

Gilliam County Court  
Regular Meeting Minutes  
December 4, 2019

Judge Farrar called the regular Gilliam County Court meeting to order at 10:00 a.m. at the Gilliam County Courthouse in Condon, Oregon. Present were Judge Elizabeth Farrar, Commissioner Leslie Wetherell, Commissioner Sherrie Wilkins, Chief of Staff Lisa Atkin and Court Administrative Assistant Teresa Aldrich.

**IN THE MATTER OF PUBLIC HEARING ORDINANCE NO. 2019-03**

A public hearing was held to consider adopting proposed text amendments to the Gilliam County Zoning and Land Development Ordinance. Planning Director Michelle Colby presented a very thorough report to the court. The first public hearing for Ordinance No. 2019-03 was held September 25, 2019; at the conclusion of the hearing it was the recommendation of the Planning Commission for the Court to conduct a public hearing to receive testimony in the matter of the proposed text amendments to the Gilliam County Zoning and Land Development Ordinance. The purpose of the public hearing is to consider the addition of the term of *Community Gathering Place* to the Definitions Section, Section 1.030, of the Zoning and Land Development Ordinance, then allowing *Community Gathering Place* as a conditional use in the Limited Industrial Zoned areas in unincorporated portions of the county. This would require additional amendments to the Zoning and Land Development Ordinance and include: Article 4, Use Zones, Section 4.050 Limited Industrial Zone adding as a conditional use *Community Gathering Place* and Article 7, Conditional Uses, Section 7.020 X, imposing conditions for *Community Gathering Place*. Rod McGuire, representing The Woolery Project, spoke in favor of the application. Rod McGuire thanked Michelle Colby for her thorough presentation. Rod McGuire gave a brief history of The Woolery Project and the Octoberfest fundraising event held this year in the proposed location of the Community Gathering Place. Rod McGuire informed the Court that The Woolery Project has hired Anderson Perry & Associates and has one of the best grant writers in the state ready to apply for grants. The 40 acres the City of Arlington has agreed to make available to The Woolery cannot be subdivided. Planning Director, Michelle Colby reviewed with the Court that this is the first step in order for The Woolery to apply for a land use permit with the County. Hearing no further questions or comments, the Public Hearing was closed at 10:54 am.

**IN THE MATTER OF FIRST READING OF ORDINANCE NO. 2019-03; AN ORDINANCE TO ADOPT PROPOSED TEXT AMENDMENTS TO GILLIAM COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE**

The Court concurs with the Planning Commission recommendation to proceed with the first reading of Ordinance No. 2019-03. A second reading of the Ordinance may take place at least 13 days from the date of the first reading and will occur during the Court's next regular meeting on December 18, 2019.

**Motion** by Commissioner Wilkins, seconded by Commissioner Wetherell, to have the first reading of Ordinance No. 2019-03 by title only. Farrar – Yes; Wilkins – Yes; Wetherell – Yes; **Motion Carried.**

Judge Farrar read Ordinance No. 2019-03 by title only.

**Motion** by Commissioner Wilkins, seconded by Commissioner Wetherell, to accept the first reading of Ordinance No. 2019-03 by title only. Farrar – Yes; Wilkins – Yes; Wetherell – Yes; **Motion Carried.**

## **REVISIONS TO AGENDA**

Pulled 5.3 Consider Approval of November 14<sup>th</sup> Executive Session Minutes.

## **IN THE MATTER OF PUBLIC COMMENTS/CORRESPONDENCE**

Mac Stinchfield requested an update on Frontier Telenet. Judge Farrar will give an update under staff reports. Judge Farrar shared with the Court two letters the Court received. The Arlington Public Library sent a letter thanking the Court for the grant funding they received. The other letter was received from Nathan Welp, regarding his opposition to the recently discussed State of Jefferson at the County Court meeting November 6<sup>th</sup>, 2019.

## **IN THE MATTER OF CONSENT AGENDA**

**Motion** by Commissioner Wetherell, second by Commissioner Wilkins, to approve the Consent Agenda. Farrar – Yes; Wetherell – Yes; Wilkins – Yes; **Motion Carried.**

The Consent Agenda included the following:

Approval of November Bills Pending Review

Approval of November 6<sup>th</sup> Regular Meeting Minutes

Approval of November 25<sup>th</sup> Special Meeting Minutes

## **IN THE MATTER OF BUILDING CODES UPDATE**

Judge Farrar reported she had a meeting with the City of Boardman's City Administrator and Building Inspector. The City of Boardman is interested in working with Gilliam County to provide building inspections. Judge Farrar will continue to work with the State on requirements together with the City of Boardman. It was reported that the current building inspection process will remain the same through the fiscal year.

## **IN THE MATTER OF THE DMV COURTHOUSE UPDATE**

Judge Farrar reported that it had been determined by the State that the ADA lift is compliant, and the DMV will continue utilize the Courthouse building. There is the possibility of the office moving within the Courthouse to better accommodate people.

Judge Farrar will continue to work with the DAS on the State requirements and keep the Court updated.

### **IN THE MATTER OF ARLINGTON SADDLE CLUB REQUEST FOR COUNTY PROPERTY**

The Arlington Saddle Club approached the Court a few months ago regarding acquiring a small lot adjacent to their property. Judge Farrar reported she has received information from legal counsel that, due to the size, location and because it is unsuitable for a dwelling, the County is allowed to sell the lot in question for the proposed purpose. The County must provide 15 days' public notice before the sale. Judge Farrar will follow up with the Arlington Saddle Club and legal counsel will draft the documents.

### **IN THE MATTER OF THE JOHN DAY BASIN TOTAL MAXIMUM LOAD IMPLEMENTATION PLAN**

The John Day Basin Total Maximum Daily Load (TMDL) and Water Quality Management Plan (WQMP) were finalized in 2010. In the WQMP, Gilliam County was identified as a Designated Management Agency (DMA) with responsibilities for implementing the John Day Basin TMDL within our jurisdiction. This responsibility included developing and implementing a TMDL Implementation Plan, which was also to be submitted to the Department of Environmental Quality (DEQ). The County was notified of this responsibility in November 2010 and again in May 2012, but has, thus far, failed to comply. DEQ contacted Gilliam County in mid-June to follow up on this requirement and set a new deadline of December 18, 2019 for the County to develop and submit our TMDL Implementation Plan. The TMDL Implementation Plan was developed with the (much appreciated) technical assistance of Herb Winters at Gilliam County Soil and Water Conversation District (SWCD).

**Motion** by Commissioner Wetherell, seconded by Commissioner Wilkins, to approve the John Day Basin Total Maximum Daily Load Implementation Plan as presented. Farrar – Yes; Wilkins – Yes; Wetherell – Yes; **Motion Carried.**

### **IN THE MATTER OF APPRAISER FTE ADJUSTMENT REQUEST**

The County Court received a request from Gilliam County Appraiser, Darlene Lufkin, to reduce the FTE for her position to .75. The request is not only supports a personal need of the employee, but also support a shift in work focus and required staffing needs in the Assessor's office. Specifically, regular reappraisal work has currently been suspended to create capacity for highly experienced staff to focus on new imagery being set up in the new software application. Gilliam County Assessor, Chet Wilkins, supports the request and asks that the change be made for at least 2 years, effective from January 1, 2020. Judge Farrar reported that Lisa Atkin, Chief of Staff, has made the union aware of this change and no objections have been filed.

**Motion** by Commissioner Wetherell, seconded by Commissioner Wilkins, to make the position of Gilliam County Appraiser a .75 full time equivalent for the remainder of the fiscal year 2019-2020, effective January 1, 2020, and for the fiscal year 2020-2021, with the possible extension thereafter, and to approve the Letter of Employment to the employee documenting the same.

Farrar – Yes; Wilkins – Yes; Wetherell – Yes; **Motion Carried.**

**IN THE MATTER OF FIRST READING OF ORDINANCE NO. 2019-04; AN ORDINANCE DESIGNATING THE OFFICE OF GILLIAM COUNTY COMMISSIONER AS NONPARTISAN; REFERRED FOR THE MAY 2020 PRIMARY ELECTION**

During several meetings, the Court has expressed an interest in designating the office of County Commissioner as nonpartisan. ORS 203.035(3) requires that county electors must approve any ordinance which changes the mode of selection of elective county officers, including the designation of a partisan office as nonpartisan. Legal Counsel, Christy Monson, has prepared Ordinance No. 2019-04 referring the matter to the voters on the May 2020 Primary Election Ballot. If adopted by the Court and approved by the voters, the Ordinance would take effect 90 days after the election and the position of County Commissioner would become nonpartisan for the primary election of 2022. For adoption by the Court, the Ordinance requires two readings, at least 13 days apart. Once adopted, there is a multi-step process which involves the District Attorney and County Clerk. Both Commissioner Wilkins and Wetherell spoke to the fact that 26 out of the 36 counties in Oregon are already nonpartisan. Both Commissioners reiterated that this matter has to go before the voters, and the Court is following the formal procedure to get it on the 2020 Primary Election Ballot.

**Motion** by Commissioner Wilkins, seconded by Commissioner Wetherell, to have the first reading of Ordinance No. 2019-04 by title only. Farrar – Yes; Wilkins – Yes; Wetherell – Yes; **Motion Carried.**

Judge Farrar read Ordinance No. 2019-04 by title only.

**Motion** by Commissioner Wilkins, seconded by Commissioner Wetherell, to accept the first reading of Ordinance No. 2019-04 by title only. Farrar – Yes; Wilkins – Yes; Wetherell – Yes; **Motion Carried.**

Commissioner Wetherell:

- Attended NCPHD Meeting on November 12 and advised the Court there may be a request for increased funding next year.
- Attended an Irrigation Project Tour with Kit Krebs and found it to be very interesting.
- Attended the AOC Conference, November 19-21, 2019, and learned from the many sessions she attended; Public health, mental health, building codes and elderly isolation, to list a few.
- Attended the Fall Festival in Condon, November 23 and enjoyed the lunch at the fire hall.

- Cannot attend the Employee Holiday Luncheon on December 17 and asked that perhaps next year we plan earlier and take into consideration changing the last quarter meeting in Arlington to the first Wednesday of the month.

Commissioner Wilkins:

- Attended NORCOR Meeting, November 7; next meeting December 19<sup>th</sup>.
- Attending Columbia Ridge Landfill Citizen Advisory Committee meeting December 17<sup>th</sup>.
- Attended AOC Conference, November 19-21, 2019.
- Attending Employee Holiday Luncheon on December 17<sup>th</sup>.

Judge Farrar:

- Frontier Telenet update; the Judge reported the USAC E-Rate monies are still coming in. Judge Farrar expressed she would like to see the management plan go out in a RFP. Judge Farrar will work on a RFP to present to the Frontier Telenet Board. Also noted, the Roosevelt Shelter connectivity site to Gilliam County is in need of serious repairs. The next Frontier Telenet meeting is scheduled for January 29<sup>th</sup>, in Sherman County.
- Reported that Rob Turrie from PCDC has been in contact regarding the Memorandum of Agreement (MOA) between PCDC and Gilliam County. PCDC is asking for clarification on the percentage of housing monies that can be spent on administrative costs. At this time, more research needs to be completed and the matter will be brought back to the Court for clarification.
- Met with Ron Wilson from the Port of Arlington to discuss the next steps in the matter of Willow Creek. The Port President has requested the Court prepare a written proposal of next steps.
- Met with Arlington TV Co-op, discussed why the Court denied their grant application. Worked together on a plan for the next grant cycle; clearer business plan, long term sustainability, the possibility of a webworks seminar.
- Met with Arlington Library Board to discuss the possibility of entering into an IGA with the City of Arlington, making the Arlington Library contribution part of the Gilliam County budget.

## **IN THE MATTER OF ANNOUNCEMENTS**

Judge Farrar noted the following:

- Next County Court meeting will be held December 18<sup>th</sup> in Arlington.

- Work Session December 18<sup>th</sup>, 9:00 am; to review grant parameters, procedures and reporting.
- Employee Holiday Luncheon to be held December 17<sup>th</sup>, 1:00 pm at the Memorial Hall, Condon.

**IN THE MATTER OF ADJOURNMENT**

It appearing to the Court that there was no further business to be conducted at this time, Judge Farrar adjourned the meeting at 11:54 a.m.

GILLIAM COUNTY COURT

By \_\_\_\_\_  
Elizabeth Farrar, Judge

By \_\_\_\_\_  
Leslie Wetherell, Commissioner

By \_\_\_\_\_  
Sherrie Wilkins, Commissioner

Teresa Aldrich \_\_\_\_\_  
Court Administrative Assistant