

Gilliam County Court
Regular Meeting
5/15/2019

Judge Farrar called the regular Gilliam County Court meeting to order at 1 p.m. at the South Gilliam County Emergency Services Building in Condon, Oregon. Present were Judge Elizabeth Farrar, Commissioner Leslie Wetherell, Commissioner Sherrie Wilkins; Sandy McKay, Court Administrator; and Mary Dyer, Recorder.

IN THE MATTER OF ADDITIONS/REVISIONS TO AGENDA

Judge Farrar noted the following changes to the agenda:

- Approval of May 1 regular meeting minutes and May 1 listening session minutes will be removed from the consent agenda and addressed under New Business.
- Discussion: Approval of a Letter to Wasco County regarding Building Codes
- Discussion: PERS resolution

IN THE MATTER OF PUBLIC COMMENTS

There were no public comments.

IN THE MATTER OF CORRESPONDENCE

- Grant Report from Gilliam County SWCD.
- From Andrea Simmons of the Oregon State Building Codes Division: Letter informing the court that Wasco County has confirmed its intent to provide building code services within their boundaries beginning June 10. Services provided to Gilliam, Sherman and Wheeler County will transfer to the division's permanent office in Pendleton, although the ePermitting services will remain available. The letter also noted adjustments to the current service level, and informed that inspections would occur a maximum of once a week, and probably only every other week.
- From Elaine Fitzner of Coeur d'Alene, Idaho: Letter in support of renewable energy and the Montague 2 wind project, along with concerns that some of the turbines will adversely affect the historical significance of the Town of Olex, and permanently alter the view from the Rock Creek corridor and the Olex Pioneer Cemetery. Fitzner suggested it should be a requirement for court members and the Energy Facility Siting Council to visit the project areas being discussed.
- From Max Klare, Condon: Letter in support of retaining Juvenile Court jurisdiction in Gilliam County.

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 Homestead Rebate Program payment for FY 2019-20
- Approval of service provider for Community Dispute Resolution grant
- Approval of telecom legal counsel agreement
- Approval of Emergency Management Performance grant application
- Approval of 2019 ODOT-Road Department fund exchange agreement

IN THE MATTER OF FRONTIER TELENET UPDATE

Judge Farrar reported that the Frontier Telenet Board of Directors hasn't met since the last court meeting. A budget committee meeting and regular board meeting will be held Thursday, May 23.

Judge Farrar also presented a letter from Steve Wynne of Day Wireless regarding repair and maintenance issues at the Roosevelt, Washington communication tower site. Wynne noted that roof leaks haven't yet been repaired, and that leakage has caused damage to the lighting system inside the shelter. Although the leaks aren't near Frontier Telenet's microwave and radio equipment, water will cause further damage to the structure if not addressed. Judge Farrar reported that EMS Manager Chris Fitzsimmons is looking into the matter and has scheduled a meeting with Brown Roofing regarding the cost of roof repair.

Wynne noted that there is no generator backup on the site, and also pointed out the need for weed control. (A picture was attached.) Judge Farrar asked the court if Frontier Telenet should be encouraged to purchase a generator, or if the county should pay for the equipment as its contribution to support of FTN. She also suggested the possibility that a grant could be procured to pay for the generator. The court agreed that more information is needed before a decision is made.

IN THE MATTER OF ARDENT MILLS UPDATE AND PROJECT MANAGEMENT

Jeff Schott of Pillar Consulting submitted a proposal for project management services for overseeing repairs at the Ardent Mills facility at Shutler Station. Schott's proposal includes a tour of the facility and review of issues with Commissioner Wilkins, review of roof leaks and stair damage, and coordination of repairs for both if required. Schott estimated a time and materials fee of \$2,600, including reimbursable expenses.

Motion by Commissioner Wilkins, second by Commissioner Wetherell, to accept the agreement with Pillar Consulting Group for Ardent Mills repairs in the estimated amount of \$2,600, with funds to come from Maintenance line item 101-104-5-20-2601. Farrar – Yes; Wetherell – Yes; Wilkins – Yes; **Motion Carried.**

IN THE MATTER OF COURTHOUSE ROOF UPDATE

Jeff Schott reported that Brown Roofing inspected the courthouse roof on May 7. He noted that the roof was replaced in 1995, and that following repair of a leak in 2017, the court set aside funds in the 2018-19 budget to repair or replace the roof.

Schott noted that the existing roof looks good overall but is failing in places, with joint failures at ponding sites and certain areas on the edge of the roof. He provided several possible solutions and suggested that a PVC fleece-backed overlay is probably a good option. Brown has estimated the cost at \$80,000 to \$100,000. Schott has scheduled a meeting with a Duralast representative regarding the overlay. He suggested that a bid package for an intermediate procurement could be issued in early June and said he will provide an update at the June 5 regular court meeting.

IN THE MATTER OF ARLINGTON TV COOP PROMISSORY NOTE AMENDMENT

At the May 2 meeting, the court agreed to Arlington TV Co-op's request to modify the loan with the first payment pushed back from June 1, 2019, to June 1, 2020. The new promissory note reflects recalculated minimum payments to account for additional interest.

MOTION by Judge Farrar, second by Commissioner Wilkins, to nullify the promissory note with Arlington TV Cooperative dated June 1, 2018 and replace it with the new promissory note dated June 1, 2019, which postpones the initial annual installment payment by one year and recalculates payments to account for the accrual of one-year's unpaid interest on the original loan amount. Farrar – Yes; Wetherell – Yes; Wilkins – Yes; **Motion Carried.**

IN THE MATTER OF SHUTLER TAX LOT CONSOLIDATION

At the May 1 court meeting, the county was asked to approve a request by the Gilliam County Assessor to consolidate two adjacent tax lots at Shutler Station. However, the request contained an incorrect tax lot number. The following reflects the corrected motion:

Motion by Commissioner Wilkins, second by Commissioner Wetherell, to approve the tax lot consolidation request between tax lot 2N21E0000-01750-R04917 and 2N21E0000-01104-R04741 to consolidate all of the Shutler Station land. Farrar – Yes; Wetherell – Yes; Wilkins – Yes; **Motion Carried.**

IN THE MATTER OF MAY 1 REGULAR MEETING MINUTES

Errors were briefly discussed and corrected.

Motion by Commissioner Wilkins, second by Commissioner Wetherell, to approve the minutes of the May 1 regular court meeting as amended. Farrar – Yes; Wetherell – Yes; Wilkins – Yes; **Motion Carried.**

IN THE MATTER OF MAY 1 LISTENING SESSION MINUTES

Errors were briefly discussed and corrected.

Motion by Judge Farrar, second by Commissioner Wetherell, to approve the May 1 Juvenile Court Listening Session minutes as amended. Farrar – Yes; Wetherell – Yes; Wilkins – Yes; **Motion Carried.**

IN THE MATTER OF LETTER TO WASCO COUNTY

Judge Farrar presented a letter to be sent to Wasco County on behalf of the Gilliam County Court. She explained that Wasco County's proposed 2019-20 budget anticipates utilization of more than \$3 million of MCCOG Building Codes Reserve Funds. In the draft, Judge Farrar noted that following the dissolution of MCCOG, the funds were placed with Wasco County for safekeeping until the four partner counties agreed on a final allocation (Resolution No. 17-18.). The letter proposes a joint meeting with representatives from each county to reach an agreement for allocation of the funds, and asks that the funds remain untouched until the matter is resolved.

Motion by Commissioner Wilkins, second by Commissioner Wetherell, to approve a letter to Wasco County regarding the Building Codes reserves held from the MCCOG dissolution. Farrar – Yes; Wetherell – Yes; Wilkins – Yes; **Motion Carried.**

IN THE MATTER OF PERS RESOLUTION

Judge Farrar told the Court that the Legislature is currently considering PERS reform, and that several counties have joined PERS Solutions for Public Services, an information resource for individuals and organizations across Oregon. She noted that although the Legislature is attempting to find a solution for school districts, problems with PERS are system-wide and shouldn't be limited. The Court agreed that a Resolution created by the PERS Solutions organization is worth pursuing, but should first be reviewed by county legal counsel. The matter will be addressed at the first regular meeting in June.

IN THE MATTER OF TRANSPORTATION DEPARTMENT STAFFING PROPOSAL

County Transportation Director Marla Davies met with the court to present a staffing proposal for a full-time dispatcher.

In response to a question presented by Commissioner Wetherell, Davies explained that Senior Services Coordinator/Transportation Dispatcher Sabrina Wagenaar's position was initially 50/50, but in 2017, the court approved an increase to 75/25 (Senior Services/Transportation). Davies explained that a full-time position would ensure that a dispatcher is available Monday through Friday, and that Wagenaar would continue at .25 for the Transportation office. She confirmed that the position is entirely grant funded. Sandy McKay noted, and Judge Farrar agreed, that a newly hired person should be aware that in the event that grant funds are no longer available, the court would decide whether or not to maintain the position.

The court reached a consensus to approve a full-time position, which has already been approved for funding by the budget committee. Final approval will occur with finalization of the salary schedule.

The court also reached a consensus that Davies should move forward with the procurement process for one ADA vehicle, to be based in Arlington and paid by grant funds.

IN THE MATTER OF COURT MEMBER REPORTS

Commissioner Wetherell:

- Noted that due to an illness in her family, she missed the North Central Health District Budget Committee meeting. A regular meeting of the District was canceled.
- Toured Summit Springs Village.
- Regarding Letters to the Editor in last week's Times-Journal concerning the county's juvenile program, Commissioner Wetherell commented that people may be confusing issues, and suggested there might be better ways of getting information to the public. Judge Farrar suggested the creation of a FAQ, which would provide information on issues discussed at recent listening sessions. Commissioner Wetherell asked if a newsletter might be an effective way to explain why the court is considering a transfer of juvenile court jurisdiction. Times-Journal Editor Mac Stinchfield said he has offered space to local county courts to discuss or clarify issues, but that space has been underutilized. Judge Farrar suggested that the FAQ could be posted in the Times-Journal, and also on the county's website.
- Asked about probate court. Judge Farrar explained that probate is a separate decision unrelated to the juvenile court, and that some counties have transferred juvenile judge jurisdiction but have retained probate court functions.

Commissioner Wilkins:

- Attended a meeting of the NORCOR Board of Directors, at which Hood River County stated they have approved a \$150,000 increase to their allocation. The budget committee will prepare a new budget reflecting the change.
- Noted that she is a member of the City of Arlington budget committee and that a new budget has been approved.
- Told the court that some of her work with budget committees may be accepted as makeup credit for missed days at County College. She will attend County College this weekend.

- Met with Port of Arlington director Peter Mitchell to discuss Port projects and economic development at the Industrial Park.
- Plans to attend meetings of Frontier Telenet Board of Directors and Budget Committee next week.

Judge Farrar:

- Told the court of two emergency situations occurring during the past week. 1) The cooling system has developed problems and isn't able to cool the building, which presents a problem for employees who are sensitive to the heat. She authorized Jamieson and Marshall to order replacement parts. 2) A recent review of the county's IT system indicates that the system is "on the edge of potential catastrophe." Cleanup and updates to ensure the server is functioning properly and is adequately backed up is estimated at \$17,000. Judge Farrar directed Kelly Smith to go ahead and coordinate the process as soon as possible.
- Asked the court for feedback regarding how entities should present grant reports to the court, i.e. in written form or in-person visits. The matter will be discussed and a decision made a later date.
- Noted that County Assessor Chet Wilkins has asked the court to consider reopening the county's Economic Enhancement Ordinance to clarify how certain situations are handled, particularly married couples that file in two separate households. The Treasurer's office would also make small changes and corrections if the ordinance is reopened. Judge Farrar said a hearing process would be required, and suggested that a work session would be needed first.
- Informed the court that new county counsel is on board as of last week. Regarding recruitment for the new Chief of Staff position, counsel has advised the court to take a step back to take care of certain things associated with the hiring process, including an opportunity for the public to offer opinions.
- informed the court that without upgrades to the building, lack of ADA compliance may prevent DMV from providing services in the courthouse. She will discuss the matter with Jeff Schott to determine if upgrades are possible.
- Learned at a recent AOC meeting that Jefferson County is a primary driving force pushing for relocation of 911 services to Wasco County. No changes are expected as long as Jefferson County Sheriff Adkins is satisfied.
- Is continuing discussions with the City of Boardman regarding the possibility of assuming Building Codes services for Gilliam County.
- Informed the court that she will be on vacation out of the country from May 27 to June 3. Sherman County Judge Dabulskis has agreed to sign court orders transferring emergency cases to circuit court, if needed.

IN THE MATTER OF ANNOUNCEMENTS/NEXT MEETING

Sandy McKay noted the following:

- The next regular meeting of the Gilliam County Court will be June 5, 1 p.m., at the courthouse.
- The application period for Special Grants applications has closed. The review team will provide recommendations to be discussed in June, at the first and second regular court meetings in Condon and Arlington, respectively.
- Oregon Department of Energy will meet tomorrow at Lori's Place in Condon regarding the Montague wind project. A 3:30 meeting will be followed by a public hearing at 5:30.
- Frontier Telenet's budget committee will meet May 23 at 10 a.m., followed by a Board of Directors meeting at 1 p.m.
- Portland METRO representatives have suggested Thursday, June 27 for a meeting and tour of the local Waste Management facility. The Court agreed that a road tour scheduled for that 26th should be rescheduled. The date is to be determined.
- The court agreed to schedule a work session to discuss reopening the county's economic enhancement ordinance Wednesday, June 5 at 10:30 a.m.
- A Veterans Benefits and Resource Fair is scheduled for June 8, 9 a.m. at Earl Snell Park in Arlington.
- Frontier Telenet budget hearing is scheduled for June 12, 1 p.m. in Condon.
- The court agreed to cancel the July 3 regular meeting.

Former Juvenile Director Jan Moffit was in the audience and asked when a final decision will be made regarding transfer of juvenile court jurisdiction. Judge Farrar said that certain issues will be confirmed by county legal counsel, and a process will be determined. Discussions will continue.

Sandy McKay noted that CIS' Wellness Academy will take place on July 18-19. One employee has indicated interest in attending and is willing to use vacation days. The event is free and CIS will provide two hotel rooms. The court agreed that employees who choose to attend the event won't be paid for those days.

IN THE MATTER OF ADJOURNMENT

It appearing to the court that there was no further business to be conducted at this time and no additional matters to be considered, Judge Farrar adjourned the meeting at 2:45 p.m.

GILLIAM COUNTY COURT

By _____

Elizabeth Farrar, Judge

By _____

Leslie Wetherell, Commissioner

By _____

Sherrie Wilkins, Commissioner

Mary H. Dyer/Recorder _____