



Board of Commissioners Business Meeting Agenda
May 23, 2023 ~ 1:00pm ~ 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/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

1. To Give Public Comment, You May Attend The Meeting In Person Or Join The Meeting Remotely. To Join Remotely, Click The Link Or Call The Number Below:

Join Zoom Meeting

[HTTPS://ZOOM.US/J/93654380858?](https://zoom.us/j/93654380858?pwd=BG5PTZVZQNV1CHDZSGV4AMFST1C3UT09)

[PWD=BG5PTZVZQNV1CHDZSGV4AMFST1C3UT09](https://zoom.us/j/93654380858?pwd=BG5PTZVZQNV1CHDZSGV4AMFST1C3UT09)

Meeting ID: 936 5438 0858

Passcode: 299921

Join by phone: 833 548 0282 US Toll-free

Meeting ID: 936 5438 0858

Passcode: 299921

4. Agenda Deletions/Additions

5. Approve Minutes From Last Meeting

1. In The Matter Of Approving The Minutes From The May 16, 2023 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.

Recommended Motion: Approve the minutes as presented.
Fiscal Impact is None.

Documents:

[05-23-23-BOCC-WEEKLY PROCEEDINGS.PDF](#)

6. Bids/Awards/Proposals

1. In The Matter Accepting The Bid From Modoc Contracting Company For Juvenile KCR Construction Project: General Contractor-Dan Golden, Juvenile

Background: Klamath County Juvenile issued an ITB for the Juvenile KCR Construction Project: General Contractor. Quotes were received on May 4, 2023 from the following companies for the listed amounts.

| Company | Bid Amount |
|-------------------------|-----------------|
| Modoc Contracting | \$15,223,576.00 |
| Bogatay Construction | \$15,992,533.00 |
| Diversified Contractors | \$16,140,797.00 |

Recommended Motion: Board accepting the bid from Modoc Contracting Company for Juvenile KCR Construction Project: General Contractor. Fiscal Impact; \$15,223,576.00 to be paid from the Capital Fund for the KCR Construction Project.

Documents:

[KCR-BOCC-BLUESHEET-ACCEPT-BID-5-23-2023.PDF](#)

2. In The Matter Of Accepting A Bid For The Demolition And Clean Up On 109320 Hwy 97, Chemult, OR. Property Manager Rick Vaughn

Background: Klamath County requested three quotes for the

demolition and cleanup at 109320 Hwy 97, Chemult, OR. Three quotes were requested as follows:

Central OR Bio Solutions-\$34,950.00

American Made Enterprises-\$24,000. 00

Deese Const.-no response

Recommended Motion: Accept the quote from American Made Enterprises for the demolition and clean-up at 109320 Hwy 97, Chemult, OR. **Fiscal impact** of \$24,000.00, expenditure from the Klamath County Property Sales Trust-Agency Fund, Tax Collector Dept.

Documents:

[BOCC BID AWARD.PDF](#)

3. In The Matter Of Quote For Cleanup On Frontage Road Rick Vaughn, Code Enforcement

Background: Klamath County requested four quotes for abatement and clean-up on Apr. 21,2023 for parcel 3909-005CC-00401 on Frontage Rd. Klamath Falls, OR 97601, case # 22CV17898. One quote was received as follows:

American Made Enterprises \$14,500 plus estimated landfill fees of \$6500

GHT Enterprises – No quote

Doug Pettit - No quote

Deese Const. – No quote

Recommended Motion: Accept quote from American Made

Enterprises for abatement and cleanup of parcel 3909-005CC-00401 on Frontage Rd. Klamath Falls, OR 97601, case # 22CV17898. Fiscal impact is an estimated \$21,000 expenditure from the Violation Reserve Fund, Code Enforcement Dept.

Documents:

[PACKET FOR CE MOORE CLEANUP 5-23-23.PDF](#)

4. In The Matter Of Accepting The Bid From Rocky Mountain Construction For The Expansion And Construction Of 48 RV Spaces At The Klamath County Fairgrounds/Event Center. Derrick Rowley, Director

Background: The Klamath County Fairgrounds/Event Center is in the process of expanding the east RV area from 24 full-service sites to 48 full-service sites. The Invitation to Bid Packet was created and submitted for contractor response. Two bids were received and opened publicly on May 4, 2023 at 2:00 PM at the Klamath County Fairgrounds/Event Center. The winning bid, meeting all specified criteria, was received from Rocky Mountain Construction at \$2,669,157.50. Bogatay Construction's bid was \$2,774,423.52.

Recommended Motion: Approve the winning bid submitted by Rocky Mountain Construction in the amount of \$2,669,157.50, and authorize Derrick Rowley and Rhine Cross Group, LLC to begin contract negotiations. Fiscal Impact: ~~\$2,669,157.50~~.
NONE.

Documents:

[BOCC APPROVAL TO ACCEPT BID FOR RV PARK EXPANSION - 5.16.2023 - CORRECTED-COMPRESSED.PDF](#)

7. Public Hearings

1. TIME CERTAIN 1:15PM - In The Matter Of Holding The Second And Final Hearing On Proposed Ordinance #90.02-BOCC

Background: Proposed changes have been made due to public health concerns on the high amount of tobacco use in youth and their ability to purchase tobacco illegally. New language has been added to clarify the definition of child care facility and changes to the proximity of a new tobacco retailing business to the location of a school or child care facility. The proposed Ordinance is attached.

Recommended Motion: Hold the final hearing for discussion and the taking of public testimony (if any) on the proposed Ordinance. Fiscal impact: Publication costs to the Herald and News for the hearings - \$128.46 from the BOCC legal notice publish budget 1000-1050-1051-1000-62030

Documents:

[AGENDA ITEM-2ND HRG 90.02.PDF](#)

1.1. In The Matter Of Adopting Ordinance #90.02- Tobacco Retail Licensing-BOCC

Background: Proposed changes have been made due to public health concerns on the high amount of tobacco use in youth and their ability to purchase tobacco illegally. New language has been added to clarify the definition of child care facility and changes to the proximity of a new tobacco retailing business to the location of a school or child care facility. The Board of County Commissioners held two public hearings and received public input on the proposed changes.

Recommended Motion: The Board of Commissioners adopts and signs final Ordinance #90.02. Fiscal impact: None

Documents:

[AGENDA ITEM-FINAL ORD. 90.02.PDF](#)

2. TIME CERTAIN 1:20PM - In The Matter Of Holding A Public

Hearing On Proposed Supplemental Budget Resolutions For Klamath County Budget For Fiscal Year 2022-2023. BOCC

Background: The purpose of the hearing is to discuss the proposed supplemental budget resolutions for Klamath County's budget for the fiscal year 2022-2023 as advertised. Time certain 1:20 p.m.

Recommended Motion: Hold the hearing on the proposed supplemental budget of Klamath County for fiscal year 2022-2023. Fiscal Impact: \$312.66 Expenditure to the Finance budget for advertising costs.

Documents:

[5-23-2023 SUPPLEMENTAL BUDGET HEARING.PDF](#)

2.1. In The Matter Of The Adoption Of A Supplemental Budget Resolution Within The Commissioner's Miscellaneous Grant Fund. Vickie Noel - Finance

Background: During the current fiscal year the Board of County Commissioners signed a second Domestic Well Assistance grant agreement, this time with the Oregon Water Resources Department. This supplemental budget records the revenues and expenditures related to this grant and also budgets other revenues and expenditures closer to actual. The OTCC dues and expenditures, CDBG, Wolf Depredation and Domestic Well grant programs are all budgeted within this fund.

Recommended Motion: The Board of Commissioners of Klamath County, Oregon hereby approve the supplemental budget resolution for fiscal year 2022-2023 as outlined in the attached documents. FISCAL IMPACT: \$5,117,500 increase in revenues and expenditures in the Commissioner's Miscellaneous Grant fund.

Documents:

[5-23-2023 BOCC AGENDA ITEM SUMMARY PAGE.PDF](#)

2.2. In The Matter Of The Adoption Of A Supplemental Budget Resolution Within The Risk Management Fund. Vickie Noel - Finance

Background: The Risk Management Fund is recording the insurance settlement and expenditures related to the re-build of the Tingley Lane Transfer Station. This resolution adds the needed expenditures to finish the project as predicted by the end of the 2023 fiscal year.

Recommended Motion: The Board of Commissioners of Klamath County, Oregon hereby approve the supplemental budget resolution for fiscal year 2022-2023 as outlined in the attached documents.
FISCAL IMPACT: \$2,500,000 increase in revenues and expenditures in the Risk Management Fund.

Documents:

[5-23-2023 BOCC AGENDA ITEM SUMMARY PAGE.PDF](#)

8. Resolutions

1. In The Matter Of A Resolution Setting The Two Public Hearing Dates On Proposed Ordinance #96.00-BOCC

Background: The Board of County Commissioners recognizes the importance of maintaining safe and sanitary public areas while also ensuring that homeless individuals receive humane treatment and believes it is in the best interest of the citizens of Klamath County to adopt an ordinance regarding the use of public property for camping, lying and sleeping. The attached Resolution sets the first hearing on the proposed ordinance for Tuesday, June 6, 2023 at 1:15 p.m.

and sets the second hearing for Tuesday, June 20, 2023 at 1:15 p.m.

Recommended Motion: The Board of County Commissioners approves and signs the attached Resolution that sets the two public hearing dates on proposed Ordinance 96.00. Fiscal impact: None

Documents:

[BOCC RESOLUTION AGENDA-ORD. 96.PDF](#)

9. Orders

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

BACKGROUND & CONCLUSIONS: 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 25th, 2022, and on April 27th 2023, 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 \$810,545.32 to be distributed as required by ORS 311.390 and in accordance with ORS 275.275 on or before June 30, 2023.

RECOMMENDED MOTION: Approve and execute the attached Order for the County Treasurer to distribute \$810,545.32, as required by ORS 311.390 and in accordance with ORS 275.275 on or before June 30, 2023. **FISCAL**

IMPACT: \$810,545.32 Expenditure from the County Property Sales Trust-Agency Fund.

Documents:

[BOCC DIST.PDF](#)

10. Agreements

1. **In The Matter Of A Direct Appointment For Contract For Services For Transportation Analysis Associated With The Summers Lane Extension Sub-Area Plan. Jeremy Morris, Public Works**

Background: Klamath County Public Works would like to enter into a direct appointment with Kittelson & Associates for transportation analysis services associated with the Summers Lane Extension Sub-area plan per the attached scope of work as specified in Part "A".

The 2023 Klamath County contracting policies and procedures section 3.15, Selection for Architect or Engineering Services (1) allow use direct appointment (OAR 137-048-0200) if estimated fee is less than \$100,000.00.

Recommended Motion: Board to approve and sign the contract between Klamath County and Kittelson & Associates for transportation analysis associated with the Summers Lane Extension Sub-area plan. Fiscal Impact not to exceed \$47,998.00 expense to the Road Operating Budget.

Documents:

[2023 KITTLELSON ASSOC CONTRACT - SUMMERS LN EXTENSION BLUE SHEET.PDF](#)

2. **In The Matter Of Agreement #73000-00016459 Between The Oregon Department Of Transportation And Klamath County For Noxious Weed Control. Jeremy Morris, Public Works**

Background: Klamath County enters into agreements with outside agencies to treat noxious weed infestations on their property. The purpose of this Agreement is to control the growth and spread of noxious and non-native weeds at Lost River Wetland Mitigation Bank. The term of this agreement is five (5) calendar years following the date all required signatures are obtained or project completion, whichever is sooner. Total cost for this agreement shall not exceed \$25,000.00, with annual

costs not to exceed \$5,000.00.

Recommended Motion: Board approve and sign Agreement #73000-00016459 between the Oregon Department of Transportation and Klamath County for noxious weed control. Fiscal Impact not to exceed \$5,000.00 income annually to the Weed Control Budget.

Documents:

[2023 LOST RIVER WETLAND AGREEMENT BLUE SHEET.PDF](#)

3. In The Matter Of Approving Amendment 1 To The Cooperation Agreement With The City Of Klamath Falls, Klamath Falls Urban Renewal Agency, Klamath County Economic Development Association And Ferguson Hotel Development, LLC. - BOCC

Background: On July 13, 2021 the above named agencies entered into a Cooperation Agreement. This amendment modifies Article III (A)(1) of the agreement to extend the period by which a Certificate of Occupancy must be received by the Project to December 31, 2024.

Recommended Motion: Approve and authorize the Chair to sign the attached Cooperation Agreement Amendment 1 with the City of Klamath Falls, Klamath Falls Urban Renewal Agency, Klamath County Economic Development Association and Ferguson Hotel Development, LLC. There is no fiscal impact.

Documents:

[05-23-23-BOCC-AMNDMT 1 AGRMT CITY OF KF, URBAN RENEWAL AGENCY, KCEDA, FERGUSON HOTEL DEV.PDF](#)

4. In The Matter Of Approving And Signing Klamath County American Rescue Act Grant Agreements For The Completed And Ready Applicants – Natalie Parker, Grant Manager

Background: The American Rescue Plan Act Grant Allocation Committee met on January 18, 2023 to hear presentations from eligible grant applications to the Board of County

Commissioners (BOCC) for funding. The ARPA Grant Allocation Committee reviewed the recommendations and approved funding to grant recipients on January 19, 2023 for the applicants as detailed below:

Klamath KID Center \$150,000.00

Klamath Sportsman's Park \$ 63,000.00

All grant submission requirements have been satisfied and the contract is complete and signed by grantee.

Recommended Motion: Approve and sign the Klamath County American Rescue Plan Act Grant agreement. Fiscal impact: \$213,000.00 expenditure from the COVID19 Pandemic Grant fund.

Documents:

[2023 ARPA BOCC AGENDA ITEM SUMMARY PAGE 5-23-2023.PDF](#)

11. Budget Resolutions

1. In The Matter Of The Adoption Of A Supplemental Budget Resolution Within The Internal Services – Information Technology Fund. Vickie Noel - Finance

Background: The Technology Maintenance sub-department within the Information Technology budget is predicted to end the fiscal year with a deficit in the Material and Service section. The personnel section of the IT Operating sub-department is anticipated to have a surplus. This budget resolution allows for the transfer of funds from IT Operating to Technology Maintenance and the recognition of revenue received from sales of surplus property.

Recommended Motion: The Board of Commissioners of Klamath County, Oregon hereby approve the supplemental budget resolution for fiscal year 2022-2023 as outlined in the attached documents. FISCAL IMPACT: \$1,734,00 increase in

revenues and a \$8,266.00 increase in transfers from IT Operating to IT Technology Maintenance.

Documents:

[5-23-2023 IT BR AGENDA ITEM SUMMARY PAGE.PDF](#)

2. In The Matter Of The Adoption Of A Supplemental Budget Resolution Within The Surveyor Fund. Vickie Noel - Finance

Background: In a prior budget resolution, the Board approved moving all personnel expenditures from the corner restoration sub-department to operating as corner restorations will likely not be done before 6/30/2023. The workers compensation line item was inadvertently missed from that budget resolution.



Recommended Motion: The Board of Commissioners of Klamath County, Oregon hereby approve the supplemental budget resolution for fiscal year 2022-2023 as outlined in the attached documents. FISCAL IMPACT: None, however, there is a \$227.00 increase in the Surveyor operating budget and a \$227.00 decrease in the corner restoration budget.

Documents:

[5-23-2023 SURVEYOR BR AGENDA ITEM SUMMARY PAGE.PDF](#)

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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