BOARD OF COMMISSIONERS MEETING MINUTES

June 3, 2015

BEFORE THE BOARD OF COMMISSIONERS
County of Lake County
State of Oregon

REGULAR SESSION

The Lake County Board of Commissioners met in Regular Session on Wednesday, June 3, 2015 at 10:00 a.m. at the Fort Rock Grange. The following members were present: Vice-Chair Ken Kestner and Commissioner Dan Shoun. Chair Bradley J. Winters was absent from today’s proceedings. Also present: Commissioner Administrative Assistant Denise Thorsted, Legal Counsel Jim Bailey, Road Master Rick DuMilieu, Community Corrections Director Jake Greer, Juvenile Probation Pam Cartwright and Sky Woods and Rural Economic Development Specialist Ginger Casto. Number of Public present: 5.

Additions: Airport Management Agreement, Action/Consideration
           Ordinance 109/Marijuana Moratorium, Action/Consideration
Deletions: None

The Regular Session was called to order by Vice-Chairman Kestner and the Pledge of Allegiance was recited.

10:00 am – Public Comment

Citizen Doris Kitching expressed appreciation to the Road Department for doing a “good job”.

Other Business:

Work Crew Foreman Position Recommendation, Action/Consideration:

Information was provided on the request before the Board. In the past this position was a shared position with Facilities for maintenance. This request was made due to the maintenance position changing to full-time and additional work crew needs requiring a full time Foreman position. Confirmation was given that this position would require no General Fund dollars and paid from State funds.

Commissioner Shoun moved to approve the Work Crew Foreman full-time position as presented. Commissioner Kestner second. Motion carried.

10:10 am – Public Hearing/2015-2016 Budget

Public Hearing Open: 10:10 am

Hearing remained open until later in today’s session.
Other Business cont.:

OR. Dept. of Rev. County/State Collection Agreement, Action/Consideration:
Mr. Greer provided a brief history on the management of the Community Corrections Department (by Klamath County) and changes that had occurred since Lake had taken over management of this department. The agreement presented allowed for the Oregon Department of Revenue to collect on debts owed to the County related to offender supervision.

Commissioner Shoun moved to approve the Department of Revenue County/State Corporation Collection Service Agreement as presented. Commissioner Kestner second. Motion carried.

Budget Resolutions 2014-09 thru 14, Action/Consideration:
Confirmation was given that Resolution 2014-11 was tabled for a future date per Lake County Treasurer request.

Commissioner Shoun moved to approve Resolution No. 2014-09 in the matter of Appropriations Transfer for the Central Services Department (101-102) in the amount of $100 with decrease to Materials & Services and increase to Salaries as presented. Commissioner Kestner second. Motion carried.

Commissioner Shoun moved to approve Resolution No. 2014-10 in the matter of Appropriations Transfer for the Business Services Department (101-128) in the amount of $350 with decrease to Materials & Services and increase to Salaries as presented. Commissioner Kestner second. Motion carried.

Commissioner Shoun moved to approve Resolution No. 2014-12 in the matter of Unanticipated Revenue for the Fair Board Fund (211) in the amount of $4,000 with increase to Local Resources and an increase to Salaries as presented. Commissioner Kestner second. Motion carried.

Commissioner Shoun moved to approve Resolution No. 2014-13 in the matter of Unanticipated Revenue for the Community Corrections Fund (229) in the amount of $20,000 with increase to State Resources and increase to Salaries as presented. Commissioner Kestner second. Motion carried.

Commissioner Shoun moved to approve Resolution No. 2014-14 in the matter of Unnecessary Fund Elimination for the Mental Health Grants Fund (231) in the amount of $87.43 with the transfer of remaining Fund Balance from Fund #231 to Fund #225 Mental Health as presented. Commissioner Kestner second. Motion carried.

Equipment Purchase Request/Grader, Action/Consideration:
Road Master Rick DuMille confirmed this purchase would be the first since 2005. Purchase was to include trading in of two used graders ($66,000 total trade amount). This request was made due to the upcoming work to be completed related to federal grants awarded to Lake County. Information was provided on average grader hours and warranty upgrades now available. Legal Counsel confirmed this purchase fit under the Rule 5 exemption of the Local Contract Review Board Rules due to large cost savings available (savings to the County of $12,794).
Commissioner Shoun moved to approve the equipment purchase recommendation for purchase of one 2015 Caterpillar grader with trade-in of two 140G Cats (72V11732 & 72V09108) for total purchase price of $268,900. Commissioner Kestner second. Motion carried.

Department update was provided including information on planned summer construction work to be done and the Federal Access grants awarded to Lake County.

10:20 am – Public Hearing/Truancy Ordinance No. 108, Action/Consideration:
Public Hearing Open. 10:20 am
Present for today’s discussion were: ESD Superintendent Bob Nash, Community Corrections Director Jake Greer, Juvenile Probation Officers Pam Cartwright and Sky Woods and North Lake School Superintendent David Kerr. The Ordinance provided was a collaborative effort between Lake County School Districts, Lake County Community Corrections and Lake County Circuit Court.

Mr. Greer explained that currently there were no laws in place to hold juveniles responsible for truancy, only the parent/guardian. This Ordinance was designed to assist both the Juvenile Department and Lake County school districts with insuring students attend school on a regular basis. The Ordinance presented also included for Truancy Officers to be placed within each of the districts.
Public Hearing remained open until later in today’s session.

Department Updates:
No additional department updates were provided during today’s session.

10:30 am - Resolutions 15-06-03 A & B/Rural Renewable Energy Development Zone Exemption Request (Obsidian Renewables), Action/Consideration:
The Resolutions before the Board were in relation to two separate solar projects being constructed by Obsidian Renewables LLC: Black Cap II Project and the Fremont Solar Project. These requests included for the waiving of the employment requirement on a standard tax exemption and for an addition two year tax abatement for each project. Included in the tax abatement agreement, the developer agreed to pay the county $5,000 per year per megawatt of installed nameplate capacity for these projects.

Information on the two projects and for the urgency for approval of the requests presented was provided by Mr. Gregory.

Commissioner Shoun moved to approve Resolution No. 15-06-03A for waiving employment requirement on a standard tax exemption on investments (made over one to three years) costing $5 million or more in Oregon Rural Renewable Energy Development Zone for the Black Cap II Project as presented. Commissioner Kestner second. Motion carried.

Commissioner Shoun moved to approve Resolution No. 15-06-03B for waiving employment requirement on a standard tax exemption on investments (made over one to three years) costing $5 million or more in Oregon Rural Renewable Energy Development Zone for the Fremont Solar Project as presented. Commissioner Kestner second. Motion carried.
Commissioner Shoun moved to approve the “Letter of Agreement” for Rural Renewable Energy Development Zone Extended Tax Abatement Agreement for Black Cap II Project related to Resolution 15-06-03A as presented. Commissioner Kestner second. Motion carried.


Public Hearing/2015-2016 Budget Closed: 10:47 am No public comment received. Confirmation was given that final adoption for the upcoming year’s budget was scheduled for the June 17, 2015 Regular Session.

Public Hearing/Truancy Ordinance 108 Closed: 10:48 am – No public comment received. Commissioner Shoun moved to approve Ordinance No. 108 “in the matter of adoption an ordinance creating an intergovernmental with all Lake County School Districts to address truancy” as presented. Commissioner Kestner second. Motion carried.

Confirmation was given by Legal Counsel that Ordinance No. 108 was to be in effect as of today.

Additions:

Ordinance #109/Marijuana Moratorium, Action/Consideration:

Commissioner Shoun moved to approve County Ordinance No. 109 in “the matter of an Ordinance enacting a temporary moratorium on medical & recreational facilities within the jurisdiction of Lake County & declaring an emergency” as presented. Commissioner Kestner second. Motion carried.

Legal Counsel confirmed the concern regarding the need for the State of Oregon to complete the regulations related to the sale and distribution of both medical and recreational marijuana. This moratorium was necessary in order to avoid an issue with someone moving forward only to find that State regulations were different than anticipated. Ordinance No. 109 to remain in effect until August 19, 2015 at which time an extension could occur if needed.

Conversation occurred on the solar projects tax abatements previously approved.

Airport Management Agreement, Action/Consideration:

Legal Counsel confirmed this to be a routine two year agreement for management of the two airports owned by Lake County (Lake County Airport and Paisley Airport).

Commissioner Shoun moved to approve the Airport Management and Agreement between Lake County and Lake County Aviation LLC as a Fixed Base Operator as presented. Commissioner Kestner second. Discussion: Information was given on the management of and contracting done for these airports. Motion carried.
Other Business cont.:

Copier Replacement Recommendation, Action/Consideration:
Commissioner Shoun moved to approve the copier replacement recommendation presented for the District Attorney's office. Commissioner Kestner second. Motion carried.

2015-2016 Klamath Community College Out-of-District Contract, Action/Consideration:
Information was provided for services received throughout the county from out of district colleges (Klamath Community College and Central Oregon Community College). Confirmation was given that the only change from the previous year’s contract was an increase to the cap amount for services: from $22,000 to $25,000.

Commissioner Shoun moved to approve the 2015-2016 Klamath Community College and Lake County, Oregon Contract Out of District Service Delivery Agreement as presented. Commissioner Kestner second. Motion carried.

Public Transit Division Agreement No. 30434, Action/Consideration:
Commissioner Shoun moved to approve Public Transit Division Oregon Department of Transportation Agreement No. 30434 related to the Ladders of Opportunity grant awarded for the purchase of two ADA accessible vans for the Special Transportation program as presented. Commissioner Kestner second. Motion carried.

Meeting Minutes, Action/Consideration:
Tabled

Legal Updates:
No Legal Updates were provided during today’s session

Liaisons:
No Liaisons were provided during today’s session.

Break: 11:10 am
Resume: 11:20 am

Move to Executive Session 192.660 (2) (h): 11:20 am
Remaining for Executive Session were the Board of Commissioners, Legal Counsel, Administrative Assistant Thorsted. Two items discussed.

Return to open Session: 11:36 pm
There being nothing further to come before the Lake County Board of Commissioners, this meeting adjourned at 11:37 a.m.

Respectfully Submitted,

[Signature]
Denise Thorsted
Administrative Assistant

Board Approval,

Absent
Bradley J. Winters
Chairman

[Signature]
Ken Kestner
Vice Chairman

[Signature]
Dan Shoun
Commissioner