

August 1, 2018

Judge Shaffer called the regular Gilliam County Court meeting to order at 10 a.m. at the Gilliam County Courthouse in Condon, Oregon. Present were Judge Steve Shaffer, Commissioner Michael Weimar, Commissioner Leslie Wetherell, Sandy McKay, Court Administrator; Ruben Cleaveland, Legal Counsel; and Mary Dyer, Recorder.

### **IN THE MATTER OF CHANGES TO THE AGENDA**

Judge Shaffer made no changes to the agenda.

### **IN THE MATTER OF PUBLIC COMMENT**

There were no public comments.

### **IN THE MATTER OF ROADMASTER QUARTERLY REPORT**

Roadmaster Dewey Kennedy reported the following:

- Culvert extension work has been completed for this year, and culverts needing repair or cleaning have been inventoried. Wasco County has a vector truck that Gilliam County can use when time permits.
- Regarding the Lexington to Condon fiber build, Kennedy recently drove the proposed route with a Zayo representative. Kennedy noted that there were several adjustments to the route, and that Zayo will pay for necessary repairs upon completion of the project, which begins this month. Kennedy also noted that the City of Condon wants to charge Zayo for going through town, which may result in a change of route. Zayo is meeting with the City tonight.
- Kennedy traveled to Lonerock with Commissioner Weimar to visit with the community about the Lonerock Grade paving project and the Lonerock Bridge project. The County will stockpile sanding rock in Lonerock with a loader during the winter so the truck won't need to come back to town to re-load, thus saving about two hours.
- Cold mix patching of Ramsay Canyon, Trailfork, Fourmile and Quinton Grade have been completed with cold mix made from the road department's pug mill.
- Two cattle guards have been replaced on Four-Mile road. Crum Ranches provided the cattle guards.
- Creek bank stabilization on Lower and Middle Rock Creek roads is in process. The crew has completed five projects involving repair or areas eroding into the road shoulder. This will be an ongoing project as time allows.
- The Waste Management quarry is depleted, so the crusher was moved to Chem Waste to complete the project. A serious breakdown occurred that was expected to take several weeks to repair, so the plant was moved to Lonerock to produce

material in preparation for the Lonerock Grade paving project scheduled to begin Sept. 4.

Kennedy also asked the Court to approve purchase of a surplus 1990 Athey force feed loader from Umatilla County at a cost of \$12,000. The equipment will allow the crew to perform necessary work without renting a tractor to pull and power the unit.

Commissioner Weimar commented that tractor rental is an annual expense, and that the department is lucky to have the opportunity to purchase the surplus equipment.

Ruben Cleaveland said he will review the contract to ensure it adheres to procurement rules.

**MOTION** by Commissioner Weimar, second by Commissioner Wetherell, to approve purchase of an Athey four-speed force feed loader in the amount of \$12,000, pending legal counsel review of the contract. Weimar – Yes; Shaffer – Yes; Wetherell – Yes; **Motion Carried.**

#### **IN THE MATTER OF VETERANS' SERVICE QUARTERLY REPORT**

Veterans' Service Officer Bryan Hunt was unable to be present, but he provided a Quarterly Report of Activities for the Court's consideration. In Gilliam County, Hunt conducted 18 in-office interviews during the quarter, and three out-of-office interviews. Total recoveries for the quarter in Gilliam County were \$1015.33.

In the Tri-County, Hunt conducted 47 in-office interviews and 12 out-of-office interviews, with total recoveries of \$13,529.75. Hunt also noted that he attended a NACVSO training in Reno, Nevada, and held an outreach event at Wasco on Memorial Day.

#### **IN THE MATTER OF CONDON CHILD CARE REQUEST**

**MOTION** by Commissioner Weimar, second by Commissioner Wetherell to approve a disbursement to Condon Child Care in the amount of \$115,000 as budgeted for 2018-19. Weimar – Yes; Shaffer – Yes; Wetherell – Yes; **Motion Carried.**

#### **IN THE MATTER OF GILLIAM COUNTY AUCTION COMMITTEE REQUEST**

The Court briefly discussed an annual request for support by the Gilliam County Auction Committee. Commissioner Weimar expressed concern about the request, noting that the money supports only a small number of kids.

**MOTION** by Commissioner Weimar, second by Commissioner Wetherell, to provide \$400 to the Gilliam County Auction Committee for the County Fair Auction. Weimar – Yes; Shaffer – Yes; Wetherell – Yes; **Motion Carried.**

#### **IN THE MATTER OF VEHICLE PURCHASE REQUEST**

Transportation Coordinator Marla Davies asked the Court to review and approve purchase of two replacement vehicles, as the County's two Toyota Siennas have surpassed useful life standards established by ODOT -- one with 178,000 miles and one with 138,000 miles. She may keep the lower mileage vehicle as a backup.

Davies explained that funds will come from revenue through brokerage rides and grant administration fees, to be paid out of the Equipment Purchase line item from the transportation budget. She also told the Court that ODOT provides no funding for Toyota vehicles.

Commissioner Weimar asked about front wheel drive vs. 4-wheel drive, and Davies said that she prefers front wheel drive and has had no problems during the winter months. After reviewing bids from Griffith Motors of The Dalles, Kendall Motors of Bend, and Rogers Toyota of Hermiston, the Court selected the bid from Griffith, noting that closer proximity for service will more than balance out the small price difference between Griffith and Kendall. Both vehicles will have front wheel drive, and both will be equipped with fog lights.

**MOTION** by Commissioner Weimar, second by Commissioner Wetherell, to purchase two 2018 Toyota Siennas from Griffith Motors in the amount of \$31,027 each, total cost \$62,054. Weimar – Yes; Shaffer – Yes; Wetherell – Yes; **Motion Carried.**

#### **IN THE MATTER OF CORRESPONDENCE**

The Court acknowledged a letter of thanks from Condon Young Life for a Special Projects Grant of \$3,644.

#### **IN THE MATTER OF GILLIAM COUNTY PLANNING DEPARTMENT**

Judge Shaffer said he is awaiting an update from County Planner Michelle Colby regarding her return to work. He said work is piling up in the Planning Department since interim planner Susie Anderson is no longer available. Nick Kraemer of Tenneson Engineering has been working with the Philippi Quarry application process, and independent contract planner Lori Timmons has assisted with the Crum and Holzapfel Quarry applications. Sandy McKay said he answers questions to the best of his ability, but there are no staff available to help with zoning requests and other matters, some of which are time-sensitive and have been waiting for quite some time.

#### **IN THE MATTER OF NATIONAL HAZARD MITIGATION PLAN UPDATE**

Chris Fitzsimmons, Emergency Management Coordinator; and Nicolía Mehrling of OSU's RARE (Research Assistance for Rural Environments) program provided a Natural Hazard Mitigation Plan update. Mehrling explained that the county's first plan was created in 2006-07, following by an update in 2012-13. The plan must be updated every five years. Mehrling also explained that the update is funded by a FEMA grant, and that completion makes the county eligible for other grants.

According to the mitigation plan, winter storms, wildfire and drought are considered high risk for Gilliam County, while flood and earthquake are medium risk followed by windstorms and volcanic events, which are considered low risk. Commissioner Weimar asked if there have been any changes in risk assessment, and Mehrling said the assessment is basically the same, although drought risk has increased in the last 10 years. The National Hazard Mitigation Plan is posted on the Sheriff's Office website.

Judge Shaffer discussed the need for a generator for the South Gilliam County Rural Fire Protection District building in Condon. Mehrling said that although grants are available, the process is intense and doesn't always make sense unless the project is \$250,000 or more. Fitzsimmons agreed that the grants are highly competitive. Fitzsimmons estimated that a generator would cost around \$48,000, although the building has already been wired, which may mitigate some of the expense.

#### **IN THE MATTER OF CRIMINAL HISTORY CHECK POLICY**

The Court briefly discussed an Employee and Volunteer Criminal History Background Check Policy presented by Chris Fitzsimmons at the July 11 court meeting. Regarding Fitzsimmons' concerns about a requirement for oral reporting, Ruben Cleaveland said some of the language in the policy seems oddly specific, and that after searching Oregon statutes and OAR, he was comfortable changing the language.

**MOTION** by Commissioner Wetherell, second by Commissioner Weimar, to adopt Gilliam County Employee and Volunteer Criminal History Background Check Policy No. 2018-01. Weimar – Yes; Shaffer – Yes; Wetherell – Yes; **Motion Carried.**

#### **IN THE MATTER OF JULY 11 REGULAR MEETING MINUTES**

**MOTION** by Commissioner Wetherell second by Commissioner Weimar, to approve the June 11, 2018 regular court meeting minutes as corrected. Weimar – Yes; Shaffer – Yes; Wetherell – Yes; **Motion Carried.**

#### **IN THE MATTER OF JULY 11 EXECUTIVE SESSION MINUTES**

Approval of the July 11, 2018 executive session minutes was tabled.

#### **IN THE MATTER OF JUNE 6, 2018 REGULAR MEETING MINUTES**

**MOTION** by Commissioner Weimar, second by Commissioner Wetherell, to approve June 6, 2018 regular court meeting minutes as corrected. Weimar – Yes; Shaffer – Yes; Wetherell – Yes; **Motion Carried.**

#### **IN THE MATTER OF JUNE 20 REGULAR MEETING MINUTES**

**MOTION** by Commissioner Wetherell, second by Commissioner Weimar, to approve the June 20, 2018 regular Court meeting minutes as presented. Weimar – Yes; Shaffer – Yes; Wetherell – Yes; **Motion Carried.**

#### **IN THE MATTER OF JULY CLAIMS**

**MOTION** by Commissioner Weimar, second by Commissioner Wetherell, to approve July claims pending review. Weimar – Yes; Shaffer – Yes; Wetherell – Yes; **Motion Carried.**

#### **IN THE MATTER OF COUNTY GRANT FUNDING PROGRAMS AND PROCESSES**

The Court discussed possible ways of improving the process involved in distribution of County grant funds. Commissioner Weimar commented that SIP funds are short term and will continue for only eight more years. He also said the County has developed some policies and has built a funding history, which could probably be turned into a written policy. He doesn't think an ordinance is necessary.

Commissioner Wetherell said recipients should be required to report back to the Court, and Judge Shaffer noted that a request is in place, although there has been no follow-up. He said the Court should push for adherence to the policy, acknowledging that reporting is more difficult for some entities, such as taxing districts that use the money to "keep the doors open."

Commissioner Wetherell agreed with Commissioner Weimar's recommendation that reports should include specifics regarding numbers, and that the Court Administrator could be responsible for follow-up. The Court agreed that reports could be due annually, quarterly or semi-annually, depending on the request and the situation.

Ruben Cleaveland said he has drafted a simple two-page grant agreement outlining how the grant is to be used and when reporting is due. The agreement will also state that if funds aren't used for the designated purpose, the money must be returned to the county. He will bring the document back for review at the next meeting.

#### **IN THE MATTER OF GILLIAM COUNTY WIRELESS ACCESS NETWORK**

Judge Shaffer told the Court that he received a call from Lonerock resident Jane Campbell, who said she had been without Internet service for eight days. When contacted, Rural Technology Group (RTG) said the outage was a Frontier Telenet problem, but apparently made no effort to contact Frontier Telenet. When made aware of the issue by Judge Shaffer, Frontier Telenet manager Mike Smith looked into the matter and said that repairs were needed at the airbase. Day Wireless was contacted and service was restored the following day.

Judge Shaffer provided a chart outlining different access points. He said the equipment at those access points, which is owned by the county, sends a signal to individual homes where service is provided by RTG. In turn, RTG pays Gilliam County \$6 per

month for every customer they serve. The equipment, installed in 2011, is probably nearing the end of its life expectancy.

Judge Shaffer noted that Wheeler and Sherman Counties are in the process of installing new infrastructure at rural access points, and suggested that Gilliam County might want to consider doing the same. He reported that he spoke to Mike Smith, who discussed the matter with Day Wireless. The company agreed that it's time to consider new equipment, which will allow for more bandwidth for use by multiple providers. Day Wireless provided a rough estimate of \$75,000. Judge Shaffer said the County could still continue receiving \$6 per customer. RTG would no longer have access to the County's equipment and if any problems arise, RTG would be required to call Frontier Telenet.

Judge Shaffer acknowledged Columbia Basin Electric's plan to provide Internet to "the last barn" but said he didn't know the expected timeframe.

Commissioner Weimar commented that current service isn't good, and that he has had a number of issues. In response to a question posed by Commissioner Weimar, Judge Shaffer confirmed that Frontier Telenet would have responsibility for the towers and RTG would have only receivers at individual homes. No decisions were made.

#### **IN THE MATTER OF FAIRGROUNDS LEASE REQUEST**

Chris Fitzsimmons, speaking as Fair Board Chair, told the Court that Robinson Bros. Construction has asked to lease property at the Fairgrounds, which would be used as a staging area and equipment storage for the upcoming fiber build. Fitzsimmons said she is currently working with Ruben Cleaveland on development of a lease for the Court's review.

She explained that the company is interested in three acres on the west end of the property as well as the Fairboard office, and that the monthly lease would be \$1,500 for all three acres, plus \$500 for the office. Additionally, Robinson Bros. will need 12 to 17 campsites for employees. The company offered to help the County with any updating that needs to be done at Burns Park, including Internet access and increased electricity; however specifics have yet to be discussed.

Fitzsimmons said employees are responsible for their own reservations, and that so far, three reservations have already been made.

Fitzsimmons explained how the funds for lease of the property could benefit the fairgrounds and requested confirmation that the funds would go to the Fairboard. The Court agreed.

The Court's consensus was to go ahead with the Fairground lease, and to contact Day Wireless about the possibility of an update for Internet service.

#### **IN THE MATTER OF POTENTIAL CAPITAL PROJECTS**

Judge Shaffer opened discussions on several potential capital projects that may come before the Court in the future, as follows:

**IBR building:** Jeff Schott of Pillar Consulting provided written documentation of several concerns at the Ardent Mills building, including plaster around the office and signs of corrosion in the south-facing concrete panels. Commissioner Weimar said there have been continual problems with the building, including plumbing, steps, cracks in the floor, carpet replacement, etc. He said the problems reinforce the need for the county to establish a building reserve.

**Burns Park:** Judge Shaffer read a letter into the record. The letter was submitted by Sharon Hamner of Condon on behalf of several members of the Maidment family. Hamner noted that at a recent family reunion, an older guest fell when he lost his balance on the steps. He received bruises and a minor injury to his wrist which didn't require medical attention. Hamner expressed concern that there is no paint to mark the front edges of steps leading into the Pavillion, and no hand railings on either side of the three entrances. Hamner thanked the County for providing a nice facility for people to gather, and requested that the improvements be made as soon as possible to prevent the possibility of injuries and any associated liability for the county.

**Hollen & Sons Warehouse:** Judge Shaffer commented that the warehouse building is a "wreck," and that demolition of the building may result in development of that area. He also noted that according to City Administrator Kathryn Greiner, the Safe Route to School Grant may not be forthcoming.

**Shutler Station Industrial Park and Railyard:** The Court discussed the concrete batch plant at Shutler Industrial Park, currently leased by Thompson Bros. The need to update the outdated batch control system was discussed. The analog scales would need to be replaced with digital scales as part of the upgrade. Judge Shaffer said it's probably time to issue a Request for Proposals for the upgrade, and Ruben Cleaveland said a ballpark figure should be determined first, as the price will determine if an RFP is necessary. Also discussed were possible additional rail lines being added to increase rail storage capacity and the possibility of extending sewer and water beyond the IBR building. Port Director Peter Mitchell asked the Court to add the following to the list of potential projects: A more reliable source of water a Shutler Station and the paving project at Arlington Municipal Airport.

## **IN THE MATTER OF COURT MEMBER REPORTS**

Judge Shaffer:

- attended a meeting of the Tri-County Court held last week in Moro.
- spoke to CASA mentors at a recent gathering of that organization.
- attended meetings of Frontier Telenet and Frontier 911.
- attended an all-staff meeting, at which staff requested a saddle stitcher. The equipment has been ordered, and will be installed on one of the courthouse printers.
- discussed the county's predator control program, and again suggested that bringing the program back to the county level should be discussed. He noted that the fees currently paid to APHIS are substantial.

Commissioner Wetherell:

- also attended the Tri-County Court meeting.

Commissioner Weimar:

- discussed correspondence from Steve Kramer of MCCOG regarding distribution of funds after dissolution of the organization. He noted that originally, the funds were to be distributed among the member counties, but the City of the Dalles was also a contributor and must be considered.

**IN THE MATTER OF THE NEXT COURT MEETING**

The next Gilliam County Court meeting will be held on Wednesday, August 15, 2018 beginning at 9:00 a.m. at Gilliam County Courthouse in Condon, Oregon.

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 Shaffer adjourned the meeting at 3:00 p.m.

GILLIAM COUNTY COURT

By \_\_\_\_\_

Steve Shaffer, Judge

By \_\_\_\_\_

Michael Weimar, Commissioner

By \_\_\_\_\_

Leslie Wetherell, Commissioner

Mary H. Dyer/Recorder \_\_\_\_\_