

**REGULAR BUSINESS MEETING OF THE
KLAMATH COUNTY BOARD OF COMMISSIONERS
KLAMATH COUNTY LIBRARY SERVICE DISTRICT
TUESDAY, SEPTEMBER 22, 2015 – 9:00 A.M.
COMMISSIONERS' HEARING ROOM**

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|--|----|---|-----|----------|
| A. OPEN MEETING/THOSE PRESENT/FLAG SALUTE | 1. | COMMISSIONERS MALLAMS, MORRIS AND BELLET, SANDY COX-ADMIN STAFF, DALE GEIGLE- I.T, LYLE AHRENS- KOTI, SAMANTHA TIPPLER-HERALD AND NEWS, RANDY PAUL-I.T., STAN STRICKLAND- PUBLIC WORKS, DAVE GROFF-COUNTY COUNSEL | | |
| B. AGENDA ADDITIONS OR DELETIONS | 1. | K.5, K.6, K.7 AND K.8 DELETED | B.1 | DELETED |
| C. WEEKLY PROCEEDINGS | 1. | IN THE MATTER OF APPROVING THE WEEKLY PROCEEDINGS FOR THE PERIOD OF SEPTEMBER 15 – SEPTEMBER 21, 2015- COMMISSIONER MALLAMS, BOCC. | C.1 | APPROVED |
| D. PRIOR ITEMS APPROVED | 1. | NOTE FOR THE RECORD:
IN THE MATTER OF APPROVING RENEWAL LICENSES FOR DOUBLE D MOUNTAIN MARKET, LOREE CHALET, PIT STOP MINI MART, HANSCAM'S BOWLING CENTER, COUNTRY CUPBOARD CRAFTS, JO'S MOTEL & CAMPGROUND, CINDERS CAFÉ, WORDEN TRUCK STOP, RED'S BACKWOODS BBQ, WUBBA'S BBQ SHACK, CRESCENT CREEK COTTAGES, CRATER LAKE JUNCTION TRAVEL CENTER, MELITA'S MOTEL RESTAURANT LOUNGE AND RV PARK, CRAZY R PIZZA, AGENCY LAKE RESORT | D.1 | APPROVED |
| E. PROCLAMATIONS/ PRESENTATIONS | 1. | | E.1 | NONE |
| F. PUBLIC HEARINGS | 1. | TIME CERTAIN; 9:15
IN THE MATTER OF FINAL PUBLIC HEARING AND APPROVAL OF ORDINANCE 36.07 PROHIBITING THE OPERATION OF MARIJUANA DISPENSARIES AND MARIJUANA RETAIL SALES – BOCC
MALLAMS OPENS HEARING, SETS GROUND RULES, BE RESPECTFUL, MATT TRUE SPEAKS: AGAINST, MICHAEL HINKLE SPEAKS: IS A USER IN FAVOR OF WHITE MARKET, MORRIS HOOPER SPEAKS: SUPPORTER, SONNY LEMMING SPEAKS: SUPPORTER, RICHARD LEMMING SPEAKS: SUPPORTER, RICK RODGERS SPEAKS: SUPPORTER, RICK ELLIOTT SPEAKS; SUPPORTER, RON HENDERSON SPEAKS: SUPPORTER, SCOTT STEVENSON SPEAKS: AGAINST, VERONICA MEYER SPEAKS: SUPPORTER, BUTCH KENNEDY SPEAKS: AGAINST, DAVID HEDELMAN SPEAKS: AGAINST, LESLIE BURKHEAD SPEAKS: SUPPORTER, CAROL EBERLIEN SPEAKS: SUPPORTER, SARA DYER SPEAKS: AGAINST, STEVE BALL SPEAKS: AGAINST, RUTH GIBBS SPEAKS: SUPPORTER, DAVID MACIVER SPEAKS: AGAINST, ANDREW COOK SPEAKS: AGAINST, ILO FERROGGIARO SPEAKS: AGAINST, AARON LEACH SPEAKS: AGAINST, SAM PORTER SPEAKS: SUPPORTER, LESLIE LOWE SPEAKS: AGAINST, TED ABRAM SPEAKS: SUPPORTER, GAIL RASDAL SPEAKS: FAVORS SEPARATION OF MEDICAL AND RECREATIONAL MARIJUANA IS AGAINST MEDICAL BAN, SCOTT PANTUSO AGAINST, MELISSA FERROGGIARO SPEAKS: AGAINST, JULIE RYDER SPEAKS: FAVORS SEPARATION OF MEDICAL AND RECREATIONAL MARIJUANA IS AGAINST MEDICAL BAN, DONNA SHMERBAUCH SPEAKS: AGAINST, BOB DAUGHERTY SPEAKS: | F.1 | HELD |

**TYLER DAHL SPEAKS: AGAINST, HEIDI BIGGS SPEAKS: SUPPORTER,
DONALD CRAWFORD SPEAKS: SUPPORTER, ANN CAVANAUGH SPEAKS: SUPPORTER, CAROL BORING
SPEAKS: SUPPORTER, GLORIA CASTOR SPEAKS: NO POSITION, QUESTIONS EFFECTS OF MJ**

**MALLAMS CLOSING PUBLIC COMMENT, MALLAMS MOTIONS BOCC SIGN PROPOSED ORDINANCE,
MORRIS SECONDS, MALLAMS COMMENTS, READS LETTER FROM DOUG AND GAIL WHITSETT, BELLET
READS ORDINANCE, MORRIS COMMENTS, BELLET COMMENTS, MORRIS QUESTIONS BELLET'S
POSITION RE: BOCC PUTTING MATTER ON 2016 BALLOT, BELLET RESPONDS, MALLAMS MAKES
ADDITIONAL COMMENTS, BELLET COMMENTS ON STATE FUNDING PERCENTAGES AND IF OPT OUT OF
EVEN ONE OF THE SIX OPTIONS KLAMATH COUNTY WILL NOT RECEIVE ANY TAX REVENUE, MALLAMS
COMMENTS ON OWN EXPERIENCES MEDICALLY, MORRIS WILL SUPPORT ALL SIX OPTIONS BEING
REFERRED TO BALLOT, MALLAMS DISAGREES, BELLET ONLY AGREES WITH THE MEDICAL PORTION
ONLY BEING REFERRED TO BALLOT, MALLAMS QUESTIONED COUNSEL DAVE GROFF RE; TAX BENEFIT,
GROFF RESPONDS IF ALL SIX ARE EVER ADOPTED AT ANY DATE THE TAX REVENUE WOULD OPEN
BACK UP, HOWEVER NOT RETROACTIVE , MORRIS FURTHER WOULD SUPPORT BAN TODAY WITH
UNDERSTANDING THAT BOCC REFER ALL SIX OPTIONS WOULD BE REFERRED TO BALLOT, MALLAMS
DOES NOT SUPPORT BOCC REFERRING ANYTHING TO THE BALLOT, BELLET HAS MIXED FEELINGS
ABOUT ALL SIX BEING REFERRED WOULD ONLY SUPPORT THE MEDICAL PORTION BEING PUT ON
BALLOT NOT SUPPORT ALL SIX, GROFF CLARIFIES WHERE BOARD IS AT RE: REFERRING MATTER TO
BALLOT IS NOT BEFORE THE BOARD TO MAKE THAT DECISION TODAY. MALLAMS WANTS MORE TIME
FOR BOARD TO MAKE DECISION RE; REFERRING MATTER TO BALLOT,**

**MALLAMS CALLS FOR VOTE RE: BAN, MALLAMS VOTES AYE, BELLET OPPOSES, MORRIS NEEDS MORE
DISCUSSION, MOTION FAILED.**

MALLAMS RENEWS MOTION, MORRIS SECONDS

GROFF EXPLAINS PROCEDURE

**COMMISSIONERS ARE BACK IN DISCUSSION RE 36.07, MORRIS WOULD SUPPORT BAN SO LONG AS
BOCC AGREES TO PUT ALL SIX OPTIONS ON 2016 BALLOT, BELLET WILL ONLY OPEN UP OPTION FOR
MEDICAL DISPENSARIES OPTION.**

**MORRIS MOTIONS AMENDMENT TO MOTION TO ALLOW MEDICAL DISPENSARY ONLY, BELLET
SECONDS, MALLAMS CALLS FOR VOTE ALL THREE OPPOSE, BOARD BACK TO ORIGINAL MOTION**

MALLAMS CALLS FOR VOTE TO APPROVE ORDINANCE 36.07 ALL THREE VOTE AYE

MALLAMS CLARIFIES THAT BOARD HAS ADOPTED ORDINANCE 36.07

MALLAMS CLOSING HEARING

MALLAMS REOPENS BUSINESS MEETING

G. BIDS/AWARDS/ PROPOSALS	1.		G.1	NONE
H. ORDINANCES	1.		H.1	NONE
I. RESOLUTIONS	1.		I.1	NONE
J. ORDERS	1.	IN THE MATTER OF APPOINTING ANDREW STUEDLI TO POOL ONE AND APPOINTING H.C. (CHRIS) BREITENFELDER AND EARL KESSLER TO POOL TWO ON THE BOARD OF PROPERTY TAX APPEALS (BOPTA)- COMMISSIONER MALLAMS, BOCC	J.1	APPROVED
K. AGREEMENTS	1.	IN THE MATTER OF ACCEPTANCE OF A SERVICE AGREEMENT WITH CAL-ORE COMMUNICATIONS, INC. TO PROVIDE DIVERSE PATH INTERNET CONNECTION FOR THE DOWNTOWN AND VANDENBERG CAMPUSES – RANDY PAUL, INFORMATION TECHNOLOGIES.	K.1	APPROVED
	2.	IN THE MATTER OF AMENDMENT NO. 1 TO COOPERATIVE IMPROVEMENT AGREEMENT #25441, OR 140-BLY MOUNTAIN, RITTER ROAD-DEER RUN ROAD SECTION BETWEEN KLAMATH COUNTY (AGENCY) AND THE STATE OF OREGON (STATE) ACTING BY AND THROUGH ITS DEPARTMENT OF TRANSPORTATION – STAN STRICKLAND, PUBLIC WORKS.	K.2	APPROVED
	3.	IN THE MATTER OF APPROVAL OF A 15-YEAR PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT WITH EWAUNA SOLAR 2 LLC. – BOCC	K.3	APPROVED
	4.	IN THE MATTER OF APPROVAL OF A 15-YEAR PAYMENT IN LIEU OF TAXES (PILOT) AGREEMENT WITH EWAUNA SOLAR LLC FOR PHASE 1. – BOCC	K.4	APPROVED
	5.	IN THE MATTER OF ACCEPTANCE OF A PROPOSAL FROM ABOVE ALL INFLUENCES FOR MENTORING SERVICES FOR PERSONS UNDER SUPERVISION WITH COMMUNITY CORRECTIONS – KIKI PARKER-ROSE, COMMUNITY CORRECTIONS.	K.5	DELETED
	6.	IN THE MATTER OF APPROVAL AND SIGNATURE OF A CONTRACT BETWEEN KLAMATH COUNTY AND ABOVE ALL INFLUENCES FOR MENTOR SERVICES FOR PERSONS UNDER SUPERVISION WITH COMMUNITY CORRECTIONS – KIKI PARKER-ROSE, COMMUNITY CORRECTIONS	K.6	DELETED
	7.	IN THE MATTER OF ACCEPTANCE OF A PROPOSAL FROM ABOVE ALL INFLUENCES FOPR RESIDENTIAL MONITORING SERVICES FOR 24/7 COVERAGE AT SUMMERS LANE AND ON-SITE MONITORING AT BISBEE STREET HOUSING FOR PERSONS UNDER SUPERVISION WITH COMMUNITY CORRECTIONS – KIKI PARKER-ROSE, COMMUNITY CORRECTIONS	K.7	DELETED

	8.	IN THE MATTER OF APPROVAL AND SIGNATURE OF A CONTRACT BETWEEN KLAMATH COUNTY AND ABOVE ALL INFLUENCES FOR RESIDENTIAL MONITORING SERVICES FOR 24/7 COVERAGE AT SUMMERS LANE AND ON-SITE MONITORING AT BISBEE STREET HOUSING FOR PERSONS UNDER SUPERVISION WITH COMMUNITY CORRECTIONS — KIKI PARKER ROSE, COMMUNITY CORRECTIONS	K.8	DELETED
L.	BUDGET RESOLUTIONS	1.	L.1	NONE
M.	LICENSES	1.	M.1	NONE
N.	OTHER COUNTY BUSINESS	1.	N.1	NONE
O.	PUBLIC COMMENT/ PETITIONS	1.	O.1	TAKEN
		MALLAMS ASKS FOR PUBLIC COMMENT MICHAEL HINKLE: QUESTIONS RIGHTS OF CITIZENS AND WHY ARE NATIVE AMERICANS NOT REPRESENTED ON THIS BODY BELIEVES IS RACIST MORRIS HOOPER: QUESTIONS MEDICAL MARIJUANA OPTION, WHY CANT GET AT PHARMACY MELISSA FERROGGIARO COMMENTS DID GET PROVISIONAL LICENSE FROM PHARMACY BOARD BOB DAUERGHTEH COMMENTS RE: PREVIOUS INTERVIEW OF GOVERNOR OF COLORADO MALLAMS CLOSES PUBLIC COMMENT		
P.	COMMISSIONER REPORTS	1.	P.1	GIVEN
		BELLETT COMMENTS RE: MEDICAL MARIJUANA, TRIBE PARTICIPATION, PHARMACY ISSUE IS A STATE LEGISLATION LEVEL MORRIS COMMENTS RE: OPPORTUNITY FOR THIS TO BE VOTED ON IN NEXT ELECTION, ALSO FOR BOARD TO REVISIT OPPORTUNITY FOR MEDICAL MARIJUANA DISPENSARIES. MALLAMS COMMENTS RE: NOT INCLINE FOR BOARD TO PUT ON BALLOT, BELIEVER IN THE INITIATIVE PROCESS, DOES NOT BELIEVE HUGE REVENUE WILL COME FROM RETAIL SALES JUST LOOK AT LOTTERY DOLLARS, SHOULD BE IN PHARMACIES, TRIBE IS SOVERIGN NATION MALLAMS CLOSES COMMISSIONER COMMENTS		
Q.	LIBRARY SERVICE DISTRICT ISSUES	1.	Q.1	NONE
R.	DRAINAGE SERVICE DISTRICT ISSUES	1.	R.1	NONE

S. EXTENSION SERVICE 1.
DISTRICT ISSUES

S.1 NONE

T. ADJOURNMENT 1. ADJOURNED FROM REGULAR SESSION AT 12:24 P.M.

KLAMATH COUNTY COMMISSIONERS E-MAIL ADDRESS "BOCC@KLAMATHCOUNTY.ORG". KLAMATH COUNTY WEB SITE WWW.KLAMATHCOUNTY.ORG INVITATIONS TO BID AND REQUESTS FOR PROPOSALS FOR ALL COUNTY PROJECTS AND SERVICES CURRENTLY OPEN, ARE NOW AVAILABLE ONLINE AT WWW.KLAMATHCOUNTY.ORG CLICK ON DEPARTMENTS, ADMINISTRATIVE SERVICES AND CONTRACTS. NOTE: ALL ITEMS COVERED UNDER ORS 294.250 ARE POSTED AT THE COMMISSIONERS' OFFICE AND THE LIBRARIES; COPIES OF PROCEEDINGS ARE AVAILABLE FROM THE COMMISSIONERS' OFFICE. THE MEETING FACILITY IS HANDICAPPED ACCESSIBLE. PERSONS NEEDING MATERIALS IN ALTERNATE FORMAT OR COMMUNICATION ACCESS, SUCH AS A SIGN INTERPRETER, MAY TELEPHONE THIS OFFICE AT (541) 883-5100 (VOICE/TDD) OR THE ADA COORDINATOR AT (541) 883-4296 (VOICE/TDD) AT LEAST 48 HOURS IN ADVANCE OF THE SCHEDULED MEETING.