



Board of Commissioners Business Meeting Agenda January 29, 2019 ~ 8:30 am ~ Room 219

1. Call To Order, Those Present, Flag Salute

2. Public Comment

3. Agenda Deletions/Additions

4. Approve Minutes From Last Meeting

1. In The Matter Of Approveing The “Minutes” From The January 22, 2019 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:

[01-29-18-BOCC-WEEKLY PROCEEDINGS.PDF](#)

5. Proclamations/Presentations

1. In The Matter Of Recognizing Del Fox For His Commitment And Service On The Budget Committee. - BOCC

6. Orders

1. In The Matter Of Appointing Danise Brakeman To The Budget Committee - BOCC

Background: The Budget Committee has a vacancy, two individuals applied and were interviewed by a panel, Ms. Brakeman was chosen to fill the vacancy.

Fiscal Impact: None.

Recommended Motion: Approve and sign the attached Order appointing Danise Brakeman to the Budget Committee commencing this day and expiring December 31, 2021.

Documents:

[AGENDA ITEM SUMMARY PAGE .PDF](#)

7. Agreements

1. In The Matter Of A Settlement Agreement Between Klamath County, Keno Fire District And Collins Products, LLC - County Counsel

Background: Collins Products petitioned the County to annex properties into the Keno Fire District which was approved by Board Order on March 27, 2018. On April 26, 2018, Collins Products realized they had included a parcel of property that was already under contract with KCFD #1 for fire protection. Collins Products now wishes to de-annex that parcel of property. The attached settlement agreement will allow the County to start that process once all signatures have been obtained.

Fiscal Impact: None at this time.

Recommended Motion: Board approve the attached settlement agreement and authorize the Chair to sign. Fiscal impact is none at this time.

Documents:

[20190114105002.PDF](#)

8. Other County Business

9. Commissioner Reports

10. Adjournment

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.
305 Main Street 2nd Floor, Klamath Falls, OR 97601
E-mail: bocc@klamathcounty.org Website: www.klamathcounty.org



BOARD OF COMMISSIONERS
Agenda Item Summary

Agenda Category: Weekly Proceedings	Item No:
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Meeting Date: 01/29/2019

Originating Department: BOCC

Issue: Approve the “Minutes” from the January 22, 2019 business meeting.

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.

DONE AND DATED this 29th day of January, 2019.

Chair

Approved
Denied

Vice-Chair

Approved
Denied

Commissioner

Approved
Denied



Board of Commissioners Business Meeting
January 22, 2019~ 8:30am ~ Room 219

1/22/2019 - Minutes

1. Call To Order, Those Present, Flag Salute

Commissioner Boyd, Commissioner Morris; Mika Blain / County Counsel; Haley Huffman / Admin Staff; Dale Giegle, Ron Matchett / Multimedia; Dan Golden / Juvenile; Chris Kaber / Sheriff; Vickie Noel / Finance; Jeremy Morris, Todd Pfeiffer / Public Works; Renee Blakely / Human Resources; Mark Gallagher /Planning; Jessica Chastain / Information Technologies; members of Sage Community School and EagleRidge High School; Kate Marquez; Tess Novatny / Herald & News; Paul Hanson / KFLS radio.

2. Public Comment

None.

3. Agenda Deletions/Additions

None.

4. Approve Minutes From Last Meeting

1. In The Matter Of Approving The “Minutes” From The January 8, 2019 Business Meeting. - BOCC

Commissioner Boyd reads information. Approved.

5. Proclamations/Presentations

1. In The Matter Of Proclaiming January 21-27, 2019 As “School Choice Week” In Klamath County, Oregon. - BOCC

Commissioner Morris reads proclamation. Anna Fowler, director of Sage Community Schools speaks. Commissioner Morris said she appreciates this opportunity to be inclusionary and to celebrate the diversity of Klamath County. Commissioner Boyd thanked the group for coming today and encouraged them to continue their hardwork.

6. Public Hearings

1. TIME CERTAIN 8:45AM - In The Matter Of Holding A Public Hearing On Proposed Supplemental Budgets For Klamath County Budget For Fiscal Year 2018-2019. Vickie Noel - Finance

Commissioner Boyd opens hearing at 8:45am and asks for public comment in favor and against. None. Commissioner Boyd motions. Commissioner Morris seconds. Unanimous vote. Approved.

2. TIME CERTAIN 9:00AM - In The Matter Of Holding A Public Hearing On Proposed Supplemental Budget Resolutions For Klamath County Extension Service District Budget For Fiscal Year 2018-2019. Vickie Noel - Finance

Commissioner Boyd opens hearing at 9:05am and asks for public comment in favor and against. None. Commissioner Boyd closes the hearing and re-opened the Business Meeting at 9:06am.

7. Budget Resolutions

1. In The Matter Of The Adoption Of A Budget Resolution Within General Fund, Non-Departmental. Vickie Noel - Finance

Ms. Noel addresses the Board. Commissioner Morris motions. Commissioner Boyd seconds. Unanimous vote. Approved. **BR2019-006**

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

Ms. Noel addresses the Board. Commissioner Boyd motions. Commissioner Morris seconds. Unanimous vote. Approved. **BR2019-007**

3. In The Matter Of The Adoption Of A Budget Resolution Within The Community Corrections Fund. Vickie Noel - Finance

Ms. Noel addresses the Board. Commissioner Morris motions. Commissioner Boyd seconds. Unanimous vote. Approved. **BR2019-008**

4. In The Matter Of The Adoption Of A Budget Resolution Within The Fairgrounds Operating Fund. Vickie Noel - Finance

Ms. Noel addresses the Board. Commissioner Boyd motions. Commissioner Morris seconds. Unanimous vote. Approved. **BR2019-009**

5. In The Matter Of The Adoption Of A Budget Resolution Within The General Fund - Commissioner Committees. Vickie Noel - Finance

Ms. Noel addresses the Board. Commissioner Morris motions. Commissioner Boyd seconds. Unanimous vote. Approved. **BR2019-010**

6. In The Matter Of The Adoption Of A Budget Resolution Within The General Fund - Juvenile Department And Non-Departmental. Vickie Noel - Finance

Ms. Noel addresses the Board. Commissioner Boyd motions. Commissioner Morris seconds. Unanimous vote. Approved. **BR2019-011**

- 7. In The Matter Of The Adoption Of A Budget Resolution Within The General Fund - Sheriff Patrol, District Attorney And Non-Departmental. Vickie Noel - Finance**
Ms. Noel addresses the Board. Commissioner Morris motions.
Commissioner Boyd seconds. Unanimous vote. Approved. **BR2019-012**
- 8. In The Matter Of The Adoption Of A Budget Resolution Within The Internal Service Non-Departmental Fund. Vickie Noel - Finance**
Ms. Noel addresses the Board. Commissioner Boyd motions.
Commissioner Morris seconds. Unanimous vote. Approved. **BR2019-013**
- 9. In The Matter Of The Adoption Of A Budget Resolution Within The Internal Services - GIS And Non-Departmental. Vickie Noel- Finance**
Ms. Noel addresses the Board. Commissioner Boyd motions.
Commissioner Morris seconds. Unanimous vote. Approved. **BR2019-014**
- 10. In The Matter Of The Adoption Of A Budget Resolution Within The PERS Holding Fund. Vickie Noel - Finance**
Ms. Noel addresses the Board. Commissioner Morris motions.
Commissioner Boyd seconds. Unanimous vote. Approved. **BR2019-015**
- 11. In The Matter Of The Adoption Of A Budget Resolution Within The Risk Management Fund. Vickie Noel - Finance**
Ms. Noel addresses the Board. Commissioner Boyd motions.
Commissioner Morris seconds. Unanimous vote. Approved. **BR2019-016**
- 12. In The Matter Of The Adoption Of A Supplemental Budget Within The Equipment Reserve Fund And General Fund - Juvenile Department. Vickie Noel - Finance**
Ms. Noel addresses the Board. Commissioner Morris motions.
Commissioner Boyd seconds. Unanimous vote. Approved. **BR2019-017**
- 13. In The Matter Of The Adoption Of A Supplemental Budget Within The Sheriff's Special Revenue Fund. Vickie Noel - Finance**
Ms. Noel addresses the Board. Commissioner Boyd motions.
Commissioner Morris seconds. Unanimous vote. Approved. **BR2019-018**
- 14. In The Matter Of The Adoption Of A Supplemental Budget Within The Transient Room Tax Fund And The Tourism Competitive Grant Fund. Vickie Noel - Finance**
Ms. Noel addresses the Board. Commissioner Morris motions.
Commissioner Boyd seconds. Unanimous vote. Approved. **BR2019-19**

8. Bids/Awards/Proposals

- 1. In The Matter Of Approving The Sheriff To Accept A Bid To Purchase A Ford F150 For The Forest Patrol Truck. -Sheriff's Office, Chris Kaber, Sheriff**

Sheriff Kaber addresses the Board. Commissioner Boyd motions. Commissioner Morris seconds. Unanimous vote. Approved.

- 2. In The Matter Of Approving The Sheriff To Accept A Bid To Purchase A 2018 Dodge 2500 Crew Cab 4x4 For The Marine Patrol Truck. - Sheriff's Office, Chris Kaber, Sheriff**

Sheriff Kaber addresses the Board. Commissioner Boyd motions. Commissioner Morris seconds. Unanimous vote. Approved.

- 3. In The Matter Of Approving The Sheriff To Accept A Bid To Purchase And Have Installed, Emergency Equipment For The New Forest Patrol Truck And Marine Patrol Truck. -Sheriff's Office, Chris Kaber, Sheriff**

Sheriff Kaber addresses the Board. Commissioner Boyd motions. Commissioner Morris seconds. Unanimous vote. Approved.

- 4. In The Matter Of Approving The Klamath County Sheriff To Accept A Quote And Purchase A 1995 Crestliner Boat, Hull # NOR44419E595 Which Includes A 23 Horse Power Beavertail Mud Motor, Serial #4229906061 And 1988 Shorelander Trailer With VIN# 1YR00183JG000135 From American Marine & R.V.-Sheriff's Office, Chris Kaber, Sheriff.**

Sheriff Kaber addresses the Board. Commissioner Boyd motions. Commissioner Morris seconds. Unanimous vote. Approved.

- 5. In The Matter Of An Authorization To Issue An Invitation For Bids For The North County Chip Seal 2019 Project. Jeremy Morris, Public Works**

Jeremy Morris addresses the Board. Commissioner Boyd motions. Commissioner Morris seconds. Unanimous vote. Approved.

- 6. In The Matter Of Requesting Quotes For Chemicals For Klamath County Road Division And Weed Control. Todd Pfeiffer, Weed Control**

Todd Pfeiffer addresses the Board. Commissioner Boyd motions. Commissioner Morris seconds. Commissioner Boyd asks Mr. Pfeiffer if he has ever reached out to any of the special road or vector districts to see if they can buy chemicals as a group to save money. Mr. Pfeiffer said he doesn't think any of the special road districts actually buy chemicals and the vector control uses a completely different herbicide and he's pretty sure they have a different supplier. He said he has not reached out to any of them but

he doesn't think it will work. Unanimous vote. Approved.

7. Approving A Quote From Accurate Electric Unlimited, Inc. To Retrofit The Facility CCTV System. Dan Golden, Director

Dan Golden addresses the Board. Commissioner Morris motions. Commissioner Boyd seconds. Unanimous vote. Approved.

9. Resolutions

1. Approve Investment Policy Statement For Klamath County Treasurer's Investment Pool. Vickie Noel - Treasurer

Ms. Noel addresses the Board. Commissioner Morris motions. Commissioner Boyd seconds. Unanimous vote. Approved. **RE2019-012**

10. Orders

1. In The Matter Of Vacating Lots 586 And 587 Of Running Y, Phase 5 Subdivision. Map No. 3808-010B0-01400-01500 CDD/Planning - Mark Gallagher, Planning Director

Mark Gallagher addresses the Board. Commissioner Boyd motions. Commissioner Morris seconds. Unanimous vote. Approved. **OR2019-034**

2. In The Matter Of Rescinding The Order Appointing Cynthia Wilson To The Klamath Falls Forest Estates Unit 1 Special Road District Board.- BOCC

Commissioner Boyd motions. Commissioner Morris seconds. Unanimous vote. Approved. **OR2019-035**

3. In The Matter Of Reappointing Elaine Cooper To The Antelope Meadows Special Road District Board. - BOCC

Commissioner Boyd motions. Commissioner Morris seconds. Unanimous vote. Approved. **OR2019-036**

4. In The Matter Of Reappointing Jerry Bowers And Lucio Ortega To The North Shasta Lighting District Board. - BOCC

Commissioner Morris motions. Commissioner Boyd seconds. Unanimous vote. Approved. **OR2019-037**

5. In The Matter Of Reappointing Leo Anthony Bocchi To The Green Knolls Estates Special Road District Board. - BOCC

Commissioner Boyd motions. Commissioner Morris seconds. Unanimous vote. Approved. **OR2019-038**

6. **In The Matter Of Reappointing Randy Shaw, Ernie Palmer And Don McCasland To The Planning Commission - BOCC**
Commissioner Morris motions. Commissioner Boyd seconds. Unanimous vote. Approved. **OR2019-039**

7. **In The Matter Of Appointing Gayle Marquez To The Klamath Falls Forest Estates Unit 1 Special Road District Board. - BOCC**
Commissioner Boyd motions. Commissioner Morris seconds. Unanimous vote. Approved. **OR2019-040**

11. Agreements

1. **In The Matter Of Execution Of The Contract For Services Between Klamath County And CalAmp Wireless Networks Corp To Provide LTE GPS Tracking Service For Klamath County Road Department Equipment. Jeremy Morris, Public Works**
Jeremy Morris addresses the Board. Commissioner Boyd motions. Commissioner Morris seconds. Unanimous vote. Approved.

2. **In The Matter Of Local Agency Agreement #32734 Between Klamath County And The State Of Oregon Acting By And Through Its Department Of Transportation For Klamath County's All Roads Transportation Safety (ARTS) Project. Jeremy Morris, Public Works**
Jeremy Morris addresses the Board. Commissioner Morris motions. Commissioner Boyd seconds. Unanimous vote. Approved.

3. **In The Matter Of Approving The Annual Service Agreement Amendment For 2019 And 2020 With Independent Actuaries, Inc. And Authorizing The HR Director To Sign The Agreement. Renee Blakely, Human Resources Director**
Renee Blakely addresses the Board. Commissioner Boyd motions. Commissioner Morris seconds. Unanimous vote. Approved.

12. Licenses

1. **In The Matter Of Approving Of A Social Gaming License For The Mohawk Restaurant & Lounge One (1) Card Table. - BOCC**
Commissioner Boyd reads information and motions. Commissioner Morris seconds. Unanimous vote. Approved.

13. Extension Service District

1. **In The Matter Of The Adoption Of A Supplemental Budget Within The Klamath County Extension Service District. Vickie Noel - Finance**

Commissioner Boyd recesses from the Business Meeting and opens the Extension Service District meeting at 9:31am. Ms. Noel addresses the Board. Commissioner Boyd motions. Commissioner Morris seconds. Commissioner Boyd asks Ms. Noel to explain the total amount. Ms. Noel said, the purchase of the property was \$165,000 and there was an estimate given to her of \$30,000-\$35,000 for demolition costs and she budgeted their beginning fund balance so it was actually what they did carryover. Unanimous vote. Approved. **BR2019-020**

Commissioner Boyd closes the Extension Service District meeting and reopens the Business Meeting at 9:34am.



14. Commissioner Reports

Commissioner Morris - She thanked the students for staying and watching how this is all done. She said we got a lot of work done. She will be going to Salem on Friday with our Juvenile Director, Dan Golden to make the rounds laying ground work related to the Youth Inspiration Program capital construction project.

Commissioner Boyd - He welcomed Commissioner Morris back from her vacation. He has been working on water issues with the WRD and the RAC to figure out how they will operate with the new wells. He also thanked the students for attending today's meeting.

15. Adjournment

9:36am

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.

305 Main Street 2nd Floor, Klamath Falls, OR 97601

E-mail: bocc@klamathcounty.org Website: www.klamathcounty.org



BOARD OF COMMISSIONERS
Agenda Item Summary

Agenda Category: ORDER

Item No:

Meeting Date: 01/29/2019

OR2019-

Originating Department: BOCC

Issue: In the matter of appointing Danise Brakeman to the Budget Committee.

Background: The Budget Committee has a vacancy, two individuals applied and were interviewed by a panel, Ms. Brakeman was chosen to fill the vacancy.

Fiscal Impact: None.

Recommended Motion: Approve and sign the attached Order appointing Danise Brakeman to the Budget Committee commencing this day and expiring December 31, 2021.

**BOARD OF COUNTY COMMISSIONERS
KLAMATH COUNTY, OREGON**

**IN THE MATTER OF APPOINTING)
DANISE BRAKEMAN TO THE) ORDER NO. 2019-
BUDGET COMMITTEE)**

THIS MATTER coming on at this time to be heard before the Klamath County Board of Commissioners that there is a vacancy on the Budget Committee;

FURTHER two individuals applied and were interviewed by a panel, Ms. Brakeman was chosen to fill the vacancy;

FURTHER Ms. Brakeman is willing, able and eligible to serve, and being duly appointed to serve in this capacity by the Board of Commissioners who are fully advised in the premises;

NOW, THEREFORE, IT IS HEREBY ORDERED that Danise Brakeman is appointed to the Budget Committee commencing this day and expiring December 31, 2021.

DONE AND DATED this 29th of January, 2019.

KLAMATH COUNTY BOARD OF COMMISSIONERS

Chair

Commissioner

Commissioner

From: noreply@civicplus.com
To: [Bocc](#)
Subject: Online Form Submittal: Advisory Boards/Committees Application Form
Date: Monday, December 17, 2018 10:32:00 AM

Advisory Boards/Committees Application Form

Date	12/17/2018
Select the Board, Commission, or Committee applying for	Budget Committee
Personal Information	
First Name	Danise
Last Name	Brakeman
Address1	PO Box 373
Address2	2880 Carrol St.
City	Bonanza
State	OR
Zip	97623
Home/Cell Phone Number	5418925537
Business Address	2880 Carrol St., Bonanza, OR 97623
Business Phone Number	541-545-6553
Occupation	Medical Billing Specialist
Email Address	itsdanise@gmail.com
Residency Information	
Length of Residency in Klamath County	33 years
Are you a registered voter	Yes
Education and Hobbies	

High School	Mayfair High School, Lakewood, CA
College	Long Beach City College, Long Beach, CA
Trade or Business School	Oregon Local Leadership Institute through League of Oregon Cities
Hobbies	Volunteering
Organization Membership Information	
Are you currently a member of any Organizations, Boards, Commissions or Committees?	Yes
If yes, which	Bonanza Cares, Bonanza Revitalization Team, Bonanza Lion's Club, Bonanza Ambulance, Rural Klamath Connects
Have you previously been a member of any Organizations, Boards, Commissions or Committees?	Yes
If yes, which	Area Agency on Aging, Bonanza Planning Commission
Please List Areas of Special Interest	Local government; budgeting; anything involving senior citizens; promoting volunteerism; community projects
Please Enter Basic Resume Information Below	<i>Field not completed.</i>
<i>*Applications expire one year from the date of submission.</i>	
Electronic Signature Agreement	I agree.
Electronic Signature	Danise Brakeman

Email not displaying correctly? [View it in your browser.](#)

From: Danise Brakeman
To: [Bocc](#)
Subject: Budget Committee Application
Date: Monday, December 17, 2018 10:38:03 AM

Hi Haley/Sandy,

I have submitted my application to serve on the Budget Committee, however it would not accept my resume information. Therefore, please see below for that information. If you have any questions, please don't hesitate to contact me.

Brakeman Bookkeeping - Bookkeeping, Payroll and Medical Billing Specialist - Jan 2014 - Present

City of Shady Cove, OR - City Administrator - Nov 2010 - Oct 2013

Town of Bonanza - City Recorder and Planning Director - Jan 1991 - Nov 2010

Klamath Defender Services, Attorney Dick Garbutt, and Arritola Investigations - 1998 - 2001

Klamath County Juvenile Department - 1995 - 1998

Thank you,

Danise Brakeman
(541) 892-5537



Virus-free. www.avast.com



BOARD OF COMMISSIONERS
Agenda Item Summary

Agenda Category: Agreement Item No:

Date: January 29, 2019

Originating Department: County Counsel

Issue: Settlement Agreement between Klamath County, Keno Fire District and Collins Products, LLC

Background: Collins Products petitioned the County to annex properties into the Keno Fire District which was approved by Board Order on March 27, 2018. On April 26, 2018, Collins Products realized they had included a parcel of property that was already under contract with KCFD #1 for fire protection. Collins Products now wishes to de-annex that parcel of property. The attached settlement agreement will allow the County to start that process once all signatures have been obtained.

Fiscal Impact: None at this time.

Recommended Motion: Board approve the attached settlement agreement and authorize the Chair to sign. Fiscal impact is none at this time.

DONE AND DATED this _____ day of _____, 2019.

Chair
Approved
Denied

Vice-Chair
Approved
Denied

Commissioner
Approved
Denied

SETTLEMENT AGREEMENT

This settlement agreement (the "Agreement") is made and entered into by and between Klamath County (the "County"), the Keno Rural Fire Protection District ("Keno Fire District"), Collins Products LLC ("Collins"), and Klamath Energy, LLC ("Klamath Energy") (collectively, the "Parties"). The effective date of this Agreement is November 1, 2018.

RECITALS

1. On August 30, 2017, Collins petitioned the County for annexation of several parcels of land into the Keno Fire District (the "Petition"). On March 27, 2018, the County approved the annexation (the "Annexation"), issuing an order annexing these parcels into the Keno Fire District. The Parties later discovered the annexation would include two parcels of land subject to long-term lease agreements between Collins and Klamath Energy (the "Parcels"). The Parcels are included in the description of land attached as Exhibit A.
2. On April 26, 2018, Collins sought to amend the Petition, requesting that the County de-annex the land described in Exhibit A from the Keno Fire District.
3. On or about September 11, 2018, Klamath Energy provided timely notice of a potential tort claim to the County and Keno Fire District.
4. In October 2018, the County sent Klamath Energy a property tax bill for the period July 1, 2018 to June 30, 2019 that did not include an assessment for the Keno Fire District. On or about November 13, 2018, Klamath Energy tendered to the County a check in full satisfaction of its 2018-2019 bill.
5. In order to avoid the expense, burden, and uncertainty of litigation, the Parties have agreed to settle their dispute relating to the Annexation according to the terms of this Agreement. The terms of this Agreement are expressly conditioned on the deannexation of the Parcels.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual terms, conditions, and promises set forth below, the Parties agree as follows:

1. Deannexation. The County agrees to deannex the Parcels from the Keno Fire District by June 30, 2019, or as soon as practicable, but not later than July 1, 2020. Klamath Energy, the Keno Fire District, and Collins agree to reasonably cooperate with the County in the deannexation process. The Keno Fire District consents to the deannexation as requested by Collins. All parties anticipate that with reasonable cooperation by the Klamath Energy, the Keno Fire District and Collins, the County will deannex the Parcels by the dates specified herein. The County represents it has received an application in proper form from Collins and proper consent from the Keno Fire District, and does not anticipate any further acts by Collins or the Keno Fire District are necessary. If further acts are necessary as determined in good faith by the

parties, Klamath Energy, the Keno Fire District, and Collins agree to reasonably cooperate with the County and each other. If such cooperation is not forthcoming, the County will nevertheless make best efforts to initiate deannexation of the Parcels by April 11, 2020.

2. Payments and Tax Assessment.

2.1. Klamath Energy agrees to pay Keno Fire District the amount of \$50,000 within fourteen days of the deannexation in consideration for Keno Fire District's agreement with Klamath County Fire District #1 to meet the fire protection needs of the Parcels throughout 2018. In addition, Klamath Energy agrees to pay Keno Fire District for legal fees and other costs associated with the Annexation, not to exceed \$10,000, upon submission of appropriate receipts and invoices. Keno Fire District must submit an invoice, a new vendor request form, and provide Klamath Energy with a correct taxpayer identification number on a Form W-9 before any of the above payments will be made.

2.2. Klamath County will not issue a revised July 1, 2018 to June 30, 2019, tax bill to Klamath Energy with an assessment for the Keno Fire District.

2.3. Klamath County will not issue a July 1, 2019 to June 30, 2020, tax bill to Klamath Energy with an assessment for the Keno Fire District.

3. Mutual Release. The Parties hereby each release and forever discharge each other from any and all claims, demands, actions, suits, causes of action, debts, accounts, or controversies of any nature whatsoever, known or unknown, which exist as of the effective date of this Agreement, that arise from or out of, directly or indirectly, the claims, injuries, or damages relating to the Annexation. This release is intended to apply to the Parties' insurers, owners, servants, officers, agents, principals, directors, employees or former employees, attorneys, successors, and assigns. The consideration for this release is the mutual release of the Parties, and the performance set forth in this Agreement.

4. No Admission of Liability. The Parties agree that this Agreement reflects a compromise of disputed claims and defenses. Neither this Agreement nor its performance may be construed or interpreted in any way as an admission of liability on the part of any party.

5. No Assignment. The Parties warrant and represent that they each respectively are the sole and exclusive owner of all claims and causes of action that are the subject of this Agreement; that they have not assigned an interest in such claims to any other person, party, or entity; and that they have the sole and exclusive, unqualified right to give the releases and make the agreements, covenants, and representations that are set forth in this Agreement.

6. Performance of Additional Acts. Each party agrees that it shall execute and deliver any and all documents and perform any and all acts required on its part or those which may be reasonably necessary to effectuate and complete and facilitate the provisions of this Agreement.

7. Entire Agreement. This Agreement is the final and complete integration of the agreements between the Parties regarding the subject matter it addresses. The terms of this Agreement may not be modified except by a further written agreement signed by all Parties.

8. Construction. The rule of construction that an agreement is to be construed against the drafting party is not to be applied in interpreting this Agreement.

9. Counterparts. This Agreement may be executed in one or more counterparts, all of which taken together shall constitute one and the same instrument. This Agreement may be executed by facsimile or electronic signatures, each of which will be deemed an original.

Klamath County:

By: _____
Name: _____
Title: _____
Date: _____

Keno Rural Fire Protection District:

By: _____
Name: _____
Title: _____
Date: _____

Collins Products LLC:

By: Deillo Sunkar
Name: Deillo Sunkar
Title: Klamath Jute Manager
Date: 1-11-19

Klamath Energy LLC:

By: [Signature]
Name: Jack Fabrycki
Title: Authorized Representative
Date: 1/10/2019

LEGAL
[Signature]

By: [Signature] Rick Piazza
Name: _____ Authorized Representative
Title: AUTHORIZED REPRESENTATIVE

Exhibit A

Description of Collins Timber Company Property to be De-Annexed

Parcel 1 of Land partition 31-97 according to the official plat thereof as filed at the office of the Klamath County Clerk.

Tax lot:

R3909-01800-01000-000

TWP 39 RNGE 9, BLOCK SEC 18, TRACT POR PAR 1 OF LP#31-97, ACRES 382.2