

**MORRISON Anna M**

W. 5.b.

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**Sent:** Friday, October 15, 2004 3:53 PM  
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**Cc:** bjsmith@co.clackamas.or.us; AKENNET@co.clatsop.or.us; BIEDA Tony S; plevesqu@co.tillamook.or.us; dennis\_mulvihill@co.washington.or.us; Gerald\_Kubiak@co.washington.or.us; michael.carrier@das.state.or.us; bj.smith2@gte.net; mras@masonbruce.com; mpagel@schwabe.com; lance.r.clark@state.or.us; marvin.brown@state.or.us; HOLLOWAY Ross W (OR); THOMAS Steve R (OR)  
**Subject:** CFTLC Annual Membership Meeting 11-16



CFTLC AnCn notice '04.pdf



cftlc agenda 11-04.doc



cftlc total dues '05.qpw



cftlc dues formula.qpw



cftlc vol dues '05.qpw



cftlc election procedure.doc



cftlcbudget05.pdf

Greetings to CFTLC member Commissioners and interested parties.

Attached are:

1. Chair Tim Josi's notice of the Annual Membership Meeting at the AOC Annual Conference - Tuesday, November 16th, 7:00 a.m. to 9:00 a.m. (with breakfast), Columbia Room, Portland Marriott. Please note that Tim requests that you review the material and be prepared for thorough discussions.

If your county has not done so, please seriously consider appointing a delegate commissioner to act for your county, so that we can finalize necessary business at the meeting.

2. The agenda.

3. The proposed 2005 Budget.

4. Three dues/voluntary assessment formulas.

5. The election procedure for officers and the Board.

As always, if you have questions or comments, please feel free to contact me anytime.

Gil

Gil Riddell  
Policy Manager  
Association of Oregon Counties



## **Council of Forest Trust Land Counties**

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1201 Court St. NE / P.O. Box 12729

Salem, Oregon 97309-0729

TEL (503) 585-8351 FAX (503) 373-7876

Date: October 15, 2004

To: Commissioners of Forest Trust Land Counties

From: Commissioner Tim Josi, CFTLC Chair

Subject: Upcoming Annual Membership Meeting [Nov. 16<sup>th</sup>].

Greetings to all Commissioners of Forest Trust Land Counties.

This year our Annual Membership Meeting will be at the AOC Annual Conference, at 7:00 a.m. to 9:00 a.m., Tuesday, November 16<sup>th</sup>, in the Columbia Room of the Portland Downtown Marriott.

These meetings are always extremely busy, and this one is no exception.

Please be prepared to discuss these items at the meeting:

- I have received comments from counties that it would be easier to process annual assessments from CFTLC if they were folded into one invoice as dues. Recall that, because of our needs for specialized professional help due to implementation of the State Forest Plan and the potential legal action against the State, we have needed voluntary assessments to pay for these projects. In return, we have held dues at \$12,000 for the last 10 years. Nevertheless, separate billings to a county during a single year can cause confusion and frustration.

• So the question is: would you prefer to have us make a good faith estimate of the consulting needs for the year, and fold that estimate into the dues? The invoice will separate the elements of the billing, but your county will have one statement for the year. [Caveat: An emergency unanticipated situation that requires immediate action not budgeted for could throw a monkey wrench into this plan for a particular year. The idea here is to establish a regular billing procedure under normal circumstances.]

- At some point, we may wish to follow the AOC model and establish a reserve for specialized professional consulting. A healthy reserve, used judiciously, could further simplify billing procedures.
- As you know, we have retained Schwabe, Williamson & Wyatt to determine the efficacy of legal action against the State for, among other things, the transfer of \$10 million from the Forest Development Fund to the General Fund. Schwabe's Martha Pagel will be at the meeting. Given the minimal time available, she will briefly summarize the issues. For a full report of the firm's findings, we will need to set a Special Membership Meeting in Executive Session for early December to define the next steps. We will set the date at the Annual Meeting. CFTLC will help facilitate any legal action, but the parties to that action must be individual counties. At our Executive Session, we will need to determine 'who is in and who is out', whether to continue with Schwabe or go elsewhere for advocacy, and what procedure to follow.
- If it passes, Measure 34 would throw our best-laid plans – for our Annual Membership Meeting and thereafter - into a cocked hat. It would become a dominant agenda item at our Annual Meeting and our December Executive Session.
- As directed by the CFTLC Board, we have completed the legal procedures to consider Mason, Bruce & Girard our sole source provider for specialized professional services related to implementation of the State Forest Management Plans and development of a Habitat Conservation Plan for forest trust lands. I foresee that this designation will not change our practice of prudent yearly contract renewals, but it does clear some red tape. The proposed 2005 Budget would authorize spending for MBG at the same level as the 2004 Budget.
- In addition to these subjects, we will elect the Board of Directors and Officers, adopt the 2005 Budget [IF WE HAVE SUFFICIENT ATTENDANCE OR DELEGATES/SEE BELOW], hear from State Forester Marvin Brown and our consultant Mark Rasmussen (Mason, Bruce & Girard) about 2004 and 2005, and have breakfast.

**IMPORTANT NOTE: UNDER THE BYLAWS (Art. VII, Sec. 5), OUR BUSINESS WILL BE CONDUCTED MUCH MORE EFFICIENTLY IF YOUR COUNTY SELECTS A COMMISSIONER AS DELEGATE FOR VOTING PURPOSES.**

Benton (Annabelle Jaramillo), Clackamas (Larry Sowa), Douglas (Doug Robertson), Lane (Anna Morrison), Lincoln (Terry Thompson), Tillamook (Paul Hanneman), and Washington (Andy Duyck) Counties have done this. IF YOUR COUNTY HAS NOT, PLEASE CONSIDER SELECTING A DELEGATE BY BOARD OF COMMISSIONER ACTION AND COME TO THE CFTLC MEETING WITH WRITTEN AUTHORIZATION.

Each director is elected by and from a certain county or group of counties. Officers are elected by all CFTLC counties, and are non-voting board members who can also hold a board position. Current officers and directors are:

Officers: Chair Tim Josi (Tillamook); Vice Chair Sam Patrick (Clatsop).  
Board of Directors: Pos. #1 – Paul Hanneman (Tillamook); Pos. #2 – Helen Westbrook (Clatsop); Pos. #3 – Tony Hyde, Columbia Co. (Col., Clack., & WA); Pos. #4 – John Lindsey, Linn Co. (Ben., Linc., Linn, Mar., & Polk); Pos. #5 – John Griffith, Coos Co. (Coos, Doug., Jo., Klam., & Lane).

As always, if you have questions or comments, please feel free to contact me at Tillamook County (503-842-3403) or Gil Riddell, CFTLC Executive Director, at the number above.

I look forward to seeing you all on November 16<sup>th</sup>.

COUNCIL OF FOREST TRUST LAND COUNTIES  
ANNUAL MEMBERSHIP MEETING

Tuesday, November 16, 2004

7:00 a.m. to 9:30 a.m.

Columbia Room, Downtown Portland Marriott

Agenda

- 7:00 a.m. Convene & self-introductions (Chair Tim Josi)  
Breakfast
- 7:20 a.m. Introduction of Mike Carrier (Governor's Natural Resources  
Advisor).
- 7:25 a.m. Report of the State Forester on trust land issues in 2004 and for  
2005 (Marvin Brown) – discussion.
- 7:45 a.m. Comments by Mark Rasmussen (Mason, Bruce & Girard),  
consultant to CFTLC – discussion.
- 7:55 a.m. Opinion on potential legal action against the State (Martha  
Pagel, Schwabe, Williamson & Wyatt) – discussion.
- 8:10 a.m. Set date for Special Membership Meeting in Executive Session  
– action.
- 8:15 a.m. Proposed CFTLC 2005 Budget – action.  
Renewal of contract with MBG.  
Form of dues/voluntary assessment.
- 8:35 a.m. Nomination/election of CFTLC Board of Directors and officers  
– action.
- 8:50 a.m. Other business.
- 8:55 a.m. Adjourn.

## CFTLC NOMINATION & ELECTION PROCEDURE (11-16-04)

### I. Board of Directors

1. Verbal nominations for board positions from commissioners in that group of counties represented by the board position.

Position #1 \_\_\_\_\_ Tillamook County

Position #2 \_\_\_\_\_ Clatsop County

Position #3 \_\_\_\_\_ Columbia, Clackamas  
& Washington Counties

Position #4 \_\_\_\_\_ Marion, Linn, Benton,  
Polk, & Lincoln Counties

Position #5 \_\_\_\_\_ Lane, Coos, Douglas,  
Klamath, &  
Josephine Counties

2. Brief speeches by nominees, if position is contested.
3. Ballots cast: one county/one vote (one vote from each county represented by the board position).
4. Winners/nominees announced.

### II. Chair (non-voting member of board; can also hold board position)

1. Verbal nominations from entire membership.
2. Brief speeches by nominees, if position is contested.
3. Ballots cast: one county/one vote.
4. Winner/nominee announced.

### III. Vice Chair (non-voting member of board; can also hold board position).

Same procedure as for Chair.

COUNCIL OF FOREST TRUST LAND COUNTIES  
2005 BUDGET  
CFTLC FUND

EXPENDITURES	2002 actual	2003 actual	2004 budget	2004 actual estimated	2005 recommended
<u>Materials &amp; Services</u>					
Contract Services: AOC	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000
Contract Services: MBG	\$55,291	\$47,955	\$55,000	\$55,000	\$55,000
Contract Services: Schwabe			\$30,000	\$30,000	
REVENUES					
<u>Dues Assessment</u>	\$12,000	\$12,000	\$12,000	\$12,000	\$12,000
<u>Voluntary Assessment: MBG</u>	\$74,002	\$49,606	\$30,000	\$38,521	\$55,000
<u>Voluntary Assmt: Schwabe</u>			\$30,000	\$30,000	
<u>Year-end Balance - Vol. Assess.</u>	\$35,651	\$37,302	\$2,581	\$20,823	\$20,823

EXPLANATION

**EXPENDITURES.**

Contract Services: AOC - Purchase by CFTLC of personal services and materials and supplies from the Association of Oregon Counties.

Contract Services: MBG - Purchase by CFTLC of specialized professional services of Mason, Bruce, & Girard (Mark Rasmussen) to assist in development of, and adjustments to, the Implementation Plans for the State Forest Management Plans and the proposed Habitat Conservation Plan.

Contract Services: Schwabe - Purchase by CFTLC of a legal opinion from the private law firm of Schwabe, Williamson, Wyatt on the efficacy of legal action against the State for transfer of revenues from the Forest Development Fund to the state General Fund.

**REVENUES.**

Dues Assessment - CFTLC dues assessment apportioned under the formula provided in the Bylaws. Dues have been held constant at \$12,000 since 1995.

Voluntary Assessment: MBG - Moneys in 2001 to 2004 were to retain Mason,

Bruce, & Girard (see **EXPENDITURES**, Contract Services: MBG). The assessment was apportioned under the dues formula. Another voluntary assessment for the same purpose is anticipated for 2005.

Voluntary Assessment: Schwabe - (See **EXPENDITURES**, Contract Services: Schwabe). If the legal opinion leads to legal action, the role of CFTLC as facilitator for individual county plaintiffs is anticipated to be absorbed in 2005 by contract services provided by AOC.

Year-end Balance - Voluntary Assessment. Amount unexpended from previous voluntary assessments.

*Draft 10-15-04*



**CFTC DUES FORMULA  
2005-regular dues only**

COUNTY	PERCENT OF TOTAL DUES	\$12,000
Benton	0.01968	\$236
Clackamas	0.01912	229
Clastop	0.20000	2,400
Columbia	0.01691	203
Coos	0.01782	214
Douglas	0.02128	255
Josephine	0.00613	74
Klamath	0.06629	795
Lane	0.05516	662
Lincoln	0.03730	448
Linn	0.05129	615
Marion	0.04402	528
Polk	0.01439	173
Tillamook	0.30000	3,600
Washington	0.13063	1,568

**CFTC DUES FORMULA**  
**2005 total dues (regular plus voluntary assessment)**

COUNTY	PERCENT OF TOTAL DUES	\$67,000
Benton	0.01968	\$1,319
Clackamas	0.01912	1,281
Clastop	0.20000	13,400
Columbia	0.01691	1,133
Coos	0.01782	1,194
Douglas	0.02128	1,426
Josephine	0.00613	411
Klamath	0.06629	4,441
Lane	0.05516	3,696
Lincoln	0.03730	2,499
Linn	0.05129	3,436
Marion	0.04402	2,949
Polk	0.01439	964
Tillamook	0.30000	20,100
Washington	0.13063	8,752

**CFTLC VOLUNTARY ASSESSMENT  
TO RETAIN MASON, BRUCE, & GIRARD  
(BASED ON CFTLC DUES FORMULA)  
for calendar year 2005**

COUNTY	PERCENT OF TOTAL DUES	\$55,000
Benton	0.01968	\$1,082
Clackamas	0.01912	1,052
Clatsop	0.20000	11,000
Columbia	0.01691	930
Coos	0.01782	980
Douglas	0.02128	1,170
Josephine	0.00613	337
Klamath	0.06629	3,646
Lane	0.05516	3,034
Lincoln	0.03730	2,052
Linn	0.05129	2,821
Marion	0.04402	2,421
Polk	0.01439	791
Tillamook	0.30000	16,500
Washington	0.13063	7,185

**IN THE BOARD OF COUNTY COMMISSIONERS,  
LANE COUNTY, OREGON**

ORDER ) IN THE MATTER OF APPOINTING A  
) COMMISSIONER AS THE VOTING  
) DELEGATE TO THE COUNCIL OF FOREST  
) TRUST LAND COUNTIES  
)

WHEREAS, the bylaws of the Council of Forest Trust Land Counties require that a Commissioner be selected as a delegate for voting purposes; and

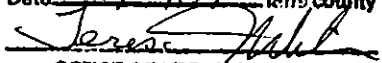
WHEREAS, Commissioner \_\_\_\_\_ has been appointed by the Lane County Board of Commissioners to represent Lane County at meetings of the Council of Forest Trust Land Counties;

NOW, THEREFORE IT IS HEREBY ORDERED that Commissioner \_\_\_\_\_ is designated as the voting delegate for Lane County at meetings of the Council of Forest Trust Land Counties until another delegate is chosen.

Dated this 10th day of November, 2004.

\_\_\_\_\_  
Chair, Lane County Board of Commissioners

In the Matter of Appointing a Commissioner as the Voting Delegate to the Council of Forest Trust Land Counties  
ca/mi/orders/03015/m

**APPROVED AS TO FORM**  
Date 11/2/04 Lane County  
  
OFFICE OF LEGAL COUNSEL