there will be no decisions, and it is a workshop so it should be alright. Planning

Director Johnson said that she had done lots of meetings together like that. Smith reminded the Board that Oregon has strict land use rules. The Planning Commission is able to make some decisions without the Board. Huttel said it is an overall and not quasi (single applicant) discussions so he is more comfortable with the scheduled meeting.

12. ANNOUNCEMENTS

Commissioner Huxley read the announcements.

13. EXECUTIVE SESSION

(None.)

14. ADJOURN

Commissioner Huxley adjourned the meeting at 1:35 p.m.

Respectfully Submitted,
Shelía M. Megson

These minutes from Wednesday, February 17, 2016 Board of Commissioners' General Meeting approved this 6 day of April, 2016.

CURRY COUNTY BOARD OF COMMISSIONERS

Thomas Huxley, Chair

Susan Brown, Vice Chair

David Brock Smith, Commissioner



CURRY COUNTY BOARD OF COMMISSIONERS

MINUTES – GENERAL MEETING

Wednesday, March 02, 2016 –10:00 A.M.

Commissioners' Hearing Room, Courthouse Annex
94235 Moore St., Gold Beach, Oregon 97444

Commissioners Present: Chair Thomas Huxley, Vice-Chair Susan Brown, David Brock Smith

Support Staff Present: County Counsel John Hutt, Administrative Assistant Shelia Megson

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Commissioner Huxley called the meeting to order at 10:00 a.m. The Pledge was recited by all.

2. AGENDA AMENDMENTS

- a. ADDITION: Item 9.k. **Budget Calendar Workbook**
- b. ADDITION: Item 9.l. **BLM Road Closures Letter**
- c. ADDITION: Item 7.a. **Letter from Department of Justice Clearing Commissioner Smith of Unsubstantiated Accusations of Records Tampering made by Thomas Huxley**

Motion by Commissioner Smith to approve the additions of items 2.b. and 2.c. Commissioner Huxley would like to include item 2.a. only as a handout but not for discussion. Smith said that he did hope for some discussion on item 2.a. in order to put positions and strategies in place. Smith amended motion to include item 2.a., second by Commissioner Brown. Motion carried unanimously.

3. APPROVAL OF AGENDA

(Commissioner Huxley declared it was approved. No motion or vote.)

4. PRESENTATIONS TO THE BOARD

- a. **20 Years of Service - Shelley Denney – Clerk**

County Clerk Kolen presented Clerk Denney with a certificate for 20 years of service. She said what a pleasure it had been to work with such an asset to the County. Kolen thanked Denney for choosing to work at the County and then choosing to remain during challenging times. Commissioner Smith thanked Denney for her work and helping him many times over the last decade. Kolen thanked the Board for having the recognition program.

5. PUBLIC COMMENTS

County Counsel Hutt handed out a newspaper article and said that he would like to recognize the Sheriff and some Deputies that received an award from the Coast Guard for a life-saving event during 2014. The Coast Guard awarded Terry L. Brown with the Gold Lifesaving Medal. Logan Couch, Sheriff John Ward, and Kyle Kennedy received the Silver Lifesaving Medal, Certificates of Valor, and the Meritorious Public Service Award respectively. Sheriff Ward was asked to recount the situation. He shared the chilling water conditions, attempts to use life-line ropes that were just not long enough, kayaks that would not remain upright in the rough waters, and acts of heroism by the participants that put their own lives in danger to save a boy in the ocean rip current.

There was a standing ovation by the Board and all in attendance. Commissioner Smith thanked the Sheriff and the entire department for putting service above self and risking their lives every day.

Commissioner Huxley determined after conversation to delay the other speaker slips until after Item 9.e. in the agenda.

6. NEW BUSINESS

(None.)

7. OLD BUSINESS

a. Letter from Department of Justice Clearing Commissioner Smith of Unsubstantiated Accusations of Records Tampering made by Thomas Huxley

Commissioner Smith said that he would like to let the public know and show it on record that the Department of Justice (DOJ) had cleared him of accusations of records tampering that had been made by Thomas Huxley before elected as a Commissioner. Smith said that he needed to bring this to a General Meeting because the topic had been brought up numerous times by Commissioner Huxley during meetings in the past and used as a topic during Huxley's campaign. Smith read parts aloud from the letter.

Commissioner Huxley said that he had not received anything from the DOJ concerning this conclusion. He said that he called the DOJ investigator and he was unaware of the letter.

8. PROCLAMATIONS/RESOLUTIONS/ LEGISLATIVE ACTIONS

(None.)

9. ADMINISTRATIVE ACTIONS/ APPOINTMENTS

a. Rescinding Order 13177, Changing Title of Captain to Undersheriff – Sheriff

Sheriff Ward said this was a housecleaning item and would change the position title back to Captain, which is how it is reflected in the budgets. Motion by Commissioner Brown to approve, second by Commissioner Smith. Motion carried unanimously.

b. 2016 9-1-1 Jurisdiction Plan Submittal Form – Sheriff

Sergeant Hensley explained that he continues working with County Counsel Huttel on this and it concerns the Oregon Revised Code (ORS) and changing jurisdictions. This new plan is to submit who controls funds and hopes to bring a final product before the Board at the next general meeting. Huttel said this is statutory for 911 funds and a plan is needed for handling the County areas and submitted to the State by April 01, 2016. This requirement is statewide and includes private entities. Hensley and Commissioner Smith discussed changes in how the taxes are targeted and collected from phone carriers. Commissioner Huxley said that if more time would be needed, then Hensley could bring the matter back before the Board on March 30, 2016.

c. Update Personnel Rules , Sick Leave – Personnel

Personnel Coordinator Swift said this would bring the sick leave rules in line with State laws required when there are more than ten employees. She explained the amount of time of leave

would be determined by the number of hours worked. This also changes the accepted definition of family member to include loco parentis which a person that had been like a parent to the employee. Motion to approve by Commissioner Brown, second by Commissioner Smith. Motion carried unanimously.

d. 2014-2015 Audit Report delivery to Commissioners – Finance

County Accountant Short handed each member of the Board the Audit Report for the official delivery. He explained that the report is also online and in accessible places within the County computer filing system as well. He said this is described as a clean audit. Commissioner Smith said that there had been statements from the auditors saying that there were ongoing concerns. Short agreed and said the extremely limited funding and whether an entity will survive to the next year is a reoccurring concern expressed by the auditors.

Short said that the auditors Moss Adams could be contacted for a presentation. This is the final year of a contract with the auditors but he felt that they would be willing to continue for another year. He also said that they might be of use in preparing other financial reports. Commissioner Huxley said that he had learned that the County had recently received the final payment for O&C land use. Short confirmed that they had received notification and that the deposit was already included in the existing 2015-2016 budget. The handout was recognized by the Board.

Commissioner Huxley asked for the remaining public comments. It was decided to wait until after item 9.e. on the agenda.

e. Relocate Animal Control to Non-Departmental – Finance

County Account Short explained that the only thing that is logged through the current accounting category is the dog license fees. The fees are no longer logged under the Sheriff department and should be moved under the non-departmental category. It would only move the two budget lines and did not need formal action by the Board. This agenda item was to inform the Board.

The Board wanted to recognize County Accountant. Commissioner Smith thanked County Accountant Short for his work and acknowledged the complexity and difficulties of the position. He said that the time that Short had spent explaining and teaching were well valued.

Commissioner Huxley said that he had inquired about Short possibly consulting the County during the upcoming budgets. He said that he had heard back through other people that an affirmative answer would be likely. There was consensus that County Counsel Hutt work with Short to bring a contract concerning the matter. Commissioner Smith pleaded with Short to consider the contract.

Commissioner Smith pointed out that the remaining public comments could be delayed until addressing item 9.g., since it was the relevant topic, or take the comments at this time and move up the item. It was agreed by all to again delay the remaining public comments.

f. Agenda Routing Slip Policy – Administration

Director of Administration and Economic Development Schmelzer explained that a policy had been put in place last May. A new policy had been adopted by the Board in January. The proposed new policy amendments would bring the deadline for agenda submissions back to seven days instead of nine and rescind a very old policy.

Commissioner Huxley said that he had found three different agenda routing slips which was confusing. He said that he would like a revision date on the policy, a revision date on the agenda routing slip, and a change of the wording from nine days to seven. Schmelzer explained that the Order is what dates the policy, the revisions to the routing slip would include the wording changes, and the numerous slips were to show examples of what had been used versus what will be used in the future. Huxley then asked about a section that places personnel matters on the consent calendar. Schmelzer explained that those items were in the very old policy, was not being used, and would be rescinded. Huxley then asked why there was an order number on it. Smith explained that it was the order number that adopted the old policy and would be used as reference during this cleanup.

Commissioner Huxley then said that another change that he wanted on the agenda routing slip was to have an entry field for showing how much of the meeting time they were going to take for their submission to the agenda. Commissioner Brown said that sounded like a good idea but times are always a guessing game. Commissioner Smith said we could try that but Schmelzer warned it would inhibit the ability to change the order of the agenda during the meeting.

Commissioner Brown found a typo concerning the eight days deadline if a holiday were to occur during the submission time. It was agreed to amend the new form with the discussed changes. Assessor Kolen asked for clarification of the new submission deadline times. Motion by Smith to approve as amended, second by Brown. Motion carried unanimously.

g. (Re)Appointment to the Budget Committee – Commissioners

The remaining public comments were taken at this time.

County Accountant Short urged the Board to re-appoint John Spicer to the Budget Committee citing experience with not only Curry County but other entities as well and understood the tedious workings required of the position.

Dugie Freeman told the Board that he favored John Spicer of the candidates for the Budget Committee. He said that Spicer was a long-term resident of the County, had been on Rotary and hospital boards for many years, and understood the many aspects to budget building.

Commissioner Huxley said that were two applicants for the one expiring position. He then asked County Counsel about the requirement that the lay member not be an employee for the municipal corporation. It was determined that Spicer had been an attorney for some municipal districts and on several boards but not an employee of the County. Motion by Commissioner Smith to re-appoint Spicer to the Curry County Budget Committee, Commissioner Brown said she would not second, second by Commissioner Huxley for discussion.

Smith reminded the Board that a long-time resident prominent business owner as well as the current County Accountant had recommended Spicer. Smith said that Huxley had directed staff to go above and beyond currently observed protocol for advertising vacant positions. He said that Spicer had applied, was the only applicant, was placed on the last general meeting agenda, and was tabled by the Chair and Vice Chair. The next day King also applied for the position. Smith said it could be a conflict for Brown to vote on the issue since King was her current campaign manager. Brown asked Huttel and he expressed that he did not think there would be a conflict. Smith said that King had been a long-time advocate for Huxley, is now working with Brown, and had admitted in a Board meeting to wanting to push Smith's 'buttons'. He said it would not bode well for the County's public perception to overlook a qualified and experienced candidate to appoint King. Brown said that she considered their experience of equal level and that in such a small community there would be connections to any candidate. She said that she would prefer to get new blood on the committee with new perspectives.

Huxley said that due to the importance of the position he had asked for the extra advertising and did not want the answer of 'we met the minimum'. He said that the public notice of the position on the County website was not clear and he had not been able to find it himself. He wanted the title of the page changed and talked to the Director of Administration about it. Huxley also said that it was a coincidence that King had submitted his application the day after he had tabled Spicer's re-appointment. He said that we should be looking for different perspectives from different people.

Sheriff Ward said that as the biggest budget user of the County, he wants experience. He said that King had been a big help for a voting measure and had been supportive of the Sheriff's office. Spicer had voted against what Ward had preferred last year. However, Spicer had the needed experience. Ward suggested that the Board consider the opinion of the other lay members of the committee. He ended saying again that he recommended that the Board appoint Spicer.

Brown said that King had approached her and asked if he could apply or if it would be a conflict of interest. She had told him that there was no conflict but did not direct him to apply.

Assessor Kolen spoke to advocate for Spicer. He said that Spicer had served with municipalities and had many years of budgeting experience. He said that Spicer's deep involvement with the communities made him the best choice for the central county position on the committee. Juvenile and Parks Director Trost said that he worked with Spicer on the Curry Community Health Board putting together budgets. Trost advised that to avoid the air of impropriety the Board should appoint Spicer. He also reminded Brown that due to the committee positions and public meetings laws, she and King would not be able to discuss the budget issues out in public. Brown said that she had never been dishonest to the public and her vote would not be swayed. Trost said that he was not making that accusation but just that the trust of the public is important. Huxley said that he had a concern with re-appointing Spicer because he had heard a rumor that Spicer might move to Hawaii.

Commissioner Huxley asked if there would be a second to the motion. He was informed that there had already been a second by him. Huxley then asked if he could support a new motion but County Counsel Huttl informed him that the motion on the floor needed to be handled first. Motion failed with Smith voting ‘aye’ and Brown and Huxley voting ‘naye’.

Brown said that she would refrain from making the new motion due to the perception of conflict. Motion by Huxley to appoint Carl King to the Budget Committee, second by Brown. Huttl said that if directed by the Board, he would do an in-depth analysis of the conflict of interest issue. Brown said that it should include Spicer’s involvement of the tax measures and Smith suggested including King’s involvement of the recent failed Charter. Brown reminded the Board that the committee will only be providing a recommendation and that it would be up to the Board to approve a final budget. She said that research could be done now so that it would be known for any future issues as well. Smith agreed. Motion by Smith to table the item and allow time for research. Brown said that there was already a new motion on the floor. Smith said the motion to table superseded. Huxley asked for a second but Smith said a motion to table did not require a second. Motion to table failed with Smith voting ‘aye’ and Brown and Huxley voting ‘naye’. Huxley asked for another motion. Smith reminded him that there was a current motion on the floor. Motion to appoint Carl King to the Budget Committee carried with Huxley and Brown voting ‘aye’ and Smith voting ‘naye’.

Commissioner Smith thanked Mr. Spicer for his two terms of service on the Budget Committee and all the things he had done for the public in his many years in the community.

- h. Gold Beach Bus Shelter-Special Transportation Fund Discretionary Program Project**
General Manager for the Curry County Public Transportation Inc. Kathy Bernhardt informed that they had applied for a grant for a bus shelter and the City of Gold Beach had agreed to help and take on the maintenance. It is a competitive grant and the maintenance service and labor would be used as the matching requirement. Motion by Brown to approve with signature authority to Commissioner Brown, second by Commissioner Smith. Motion carried unanimously.
- i. Matching Funds-Special Transportation Fund Discretionary Program Project Application for Curry Public Transit – Commissioners**
Commissioner Brown said this was the same item that the Board saw in the Transit District meeting and is for the required grant matching funds. Motion to approve by Commissioner Brown, second by Commissioner Smith. Motion carried unanimously.
- j. Curry Public Transit Bus Shelter Support Letter – Commissioners**
Commissioner Brown said this is a letter of support for the previously discussed Bus Shelter in Gold Beach. Motion to approve by Commissioner Brown, second by Commissioner Smith. Motion carried unanimously.
- k. ADDED: Budget Calendar Workbook**
Commissioner Huxley gave a printed handout of the workbook and said it had three pages of administrative rules from County Accountant Short. He talked about the schedule of the Budget Committee last year and said he wanted input from the lay members this year. The Board directed Administrative Assistant Megson to call Sam Scaffo concerning scheduling.

Megson verified that lay member Hanscam had responded with a preference of the last two weeks offered. Huxley said that there was a letter emailed out with six points from Short on February 04, 2016 and said that they had already decided to have County Counsel work with Short to see if there would be participation.

Commissioner Brown said staff wanted direction to know when to have their budgets completed. Huxley said that he would like to be firm on the dates beginning May 09, 2016 but would defer that and ask Short. Brown said that staff had already been given direction on how to build their budgets. Smith asked if it was to build status quo budgets with the assumption of using Road Department monies. All agreed.

Commissioner Huxley said that he wanted County Counsel Huttel to ask Short to perform as the Budget Officer and then tell the Board what the deadlines are. As the Budget officer, Short would prepare the budget message and then bring it to the Board. Commissioner Smith again expressed hope that Short would engage in a contract with the County.

1. ADDED: BLM Road Closures Letter

Commissioner Smith said that he asked to add this item since he would like to take it with him to an AOCC meeting that afternoon. He said that Commissioner Brown had spoken about the subject at the last General Meeting. Motion to approve by Smith, second by Brown. Motion carried unanimously.

10. CONSENT CALENDAR

- a. Workshop Minutes 12-09-2015**
- b. Special Meeting Minutes 01-26-2016**
- c. Workshop Minutes 02-02-2016**
- d. Workshop Minutes 02-03-2016**

Motion to approve by Commissioner Smith, second by Commissioner Brown. Commissioner Huxley said that he wanted to address a few things on the minutes. Smith told Huxley that a procedure had been put in place that allowed ample time for review, accessible to all persons involved, a way to suggest modifications, a way to track what changes were made, and have a finished product before presenting to the Board. He suggested that Huxley utilize that system as everyone else does, print them, take them home, and use rainbow colors on them if he so wished, instead of using time during the Board meetings. Huxley said that he had just looked over them during the weekend and there were radical fixes needed that were not caught by the others during review. Smith said that he could have suggested any needed fixes utilizing the system on the computer prior to the meeting. Huxley said that he would if he had the time, but otherwise he would continue to bring them to the Board.

Commissioner Huxley pointed out a section on the minutes that he didn't understand. He said it had claimed within the minutes that he had said that the video would be a good one hour length. In another section it had claimed that he did not like the use of the word 'reasonable'. It was determined that he had used those phrases and was remembered by the other participants. In a separate section he expressed concern that the dirt fill lost in the sinkhole had been shown as 60-65 yards of material but it should include the word 'thousands' to adequately convey the actual amount. Everyone agreed the change was needed. He liked the use of the word Commissioner and titles for participants within the text instead of being in a header key.

Commissioner Huxley asked for a motion. County Counsel HuttI suggested a friendly amendment to the existing motion. Commissioner Smith asked for clarification on the wanted change and amended his motion to include it, Commissioner Brown agreed to the change. Motion carried unanimously.

11. COMMISSIONER UPDATES/ LIAISON & STAFF REPORTS

a. Notice of Grant Award-RSVP – Commissioner Brown

Commissioner Brown informed that the grant had been awarded and her efforts will bring to the County \$40,000 per year. Commissioner Smith congratulated her and thanked her for her work on it.

Commissioner Smith said he had been working with the Juvenile Director and the Roadmaster to expand the park system. During the prior week he attended a summit in which Red Fish Rocks Marine Preserve had made a presentation and showed the benefits of the project done here in the County. A dive tank fill station has been put in place. He also attended a salmon industry meeting and they are working on the Oregon Preferred Option to advocate for local fishermen. Smith also informed the Board that he had provided an impromptu testimony concerning HBR 202 for veterans and would bring more funds to the County from lottery income.

Commissioner Huxley said that County Counsel HuttI, Personnel Coordinator Swift, and Curry Community Health Director Dukek had discussed the option of working with an outside firm to find a candidate for the open County Accountant position. The fee would be 25% of the offered salary. He asked for consensus from the Board to continue to move forward on this since they had not yet gotten and viable candidates to apply. Commissioner Brown asked if that included the candidates already interviewed as well as two new applicants. Huxley said that it did include all of the mentioned candidates except that he had not yet seen one of the recent applications. HuttI said that the agency would bring candidates for consideration matching the criteria that would be provided to them by the County.

12. ANNOUNCEMENTS

Commissioner Huxley read the list of announcements after Item 13.

13. EXECUTIVE SESSION

Commissioner Huxley announced to adjourn to Executive Session and read the ORS reasoning. He said it would be to consider adding another ORS reason to the upcoming already noticed Executive Session on March 09, 2016. Smith said that past procedure had been to publish the topic to be discussed in the Executive Sessions yet lately had only seen the ORS numbers given recently. Smith also expressed concern of the recent procedure of directing staff to proceed as discussed when back in open session. He felt that was too vague a description. He also pointed out that the calling of an Executive Session during this meeting had not been shown on the agenda. County Counsel HuttI explained that current procedure was within the law due to the topics concerned.

Motion by Commissioner Brown to have an Executive Session at the end of the meeting, second by Commissioner Huxley. Motion carried by Brown and Huxley voting ‘aye’ and Smith voting

‘naye’. The Board then took a break from 12:23 p.m. to 12:45 p.m. with Commissioner Smith no longer in attendance.

The Board proceeded with the Executive Session at 12:45 p.m. The Board arose from Executive Session at 12:54 p.m. Motion by Commissioner Brown to add the already scheduled Executive Session on March 09, 2016 the item of “ORS 192.660(2)(i) To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing”, second by Commissioner Huxley. Motion carried unanimously by those present.

14. ADJOURN

Commissioner Huxley adjourned the meeting at 12:58 p.m.

Respectfully Submitted,
Shelía M. Megson

These minutes from Wednesday, March 02, 2016 Board of Commissioners’ General Meeting approved this 06 day of April, 2016.

CURRY COUNTY BOARD OF COMMISSIONERS

Thomas Huxley, Chair

Susan Brown, Vice Chair

David Brock Smith, Commissioner



CURRY COUNTY BOARD OF COMMISSIONERS

MINUTES – SPECIAL MEETING

Monday, July 22, 2015 – 10:00 A.M.

Commissioners' Hearing Room, Courthouse Annex
94235 Moore St., Gold Beach, Oregon 97444

Commissioners Present: Chair Susan Brown, Vice-Chair Thomas Huxley, David Brock Smith
Staff Present: County Counsel, M. Gerard Herbage; Economic Development Assistant Summer Matteson

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

Brown called the meeting to order at 10:02 a.m. The Pledge was recited by all present.

2. AGENDA ALTERATIONS

(None.)

3. PUBLIC COMMENT

A citizen from Brookings spoke in regard to the 'Commotion by the Ocean' event and associated livestock sale.

4. CONSENT CALENDAR

(None.)

5. LEGISLATIVE ACTIONS

a. Ordinance Imposing TLT

Brown distributed hard copies of information to the Board. Motion by Huxley, second by Smith, to read by title only. Motion carried unanimously. Herbage then read the draft ordinance by title, provided a summary and presented minor edits to the text. Motion by Huxley, second by Smith, to accept the changes. Motion carried unanimously.

Public comments were then made by four residents; one expressing concern over the percentage of the tax and the schedule of the proposal, the other three speaking in support of the tax.

Motion by Smith, second by Huxley, to have the second reading of the ordinance on August 5, 2015. Motion carried unanimously.

b. Ordinance Implementing TLT

Motion by Smith, second by Huxley, to read by title only. Motion carried unanimously. Herbage then read the draft ordinance by title, provided a summary and presented minor edits to the text. Motion by Huxley, second by Smith, to accept the changes. Motion carried unanimously.

Public comment was provided by one Harbor hotel co-owner expressing concerns about the tax.

Motion by Smith, second by Huxley, to have the second reading of the ordinance on August 5, 2015. Motion carried unanimously.

6. PRESENTATIONS

a. Years of Service Recognition

Sheriff John Ward spoke of the years of service recognition certificate for Deputy Michael Brace who has served the county for ten years. Brown and Smith asked the Sheriff to share their gratitude with Brace, who was unable to attend the meeting.

7. ADMINISTRATIVE ACTIONS

a. D.O.R. Sheriff's Office Collective Service Agreement

The Sheriff was present and provided information about the agreement. Motion by Smith to approve, second by Huxley. Motion carried unanimously.

b. New Hire K. Cates-Richardson

The VSO was present and explained how many applications were received and the qualifications of his candidate. Motion by Smith, second by Huxley, to accept the recommendation by VSO Anthony Vouidy to hire Kathleen Cates-Richardson as the Assistant VSO. Motion carried unanimously.

c. Temporary Construction Easements

The Road Master explained the details of the easements. Motion by Smith, second by Huxley, to approve the easements for the road repair work. Motion carried unanimously.

d. New Hire W. Avery

The Road Master explained the position which Avery was recommended for hire. Motion by Smith, second by Huxley, to accept the recommendation by Road Master Doug Robbins to hire William Avery as a main construction worker. Motion carried unanimously.

e. Digital Road Video Imaging Agreement

The Road Master explained why the agreement was necessary. Motion by Smith, second by Huxley, to approve the agreement. Motion carried unanimously.

f. Bid Results and Award

The Road Master presented information about the bids. Motion by Smith, second by Huxley, to award the bid for \$329,900 for culvert rehabilitation on Jerry's Flat Road, with signature authority to the Road Master. Motion carried unanimously.

g. SHIBA-MIPPA Agreement

The RSVP Director explained the purposes of the grant and agreement. Motion by Huxley, second by Smith, to approve the agreement for the grant with signature authority to Vicky McGuinness of RSVP. Motion carried unanimously.

h. Curry Public Transit Bus Purchase

Brown explained the purchase order was to replace 5 of the 7 buses for which an award was received. Motion by Smith, second by Huxley, to approve the purchase order. Motion carried unanimously.

8. OLD BUSINESS

(None.)

9. NEW BUSINESS

(None.)

10. PROCLAMATIONS/RESOLUTIONS

(None.)

11. APPOINTMENTS

Brown announced the Camellia Park Sanitary District Board was down to one member and applications were being sought.

12. CITIZENS CONCERNS

(None.)

13. EXECUTIVE SESSION

(None.)

14. MATTERS FROM COMMISSIONERS

Smith reported on the BLM EIS process, and, questioned Brown on the upcoming public forums she was holding throughout the county.

Part-time resident David Lucas spoke in support if the public forums.

15. ANNOUNCEMENTS

Brown read the list of scheduled meetings.

16. MISCELLANEOUS

(None.)

17. ADJOURN

Brown adjourned the meeting at 12:12 p.m.

Respectfully Submitted,
Julie A. Schmelzer

These minutes approved this 06 day of April, 2016.

CURRY COUNTY BOARD OF COMMISSIONERS

Thomas Huxley, Chair

Susan Brown, Vice Chair

David Brock Smith, Commissioner



CURRY COUNTY BOARD OF COMMISSIONERS

MEETING SUMMARY/MINUTES – WORKSHOP

Wednesday, July 29, 2015 –2:00 P.M.

Commissioners' Hearing Room, Courthouse Annex
94235 Moore St., Gold Beach, Oregon 97444

Commissioners Present: Chair Susan Brown, Vice-Chair Thomas Huxley, David Brock Smith

Staff Present: Economic Development Assistant Summer Matteson

TLT Discussion

Seven members of the public spoke in regard to the proposed transient lodging tax ordinances. Discussion included, but was not limited to, administration costs; whether unincorporated hoteliers should have personally been notified of the proposal; the timing of the proposal; whether a plan and/or committee should be established prior to knowing if the tax is approved; what percentage should be set aside for the Event Center on the Beach, if any, or should funds just be set aside for 'event centers' in general, just in case the county has more than one event center in the future; the percentage and whether it should be applied to cities as well; marketing being a catalyst for economic growth; and the potential benefits of a tax.

Commissioner Huxley expressed concerns over the timing of the matter as well as the notification process. Commissioners discussed proposed changes to the ordinances and by a majority agreed to have the second reading on the ordinances on August 5, 2015.

GIS Discussion

The Chair indicated the current GIS contract has expired and now was the time to re-visit the matter and determine whether the service should be brought 'in house', stay with the current contractor, or solicit for a new contractor. Three employees spoke regarding the matter as did one part time resident. By consensus the Board agreed to move the matter to a future regular meeting agenda for further discussion and possible action.

Other Matters

Commissioner Huxley requested the following items be briefly discussed to determine if there was a majority of the Board that would move the items below to a future meeting; the objective would then be to come back to the Board in the future with suggested revisions for review and potential approval by the Board:

A: Items relating to recent reprimand proceedings.

- Revise or replace Order Numbers 12327; 11787 (includes Ground Rules)
- Revise Department Head Manual 2014
- Revise Employee Personnel Rules
- Revise County Organization Chart
- Revise department head job descriptions as required

B: Curry County Board of Commissioner (BOC) Protocol

- Citizen comment forms - All citizens requesting to speak
- Current rules in effect - motion; second; comments;
- Additions to Agenda items
- Authority of the Chair

C: Notice of Meetings

- Public Notice
- Agenda Items
- FULL Agenda
- Amendments to items continued to future dates

D: Posting of BOC Meetings

- Public Notice
- Agenda Items
- FULL Agenda
- Amendments (includes attachments) to continued items
- Audio of meetings

Commissioner Smith opposed bringing the matters forward for discussion as he viewed them to be retaliation and a 'waste of time'. The County Payroll Coordinator indicated the Department Manual was updated in 2014 and the Personnel Rules updated in 2013. Citizen Connie Hunter spoke regarding civility. By a majority the items are to be scheduled for discussion on a future agenda.

Respectfully Submitted,
Julie A. Schmelzer

These minutes/meeting summary approved this 06 day of April, 2016.

CURRY COUNTY BOARD OF COMMISSIONERS

Thomas Huxley, Chair

Susan Brown, Vice Chair

David Brock Smith, Commissioner