

**REGULAR MEETING OF THE  
KLAMATH COUNTY BOARD OF COMMISSIONERS  
KLAMATH COUNTY LIBRARY SERVICE DISTRICT  
TUESDAY, APRIL 26<sup>TH</sup>, 2011 – 9:00 A.M.  
COMMISSIONERS' HEARING ROOM**

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|--|----|---|-----|----------------|
| <b>A. OPEN MEETING/THOSE PRESENT/FLAG SALUTE</b> | 1. | COMMISSIONERS DENNIS LINTHICUM, CHERYL HUKILL AND AL SWITZER; DAVE GROFF, COUNTY COUNSEL; LAURA TURNER, RECORDING SECRETARY; TOM COOLEY, VIDEO; MEDIA REPRESENTED BY: JOEL ASCHBRENNER, HERALD AND NEWS; LYLE AHRENS, KOTI; RON BROWN, KDRV; TODD KEPPLER, MUSEUM; COLETTE FLECK, MENTAL HEALTH; JASON LINK, FINANCE; NATHALIE JOHNSTON, LIBRARY SERVICES DISTRICT.   |     |                |
| <b>B. AGENDA ADDITIONS OR DELETIONS</b>          | 1. | L.2, ADDED  | B.1 | ADDED          |
| <b>C. WEEKLY PROCEEDINGS</b>                     | 1. | IN THE MATTER OF APPROVING THE WEEKLY PROCEEDINGS FOR THE PERIOD OF APRIL 19 <sup>TH</sup> – 25 <sup>TH</sup> , 2011 – COMMISSIONER SWITZER, BOCC.  | C.1 | APPROVED       |
|  |    | <b>NOTE FOR THE RECORD:</b>   |     |                |
| <b>D. PRIOR ITEMS APPROVED</b>                   | 1. | IN THE MATTER OF AMENDMENT NUMBER THIRTY-TWO TO THE DEPARTMENT OF HUMAN SERVICES 2009-2011 INTERGOVERNMENTAL AGREEMENT #127304 BETWEEN THE STATE OF OREGON AND KLAMATH COUNTY (MENTAL HEALTH).  | D.1 | PRIOR APPROVED |
| <b>E. PROCLAMATIONS/ PRESENTATIONS</b>           | 1. | IN THE MATTER OF PROCLAIMING THE WEEK OF APRIL 24 <sup>TH</sup> -30 <sup>TH</sup> , 2011 AS ARBOR WEEK IN KLAMATH COUNTY- TODD KEPPLER, MUSEUM AND COMMISSIONER SWITZER, BOCC. PROCLAMATION READ. COMMENTS MADE BY EACH COMMISSIONER AND TODD KEPPLER. KLAMATH COUNTY HAS BEEN DOING THIS FOR 15 YEARS NOW.<br><br>VIDEO PRESENTATION ON <i>HERITAGE DAYS AT FORT KLAMATH MUSEUM</i> FOLLOWED; THIS EVENT WILL TAKE PLACE OVER MEMORIAL DAY WEEKEND.  | E.1 | PROCLAIMED     |
| <b>F. PUBLIC HEARINGS</b>                        | 1. |   | F.1 | NONE           |
| <b>G. BID/AWARDS/ PROPOSALS</b>                  | 1. | IN THE MATTER OF A REQUEST FOR PROPOSALS FOR ALCOHOL AND DRUG TREATMENT AND PREVENTION- COLETTE FLECK, MENTAL HEALTH.   | G.1 | APPROVED       |
| <b>H. ORDINANCES</b>                             | 1. |   | H.1 | NONE           |
| <b>I. RESOLUTIONS</b>                            | 1. | IN THE MATTER OF ENDORSING A RESOLUTION SUPPORTING THE REFORMING OF THE ENDANGERED SPECIES ACT (ESA) OF 1973- COMMISSIONER LINTHICUM, BOCC. RS 2011-017.<br>TOM MALLAMS MAKES A STATEMENT OF IMPROPER USE OF ESA.<br>COMMISSIONER LINTHICUM: THANK YOU FOR BRINGING THIS IN FRONT OF US. WE ARE PLEASED AS A BOARD OF COMMISSIONERS TO INVEST OUR TIME AND ENERGY IN THIS GRASS ROOTS MOVEMENT. IT REALLY HAS TO START LOCAL AND GROW FROM THERE. THERE ARE SEVERAL FACETS TO THE ESA AS A PIECE OF LEGISLATION THAT COULD USE SOME STRICTER CONTROLS AND REFORM. AND WERE NOT SUGGESTING THAT WE DETONATE THE WHOLE THING, BECAUSE WE DO CARE AS GOOD STEWARDS OF OUR ENVIRONMENT, WE CARE ABOUT THE WORLD WE LIVE IN. AND SO USING THAT STEWARDSHIP | I.1 | APPROVED       |

WITH COMMON SENSE IS AN IMPORTANT FACET TO IMPLEMENTING RULES AND REGULATIONS AND FOLLOWING THROUGH WITH A WELL-PLANNED MODEL ON HOW TO HAVE OUR URBAN AND RURAL ENVIRONMENTS COEXIST IN THE NATURAL WORLD THAT WE LIVE IN. YOU CAN'T DENY REALITY, IT'S NOT OPTIONAL. IT'S PART OF THE REAL WORLD THAT WE LIVE IN AND WE HAVE TO BE ABLE TO THINK WISELY THROUGH THESE THINGS WITH GOOD SCIENCE AND GOOD LOGIC AND COMMON SENSE ABOUT HOW THIS WILL IMPACT THE ECONOMY. THE REGULATORY RULES THAT COME OUT OF DIFFERENT EPA DEPARTMENTS ARE NOT PART OF THE LEGISLATION. THEY ARE PART OF THE REGULATORY ARM OF THE FEDERAL GOVERNMENT. IF YOU WERE TO LOOK AT THE FEDERAL REGISTRY ON A DAILY BASIS, YOU WOULD BE SHOCKED AT THE NUMBER OF RULES AND REGULATION THAT GET PUBLISHED DAILY. AND SO WHAT WE NEED IS A LEGISLATIVE FIX SO THAT THESE REGULATORY AGENCIES DON'T GO OVERBOARD. SO WE ARE HAPPY TO CONTRIBUTE AND JOIN ALONG SIDE OF YOU, THANK YOU TOM.

COMMISSIONER HUKILL: I HAVE BEEN HERE SINCE THE SIXTIES, AND WATCHED THE DETERIORATION OF OUR MILLS AND JOBS BECAUSE OF THE SPOTTED OWL ISSUE; KNOWING THAT OUR COUNTIES ARE 57% FOREST. AND IT REALLY HAS HIT OUR COUNTY HARD AND I THINK THE THING THAT TICKED ME OFF THE MOST IS WHEN WE LOOKED AT OUR FOREST AND WE SAW WHERE THE SPOTTED OWL PROBABLY IS AND THEN WE SAW CIRCLES OF WHERE THEY MIGHT BE, BUT WHAT DROVE ME OVER THE WALL IS WHAT THE VIRTUAL OWLS. SO THEY HAVE ALL THESE CIRCLES ALL OVER OF WHERE MAYBE THEY WILL BE OR MAYBE NOT BUT IS STOPS PRODUCTION. AND I THINK DENNIS IS RIGHT, COMMON SENSE WENT OUT THE WINDOW, AND I THINK WE NEED GOOD SCIENCE AND I REALLY JOIN ON THAT IN FIGHTING. IT IS A BIG GIANT. BUT LIKE YOU SAID, YOU CAN START CUTTING OFF A TOE AT A TIME AND GET SOMETHING CHANGED. BUT IT NEEDS TO BE CHANGED, SO THANK YOU.

COMMISSIONER SWITZER: I THINK IF YOU WENT BACK, AND LOOKED AT WHEN THE ESA WAS PASSED, AND TALK TO THE PEOPLE WHO VOTED FOR IT, THEY WOULD TELL YOU TO A PERSON THAT THIS IS NOT WHAT THEY VOTED FOR. THIS THING HAS TAKEN ON A LIFE OF ITS OWN AND IT HAS TO BE REIGNED IN. I LOOK AT FARMERS, RANCHERS AND LOGGERS, AND THE SOME OF THE BEST ENVIRONMENTALIST I'VE EVER MET. THEY DON'T WANT TO RUIN THEIR LAND, THAT'S THEIR LIVELIHOOD. AND IT WOULD MAKE NO SENSE FOR THEM TO DO THAT. BUT YOU LOOK AT WHERE THIS THING HAS GONE AND IT'S RUNNING AMUCK. WHAT CHERYL WAS TALKING ABOUT WAS WE WERE BACK TALKING TO SOME PEOPLE IN D.C. ABOUT WHAT IS HAPPENING IN OUR FOREST LAND WITH THE ESA AND HOW IT'S TIDE UP. AND ON THE ROSEBURG, WE JUST HAPPENED TO HAVE THE ROSEBURG MAP, WOULD HAVE BEEN NICE IF HE HAD OUR OWN, BUT ON THE ROSEBURG DISTRICT OF THE BLM, AND THAT IS, IF YOUR AWARE OF THIS, THOSE ARE O&C LANDS SO THOSE ARE PRODUCTION LANDS. 90% OF THOSE PRODUCTION LANDS ARE TIDE UP FOR OWL HABITAT, 90%! THEY'RE OPERATING ON 10% THAT THEY ARE ALLOWED TO CUT. THAT'S RIDICULOUS. I WILL KINDA TAG ON WITH WHAT CHERYL WAS SAYING, WE HAVE OWLS, THESE ARE ALL DONE IN CIRCLES BY THE WAY, WHEN SHE'S TALKING ABOUT CIRCLES, THE MAP ENDS UP BEING TOTALLY COVERED IN CIRCLES. AND I GAVE THIS MAP, I HAD TAKEN IT WITH ME SO; I GAVE IT TO THE INCOMING DIRECTOR OF THE BLM, AND HE JUST KINDA LOOKED AT IT AND HE WAS STUNNED, BECAUSE HE HAD NOT SEEN IT. WE HAD OWLS AND WE HAD POTENTIAL OWLS AND THEN WE HAD THESE VIRTUAL OWLS. WHICH NO ONE COULD QUITE FIGURE OUT WHAT THE HECK A VIRTUAL OWL IS. BUT THAT'S WHERE IT MIGHT GO SOMEDAY IF IT HAD A MIND TO GO THERE. THAT'S RIDICULOUS. NOW, YOU ASKED ABOUT SAWMILLS, 30 YEARS AGO THERE WERE 14 SAWMILLS IN KLAMATH COUNTY; PRODUCING A PRODUCT OFF OF A RENEWABLE INDUSTRY AND GOOD PAYING JOBS. TODAY WE HAVE 2, BOTH OF THOSE SAW MILLS RUN AT LESS THAN HALF. AND THE ONLY REASON THAT THEY RUN AT LESS THAN HALF, IS BECAUSE THEY'RE NOT ALLOWED TO CUT TREES. THE TREES THAT YOU SEE ON THE DECKS OFF THOSE SAWMILLS ARE PRIMARILY FROM PRIVATE LANDS. THEY ARE NOT COMING OFF THE FEDERAL LANDS. WE ARE GROWING MORE TREES THAN WE ARE CUTTING. IT'S BY A HUGE MARGIN, AND IT'S NOT ONLY IN U.S. FOREST LANDS, IT'S IN O&C LANDS. AND O&C ACT SAYS THAT THESE LANDS ARE MANAGED FOR PRODUCTION, ITS PRETTY PLAIN. IT'S WRITTEN RIGHT IN THE ACT. SO, I AGREE WITH YOU, I THINK IT NEEDS TO START SOMEPLACE. I THINK WE NEED TO SEE A FEW MORE PEOPLE IN CONGRESS WHO WILL STEP UP TO THE PLATE, I THINK WE'RE GETTING THERE. I ALSO AGREE WITH YOU, NOT TO BE OVERLY POLITICAL HERE BUT WE HAVE AN OPPORTUNITY HERE TO ACTUALLY SEE

THE SENATE CHANGE THIS NEXT TIME. AND IF THAT CAN HAPPEN, THEN MAYBE WE CAN BRING SOME SANITY BACK INTO GOVERNMENT AND WE CAN MOVE GOVERNMENT FORWARD THE WAY IT'S SUPPOSE TO MOVE. AND IT'S SUPPOSE TO BE FROM THE PEOPLE, NOT THE OTHER WAY AROUND. WE GET VERY FRUSTRATED WITH THEM. WE GET FRUSTRATED WITH THE FACT THAT WE GO BACK AND TALK WITH THE FOLKS EAST OF THE MISSISSIPPI AND THEY THINK WE'VE LOGGED EVERY TREE THAT EVER GREW OUT HERE. IT'S AMAZING, I'VE HAD THEM ASK WELL ARE THERE ANY MORE TREES STANDING? THERE ARE MILLIONS AND MILLIONS OF ACRES OF TREES THAT ARE STANDING AND NEED TO BE HARVEST AND NEED TO BE PRODUCED. I AGREE THAT THIS IS A GOOD START AND I WILL HAPPILY SIGN ON TO THIS. DENNIS READS RESOLUTION AND MAKES MOTION TO APPROVE, CHERYL SECONDS.

TOM MALLAMS INTRODUCES DVD OF GREG WALDEN; VIDEO SHOWN.

WILLIAM (BILL) ADAMS- CITY OF KLAMATH FALLS: COMMENTS ON BUCKET BRIGADE AND SHOWS APPRECIATION TO COMMISSIONERS FOR SUPPORT AND FOR KEEPING BUCKET OUT FRONT

TOM MALLAMS ANNOUNCES THAT THE TRAVELING BUCKET ON THE ROAD AGAIN. AND THANKS COMMISSIONERS FOR KEEPING THE BUCKET OUT FRONT AS A SYMBOL.

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|------------------------------|----|---|-----|----------|
|                              | 2. | IN THE MATTER OF APPROVAL OF A RESOLUTION TO AUTHORIZE THE GRANT APPLICATION FOR COUNTY ASSESSMENT FUNCTION FUNDING ASSISTANCE PROGRAM (CAFFA). JASON LINK, FINANCE MANAGER. RS 2011- <u>018</u> .  | I.2 | APPROVED |
| <b>J. ORDERS</b>             | 1. | IN THE MATTER OF TRANSFER OF EXCESS ROAD FUND MONIES TO THE KLAMATH COUNTY AND CITY SCHOOL DISTRICTS- COMMISSIONER SWITZER. OR 2011- <u>070</u> .   | J.1 | APPROVED |
|                              | 2. | IN THE MATTER OF APPOINTING WILLIAM KENNEDY TO THE NATURAL RESOURCE ADVISORY COUNCIL- COMMISSIONER HUKILL. OR 2011- <u>071</u> .  | J.2 | APPROVED |
| <b>K. AGREEMENTS</b>         | 1. | IN THE MATTER OF AMENDMENT NUMBER FOUR TO THE CONTRACT FOR SERVICES BETWEEN KLAMATH COUNTY AND LUTHERAN COMMUNITY SERVICES NORTHWEST FOR ALCOHOL AND DRUG PREVENTION SERVICES AND LOCALLY FUNDED SPECIAL FUNDED PROJECTS FOR OUTPATIENT CHEMICAL DEPENDENCY TREATMENT FOR MINORITIES AND FOR UNDERSERVED POPULATIONS- COLETTE FLECK, MENTAL HEALTH. | K.1 | APPROVED |
|                              | 2. | IN THE MATTER OF AMENDMENT NUMBER ONE TO CONTRACT FOR PERSONAL SERVICES BETWEEN KLAMATH COUNTY AND KLAMATH HEALTH PARTNERSHIP- COLETTE FLECK, MENTAL HEALTH.  | K.2 | APPROVED |
|                              | 3. | IN THE MATTER OF AMENDMENT NUMBER FOUR TO THE CONTRACT FOR SERVICES BETWEEN KLAMATH COUNTY MENTAL HEALTH AND LUTHERAN COMMUNITY SERVICES NORTHWEST FOR MENTAL HEALTH OUTPATIENT SERVICES FOR CHILDREN AND ADOLESCENTS- COLETTE FLECK, MENTAL HEALTH.  | K.3 | APPROVED |
|                              | 4. | IN THE MATTER OF AMENDMENT NUMBER SEVEN TO THE CONTRACT FOR SERVICES BETWEEN KLAMATH COUNTY MENTAL HEALTH AND KLAMATH YOUTH DEVELOPMENT CENTER FOR MENTAL HEALTH OUTPATIENT SERVICES FOR CHILDREN AND ADOLESCENTS- COLETTE FLECK, MENTAL HEALTH.  | K.4 | APPROVED |
| <b>L. BUDGET RESOLUTIONS</b> | 1. | IN THE MATTER OF ADOPTING BUDGET RESOLUTION TO REFLECT 5% BUDGET CUT IMPLEMENTED BY BUDGET COMMITTEE- JASON LINK, BUDGET OFFICER. BR 2011- <u>021</u> . BUDGET COMMITTEE MET ON FEB. 9 <sup>TH</sup> , 2011 AND VOTED TO CUT 5% FROM GENERAL FUND DEPARTMENT.   | L.1 | APPROVED |
|                              | 2. | IN THE MATTER OF EXECUTING BUDGET RESOLUTION TO TRANSFER FUNDS FROM ROAD  | L.2 | APPROVED |

CONSTRUCTION TO SPECIAL PROJECTS IN THE ROAD RESERVE FUND – JASON LINK, FINANCE. BR 2011-022.

<b>M. LICENSES</b>	1.		M.1	NONE
<b>N. OTHER COUNTY BUSINESS</b>	1.		N.1	NONE
<b>O. PUBLIC COMMENT/ PETITIONS</b>	1.	STEVE SOUDER: COMMENTS ON TRANSFERRING ROAD FUNDS TO CITY AND COUNTY SCHOOLS, DEFERRING MONEY BACK INTO GENERAL FUND FOR MAINTENANCE. DENNIS JEFFCOAT: COMMENTS ON HOW HE DISAGRES WITH THE BOARDS NEW POLICY ON RESPONDING TO PUBLIC COMMENTS.	O.1	GIVEN
<b>P. COMMISSIONER REPORTS</b>	1.		P.1	GIVEN
<b>Q. LIBRARY SERVICE DISTRICT ISSUES</b>	1.	IN THE MATTER OF AUTHORIZING THE LIBRARY DIRECTOR TO SIGN THE “EXPERIENCE WORKS” SCSEP HOST AGENCY AGREEMENT TO EMPLOY TRAINEE ROLLAND BAILEY- NATHALIE JOHNSTON, LIBRARY SERVICES DISTRICT.	Q.1	APPROVED
<b>R. DRAINAGE SERVICE DISTRICT ISSUES</b>	1.		R.1	NONE
<b>S. ADJOURNMENT</b>	1.	ADJOURNED FROM REGULAR SESSION AT 10:35 A.M.		

KLAMATH COUNTY COMMISSIONERS E-MAIL ADDRESS “BOCC@CO.KLAMATH.OR.US”. KLAMATH COUNTY WEB SITE [WWW.KLAMATHCOUNTY.ORG](http://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](http://WWW.KLAMATHCOUNTY.ORG) CLICK ON DEPARTMENTS, ADMINISTRATIVE SERVICES AND CONTRACTS/GRANTS. 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.