



Board of Commissioners Business Meeting Agenda  
June 30, 2020 ~ 8:30am ~ Room 219

1. To Watch A Live Stream Of This Meeting, Click The Link Below Or Go To [www.klamathcounty.org](http://www.klamathcounty.org)

[HTTP://WWW.KLAMATHCOUNTY.ORG/800/KLAMATH-COUNTY-GOVERNMENT-TELEVISION--L](http://www.klamathcounty.org/800/KLAMATH-COUNTY-GOVERNMENT-TELEVISION--L)

2. Call To Order & Those Present

3. Public Comment

4. Agenda Deletions/Additions

5. Approve Minutes From Last Meeting

1. In The Matter Of Approving The Minutes From The June 23, 2020 Business Meeting. - BOCC

**Background:** Approve the Minutes which summarize all business by the Board of Commissioners for the Business Meeting held on the date stated above.

**Fiscal Impact:** None

**Recommended Motion:** Approve the Minutes as presented.

Documents:

[06-30-20-BOCC-WEEKLY PROCEEDINGS.PDF](#)

6. Prior Approved Items

1. In The Matter Of Approving A Resolution Regarding The Swan Lake North Hydro LLC Pumped Hydro Project Strategic Investment Program. - BOCC

**Background:** Enacted by the 1993 Legislature, the Strategic Investment Program (SIP) allows local governments to negotiate agreements for up to 15 years of property tax relief for key industry companies to attract and retain long term investment and employment. Swan Lake North Hydro LLC proposes to build a pumped hydro energy storage project in Klamath County. Attached resolution is a request of the Oregon Business Development Commission to determine that the Swan Lake Project shall be exempt from property taxation under ORS 307.123.

**Fiscal Impact:** None

**Recommended Motion:** Resolution was approved and executed in a public meeting on June 17, 2020

Documents:

[SL RESOLUTION.PDF](#)

2. In The Matter Of Approving Agreement With Swan Lake North Hydro LLC Pumped Hydro Project Regarding The Strategic Investment Program. - BOCC

**Background:** Enacted by the 1993 Legislature, the Strategic Investment Program (SIP) allows local governments to negotiate agreements for up to 15 years of property tax relief for key industry companies to attract and retain long term investment and employment. Swan Lake North Hydro LLC proposes to build a pumped hydro energy storage project in Klamath County. Attached agreement is intended to satisfy the requirements described in ORS 285C.609(4) and the project will qualify for the property tax incentives described in ORS 307.123.

**Fiscal Impact:** Company shall pay each year a **Community Service Fee:** each tax year during exemption period (15 years) equal to 25% of the property taxes that would, but for the exemption pursuant to ORS 307.123(c), be due not to exceed \$2,500,000 for any tax year; AND an **Annual Fee:** each year ranging from \$1,096,181 in year one to \$1,658,072 in year 15.

Recommended Motion: Agreement was approved and executed in a public meeting on June 17, 2020

Documents:

[SL AGREEMENT.PDF](#)

## 7. Public Hearings

### 1. TIME CERTAIN 8:45am: In The Matter Of Holding The First Public Hearing On Ordinance No. 51.08-BOCC

**Background:** ORS 609.415 was changed by Oregon Laws 2019, Chapter 557. The enforcing agency for animal rescue entities was changed from authorizing the county animal control officer from doing inspections of the animal rescue facilities and now gives that authority to the State Veterinarian. Ordinance 51.08 will revise the Klamath County Code, Chapter 403 to reflect that change. The proposed Ordinance is attached.

**Fiscal Impact:** Publication costs to the Herald and News for the hearings - \$142.96

**Recommended Motion:** Hold the first hearing for discussion and the taking of public testimony (if any) on the proposed Ordinance. The second and final hearing is scheduled for July 14, 2020 @8:45. Fiscal impact: Publication costs to the Herald and News for the hearings - \$142.96.

Documents:

[ORDINANCE 51.08-1ST HRG.PDF](#)

### 2. TIME CERTAIN 8:50AM - In The Matter Of Holding A Public Hearing On Proposed Supplemental Budget Resolutions For Klamath County Budget For Fiscal Year 2019-2020. Vickie Noel - Finance

**Background:** The purpose of the hearing is to discuss the proposed supplemental budget resolutions for Klamath County's budget for the fiscal year 2019-2020 as advertised. Time certain 8:50 am.

**Fiscal Impact:** \$376.52 Expenditure for advertising costs to the Internal Services Finance Department.

**Recommended Motion:** Hold the hearing on the proposed supplemental budget of Klamath County for fiscal year 2019-2020.

Documents:

[06-30-2020 PUBLIC HEARING.PDF](#)

### 2.1. In The Matter Of Adopting A Supplemental Budget Within The Public Works And County School Funds. Vickie Noel - Finance

**Background:** During preparation of the 2019-20 fiscal year budget, it was unknown whether the Federal Government was going to authorize Secure Rural School payments, therefore, Public Works Federal Reserve and County School funds did not have a budgeted amount for SRS revenues. The authorization did occur later in the fiscal year requiring a supplemental budget for the increase in revenues. There are additional corrections in both budgets to bring other budgeted revenues in line with actual amounts.

**Fiscal Impact:** \$7,814.333 revenue increase in Public Works Federal Reserve, \$1,558,320 revenue and expenditure increase in County Schools Fund.

**Recommended Motion:** Approve the supplemental budget for fiscal year 2019-20 as outlined in the attached document. Fiscal impact is a \$7,814.333 revenue increase in Public Works Federal Reserve, and a \$1,558,320 revenue and expenditure increase in County Schools Fund.

Documents:

[06-30-2020 SUPP BUDGET PW CTY SCHOOLS.PDF](#)

### 2.2. In The Matter Of The Adoption Of A Supplemental Budget Within The Community Development – Building Operating Fund. Vickie Noel - Finance

**Background:** Community Development – Building Operating fund had higher than expected fee

revenue due to increased permit volumes, higher interest and beginning fund balance. There were also open inspector positions that remained vacant for the entire fiscal year and projected refunds that were not paid. The excess revenues and decreased expenditures result in a savings to carryover to fiscal year 2020-21 of \$1,087,174.00.

**Fiscal Impact:** \$803,811.00 decrease in expenses, \$283,363.00 increase in revenue resulting in non-appropriated Reserve for Future Expenditures of \$1,087,174.00.

**Recommended Motion:** Approve the supplemental budget for fiscal year 2019-20 as outlined in the attached documents within the Community Development – Building Operating Fund. The fiscal impact is \$1,087,174.00 from appropriated to non-appropriated.

Documents:

[06-30-20-FINANCE-BR2020- SUPP BUDG CDD BUILDING OPERATING FUND.PDF](#)

## 8. Budget Resolutions

### 1. In The Matter Of The Adoption Of A Budget Resolution Within Multiple County Departments. Vickie Noel - Finance

**Background:** This budget resolution makes minor changes throughout several different County departments. The following are included in the resolution:  
District Attorney Special Revenue: Received additional grant funds for Material and Service expenditures.  
Equipment Reserve: Need additional expenditure in capital outlay for Tax Collector vehicle purchase.  
Internal Services - GIS: Increased personnel by .5 FTE and received a State grant not budgeted.  
Community Corrections - JRI: Increased transfers of JRI revenue out to DA, Sheriff, Crises Center and KBBH, decreased operating contingency as a result by \$60,743.00

**Fiscal Impact:** District Attorney Special Revenue: \$6,000 increase in revenues and expenditures.  
Equipment Reserve: \$44,100 increase in revenues and expenditures.  
Internal Services - GIS: \$40,000 increase in revenues and expenditures.  
Community Corrections - JRI: \$60,743.00 decrease in operating contingency and increase in materials and services and transfers.

**Recommended Motion:** The Board of Commissioners of Klamath County, Oregon hereby approve the budget resolution for fiscal year 2019

Documents:

[06-30-2020 BUDGET RESOLUTION MULTI-DEPT.PDF](#)

### 2. In The Matter Of The Adoption Of A Budget Resolution Within The Public Health Fund. Vickie Noel - Finance

**Background:** This budget resolution increases revenues related to COVID19 in PHEP and Clinic Nursing as well as adjusts projected expenditures closer to actual throughout all sub-departments of Public Health.

**Fiscal Impact:** \$169,055.00 increase in revenues and expenditures in the Public Health Fund.

**Recommended Motion:** The Board of Commissioners of Klamath County, Oregon hereby approve the budget resolution for fiscal year 2019-2020 as outlined in the attached documents for changes to the Public Health Fund. Fiscal impact is a \$169,055.00 increase in revenues and expenditures.

Documents:

[06-30-2020 PH BUDGET RESOLUTION.PDF](#)

## 9. Orders

### 1. In The Matter Of Vacating Lots 9 And 10, Block 40 Of Klamath Falls Forest Estates Highway 66 Unit 66 No. 2.Acres. Map No. R-3811-017A0 Tax Lots 02200, And 02300. Erik Nobel, Planning Director CDD/Planning

**Issue:** In the matter of vacating Lots 9 and 10 of Block 40 of Klamath Falls Forest Estates Highway 66 Unit No. 2. Map No. R-3811-017A0 Tax Lots: 02200 and 02300.

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**Background:** The property owner of the two lots is (Darren and Sheila Nichols) who have signed a petition requesting this action. Vacating the lots will not be detrimental to the public. The Planning Director's Report recommends that the two lots be vacated from the subdivision. The applicant paid the \$583 application fee to process the request to vacate the lots. Approval of the final order by the Board of Commissioners has no fiscal impact to the county.

**Fiscal Impact:** There is no fiscal impact to Klamath County.

**Recommended Motion:** Approve the Final Order to vacate the above described property located in Klamath County Oregon. (File No. LV 7 - 20). There is no fiscal impact to Klamath County.

Documents:

[LV 7-20 BOCC AGENDA.PDF](#)

## **2. In The Matter Of The Klamath County Treasurer To Distribute Proceeds From The Sale Of Foreclosed Properties/Tax Collector/Property Manager Rick Vaughn**

**Background:** When property has been subjected to tax foreclosure for nonpayment of taxes and interest and not redeemed within the two year redemption period, the property is deeded to the County by the Tax Collector; and any property owned by the County and not in use for County purposes is offered for sale to the public. On August 22nd and 23rd 2019 and January 8th 2020, the County held a public sale and after the County Treasurer deducted the County's expenses and cost from the sale, there remains a sum of \$863,637.52 to be distributed as required by ORS 311.390 and in accordance with ORS 275.275 on or before June 30, 2020

**Fiscal Impact:** \$863,637.52 expenditure from the County Properties Trust and Agency Fund.

**Recommended Motion:** Approve and execute the attached Order for the County Treasurer to distribute \$863,637.52 expenditure from the County Properties Trust and Agency Fund. as required by ORS 311.390 and in accordance with ORS 275.275 on or before June 30, 2020.

Documents:

[JUNE 30 2019-2020 DIST.PDF](#)

## **3. In The Matter Of Appointing Brenda Jensen And Cindi Boehner To The Poe Valley Vector Control District Board. - BOCC**

**Background:** The Poe Valley Vector Control District Board has vacancies and has recommended the appointment of the above named applicants who are willing, able and eligible to serve a term on the Board commencing this day and continuing until December 31, 2023.

**Fiscal Impact:** None

**Recommended Motion:** Approve and sign the attached Order appointing Brenda Jensen and Cindi Boehner to the Poe Valley Vector Control District Board.

Documents:

[06-30-20-BOCC-OR2020- APPOINT JENSEN, BOEHNER POE VALLEY VECTOR.PDF](#)

## **10. Agreements**

### **1. In The Matter Of A Letter Of Agreement Between County Counsel And The D.A.'s Office For Animal Control Service-County Counsel**

**Background:** Klamath County Animal Services and Dog Control are tasked with enforcing local ordinances and state statutes. These enforcement activities generate various legal questions and often require appearances in Circuit Court. Many of the Animal Control cases involve a related criminal case in the Office of the District Attorney that employs Deputy District Attorneys who have developed expertise in legal matters related to Animal Control issues. County Counsel has funds budgeted to hire outside counsel and the Klamath County District Attorney has indicated that she will name a primary point of contact to handle or coordinate legal issues/questions and necessary courtroom representation of Klamath County Animal Control.

**Fiscal Impact:** \$6,000 per fiscal year beginning July 1, 2020 and ending on June 30, 2021.

**Recommended Motion:** Approve the Letter of Agreement between County Counsel and D.A.'s office for Animal Control services and authorize County Counsel to sign the agreement. Fiscal impact: \$6,000 per fiscal year beginning July 1, 2020 and ending on June 30, 2021.

Documents:

[BOCC AGENDA ITEM-DA LTR AGREEMENT.PDF](#)

**2. In The Matter Of Accepting The Agreement With SHI For The Microsoft Enterprise Agreement For A 3 – Year Term - Jessica Chastain, Information Technology**

**Background:** Accept the agreement with SHI for the 3 – year term for the Microsoft Enterprise Agreement for \$139,079.15 per year or \$417,237.45 for the term. The proposal was accepted at the June 02, 2020 Business Meeting.

**Fiscal Impact:** The fiscal impact of this agreement will be \$139,079.15 from Technology Maintenance Expenditures for the 2020-2021 fiscal year.

**Recommended Motion:** Motion to approve the Agreement with SHI, with the total fiscal impact to be \$139,079.15 for the 2020-2021 fiscal year. Authorizing the IT Director to sign the agreement with SHI and Microsoft.

Documents:

[MICROSOFTAGREEE2020.PDF](#)

**3. In The Matter Of Approval Of Amendment #11 To Agreement #159817 Intergovernmental Agreement (IGA) For The Provision Of Environmental Health Services Between The State Of Oregon, Oregon Health Authority (OHA), And Klamath County Public Health. – Jennifer Little, Director**

**Background:** Agreement # 159817, which became effective July 1, 2019, delegates authority to Klamath County Public Health to operate public health programs in Klamath County. This amendment outlines the individual program element (PE) descriptions by which programs are operated and establishes the Financial Assistance Award for funding through June 30, 2021.

**Fiscal Impact:** Fiscal impact is grant revenue of \$989,160 for fiscal year 2021. Grant revenue per sub department is \$79,403 for Public Health Emergency Preparedness (4029), \$88,710 Environmental Health (4041), \$211,238 Clinic (4044), \$11,938 Nursing Outreach (4047), \$457,728 WIC (4048), and \$140,143 Health Promotion Disease Prevention (4049).

**Recommended Motion:** Move to approve of Amendment #11 to Agreement #159817 Intergovernmental Agreement (IGA) for the provision of Environmental Health Services between the State of Oregon, Oregon Health Authority (OHA), and Klamath County Public Health. Fiscal impact is grant revenue of \$989,160 for the period of 7/1/2020 to 6/30/2020. Authorize Department Head to sign.

Documents:

[159817-11.PDF](#)

**4. In The Matter Of Approval Of Amendment 5 To Intergovernmental Agreement (IGA) DEQ-029-16 For The Klamath Wood Smoke Reduction Program Between The State Of Oregon Acting By And Through Its Department Of Environmental Quality (DEQ) And Klamath County. - Jennifer Little, Public Health**

**Background:** This is the fifth amendment to agreement DEQ-029-16 for the Klamath Wood Smoke Reduction Program originally approved in October 2015. This amendment adds funding of \$20,000 for the air quality program for FY 20-21. The time period covered under this amendment is July 1, 2020 through June 30, 2021. Total contract funding is now \$120,000 for the period of October 1, 2015 to June 30, 2021. This agreement expires June 30, 2020.

**Fiscal Impact:** Grant revenue of \$20,000 to Environmental Health Air Quality Program (sub department 4041).

**Recommended Motion:** Move to approve Amendment 5 to Intergovernmental Agreement (IGA) DEQ-

029-16 for the Klamath Wood Smoke Reduction Program between the State of Oregon acting by and through its Department of Environmental Quality (DEQ) and Klamath County. Fiscal impact is grant revenue of \$20,000 to Environmental Health Air Quality Program (sub department 4041).

Documents:

[DEQ 029-16-05.PDF](#)

**5. In The Matter Of Approving Amendment #2 To The Personal Services Agreement Between Klamath County Acting By And Through Klamath County Public Health (KCPH) And Oregon Health & Science University (OHSU). –Jennifer Little, Public Health**

**Background:** On July 03, 2018, the Board of County Commissioners approved a contract between KCPH and OHSU rural residency program to offer residents the opportunity to gain practical experience in Women's Health, and increase clinical capacity for KCPH. The original contract, was effective July 1, 2018 through June 30, 2019 with an option to extend for two (2) additional one (1) year terms. Amendment # 2 extends the contract for one year with a new termination date of June 30, 2021. The designated contact representative for OHSU is also updated by this amendment. All other contract terms remain the same.

**Fiscal Impact:** \$16,900 contract services expense to Klamath County Public Health Family Planning program (sub department 4044) to be reimbursed through fee-for-service billing.

**Recommended Motion:** Move to approve Amendment #2 to the Personal Services Agreement between Klamath County acting by and through Klamath County Public Health (KCPH) and Oregon Health & Science University (OHSU). Fiscal impact is \$16,900 contract services expense to Klamath County Public Health Family Planning program (sub department 4044) to be reimbursed through fee-for-service billing. Authorize the Department Head to sign the agreement.

Documents:

[OHSU RURAL RESIDENCY AMEND. 2.PDF](#)

**6. In The Matter Of Approving Amendment 8 To Agreement #159817 Intergovernmental Agreement (IGA) For Financing Of Public Health Services Between The State Of Oregon, Oregon Health Authority (OHA), And Klamath County, Acting By And Through Klamath County Public Health (KCPH). – Jennifer Little, Public Health**

**Background:** Amendment 8 updates the Program Element Description and adds funding for PE 01 State Support for Public Health, related directly to COVID-19 case investigation and contact tracing response activities. The funding will be used to assist with case management, disease investigation and prevention activities, and coordination with partner agencies to protect public health and safety, and provide support services. This funding is for the period of March 21, 2020 to June 30, 2020. Remaining funds will be rolled forward into Fiscal year 2021 to support ongoing active monitoring work. The agreement remains effective July 1, 2019 through June 30, 2020.

**Fiscal Impact:** Grant revenue of \$319,905 to Clinic Nursing (sub department 4044).

**Recommended Motion:** Move to approve Amendment 8 to Agreement #159817 Intergovernmental Agreement (IGA) for Financing of Public Health Services between the State of Oregon, Oregon Health Authority (OHA), and Klamath County, acting by and through Klamath County Public Health (KCPH). Fiscal Impact is grant revenue of \$319,905 to Clinic Nursing (sub department 4044). Authorize Department Head to sign.

Documents:

[159817-8.PDF](#)

**7. In The Matter Of Approving A Lease Agreement Between The Klamath County Sheriff's Office (KCSO) Emergency Management Division And Klamath 9-1-1 Communications District. -Chris Kaber, Sheriff**

**Background:** This is a lease whereby KCSO Emergency Management occupies two office spaces and has use of a conference room, restrooms, and parking spaces at the 9-1-1 Communications facility located at 2543 Shasta Way, Klamath Falls, Oregon 97601. The term of the agreement is from June 30, 2020 through June 30, 2021 with a one-year renewal option. Base rent is set at \$377 per month with additional \$100 per month for the parking spaces.

**Fiscal Impact:** Expense to the General Fund-Sheriff's Office-Emergency Management Division in the amount of

\$5,724 in fiscal year 2020-2021.

**Recommended Motion:** Approve the lease agreement between Klamath County Sheriff's Office-Emergency Management and 9-1-1 Communications District for the period of June 30, 2020 through June 30, 2021 with a fiscal obligation of \$5,724.

Documents:

[EM 911 LEASE 2021 BOCC PACKET.PDF](#)

**8. In The Matter Of The Board Approving A Contract With Allied Waste Transfer Services Of Oregon, LLC Dba Republic Services Of Oregon ("Republic") For Providing Drop Boxes And Hauling Services For Crescent Transfer Station. Tom Crist, CDD-Solid Waste**

**Background:** Allied Waste Transfer Services of Oregon, LLC dba Republic Services of Oregon ("Republic") is the newly approved franchise collector for the areas within Northern Klamath County. This service contract is for providing (5) 50 cubic yard capacity steel drop boxes with mesh type lids at the Crescent Transfer Station, for the purpose of public disposal. Upon request from the County, Republic will haul boxes from the Crescent Transfer Station to the Chemult Landfill. This contract shall run concurrent to the Franchise Agreement (Attached) to be in effect until November 30, 2021 and may be extended for two (2) additional five (5) year terms.

**Fiscal Impact:** Estimated expenditure \$16,000 annually from Solid Waste budget.

**Recommended Motion:** Approval of a contract with Allied Waste Transfer Services of Oregon, LLC dba Republic Services of Oregon ("Republic") for providing drop boxes and hauling services for Crescent Transfer Station; Contract shall run concurrent to the Franchise Agreement (Attached) and be in effect until November 30, 2021, and may be extended for two (2) additional five (5) year terms; Fiscal Impact, estimated at \$16,000 annually.

Documents:

[06-30-20-CDD SOLID WASTE-AMENDMENT 2 FRANCHISE AGRMT LAPINE DISPOSAL DBA WILDERNESS GARBAGE.PDF](#)

**11. Other County Business**

**12. Commissioner Reports**

**13. Adjournment**

Audio recordings of all proceedings are available at the County Commissioners' office. The meeting facility is handicap accessible. Persons needing materials in alternate format or communication access, should telephone this office at 541-883-5100 (voice/TDD) or the ADA Coordinator at

541-883-4296 at least 48 hours in advance of the scheduled meeting.

Klamath County Commissioners' Weekly Calendar is subject to change without notice.

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