

5-16-18

Judge Shaffer 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 Steve Shaffer, Commissioner Michael Weimar, Commissioner Leslie Wetherell, Court Administrator Sandy McKay and Recorder Mary Dyer.

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

Judge Shaffer announced no changes to the Agenda, but Commissioner Wetherell requested clarification regarding an agenda item – Consider selection of project manager for Arlington to Condon fiber build. Judge Shaffer provided information about the change, which is detailed below.

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

No public comments were offered.

#### **IN THE MATTER OF APPOINTMENT TO CCS ADVISORY BOARD**

Judge Shaffer told the Court that Transportation Coordinator Marla Davies, who currently serves on the Community Counseling Solutions Advisory Board, has indicated that the Board's focus pertains more to senior issues than transportation. She recommended that Senior Service Coordinator Sabrina Wagenaar be appointed to serve in her place.

**MOTION** by Commissioner Weimar, second by Commissioner Wetherell, to approve the appointment of Sabrina Wagenaar to the Community Counseling Solutions advisory board. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

#### **IN THE MATTER OF APPOINTMENT TO COMMUNITY ADVISORY COUNSEL**

**MOTION** by Commissioner Weimar, second by Commissioner Wetherell, to approve the appointment of Neil Friedrich to the Gilliam County Local Community Advisory Council, Eastern Oregon Coordinated Care Organization. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

Freidrich, who replaces Mike Childs, is manager of DHS' Self-Sufficiency for Gilliam County.

#### **IN THE MATTER OF EMERGENCY MANAGEMENT GRANT SUBMITTAL**

Commissioner Weimar posed several questions about the amount and intended use of a Gilliam County Emergency Management grant submittal request form. The Court decided to set the discussion aside until later in the meeting when Sheriff Bettencourt will be available to answer questions.

#### **IN THE MATTER OF MAY 2 EXECUTIVE SESSION MINUTES**

**MOTION** by Commissioner Wetherell, second by Commissioner Weimar, to approve May 2 Executive Session ~~minutes~~Minutes No. 1 and No. 2 as corrected. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

### **IN THE MATTER OF SECOND AMENDMENT PRESERVATION**

Condon resident Wayne Standiford asked the Court to consider implementation of an ordinance stating opposition to Oregon Initiative Petition 43, which would restrict the ownership, production and sale of some types of semi-automatic weapons and high-capacity magazines. Standiford said that if passed, IP 43 could turn gun owners into Class B felons, and that turning law-abiding citizens into criminals isn't the answer to the problem of gun violence in schools.

Judge Shaffer explained the difference between a resolution and an ordinance, and Commissioner Weimar said that a resolution would be more appropriate in this matter. However, he indicated that he hasn't yet had an opportunity to study the issue and isn't ready to make a decision. Judge Shaffer explained that the matter won't be placed on the ballot unless enough signatures are received.

When asked to provide his opinion, Sheriff Bettencourt said he has a problem with some of the penalties, and he doesn't think the initiative will make it to the November ballot.

The Court agreed that a resolution should be drafted for consideration at the next meeting.

### **IN THE MATTER OF EXECUTIVE SESSION**

Judge Shaffer declared the meeting to be in Executive Session pursuant to ORS 192.660(2)(d), Labor Negotiations, at 10:30 a.m. Separate minutes were taken and will be filed in the office of the County Clerk.

*RECONVENED:* The regular meeting was reconvened by Judge Shaffer at 11:45 a.m.

### **IN THE MATTER OF COMPENSATION BOARD RECOMMENDATIONS**

**MOTION** by Commissioner Wetherell to accept the Compensation Board's recommendations for elected officials' salaries for 2018-19. Commissioner Wetherell withdrew her motion after Treasurer Nathan Hammer noted that the matter is pending union negotiations. The matter was tabled.

### **IN THE MATTER OF EMERGENCY MANAGEMENT GRANT SUBMITTAL**

Emergency Management Coordinator Chris Fitzsimmons was present for continuation of a discussion regarding an Oregon Emergency Management Performance Grant in the amount of \$53,216, with an equal amount required for cash match. In response to questions posed by Commissioner Weimar, Fitzsimmons explained that the grant,

which pays half her salary and benefits plus \$1,000 for office supplies and \$1,000 for travel expenses, is reimbursable, and that she submits information to the State monthly, as required.

**MOTION** by Commissioner Weimar, second by Commissioner Wetherell, to approve the Gilliam County Emergency Management grant submittal for the Emergency Management Performance Grant in the amount of \$53,216, requiring a cash match of \$53,216. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

### **IN THE MATTER OF GILLIAM COUNTY GRAIN LAB**

Judge Shaffer told the Court that an entity that previously expressed interest in leasing the Grain Lab has declined to pursue the matter further. He said that at this point, options include a new appraisal or issuance of an RFP for marketing, for either lease or sale of the facility. Commissioner Wetherell noted that the Court previously discussed a lease. She also said she isn't sure a second appraisal is necessary, and that there is no guarantee it would satisfy the EDA. Judge Shaffer said the purpose of another appraisal would be to determine the value of the building and the amount of the County's 80 percent share.

After continued discussion, the Court agreed to draft an RFP for marketing of the facility, i.e. a real estate entity that would recruit entities to lease the facility.

### **IN THE MATTER OF PROPOSED WAREHOUSE DEMOLITION**

Judge Shaffer told the Court that Jeff Schott of Pillar Consulting has looked at the warehouse but as of yet, no update has been provided.

### **IN THE MATTER OF GRONQUIST BUILDING AND COMMUNITY CENTER**

Judge Shaffer told the Court that the Columbia Hills Manor Board of Directors will present their future plans for management of the Gronquist Building at the next Court meeting.

### **IN THE MATTER OF CIS PROPERTY AND LIABILITY INSURANCE RENEWAL**

John Anderson of Wheatland Insurance presented a proposal for CIS property and liability insurance renewal. He noted that the renewal has been processed with a 7.5% rate increase on property, with no changes in liability, auto, marine and other coverage, for a total of \$147,955.68.

**MOTION** by Commissioner Wetherell, second by Commissioner Weimar, to approve a Property and Liability Proposal Summary for Wheatland Insurance with CIS in the amount of \$147,955.68. Commissioner Weimar requested confirmation of the 7.5% increase. Anderson also confirmed that the rate of railroad liability, a separate policy, is unchanged. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

## **IN THE MATTER OF SALARY INCREASES**

Sheriff Gary Bettencourt requested that the Court approve salary increases for three Sheriff's Office employees: Lt. John Terland, Corp. Wes Garth, both of whom were recently promoted; and Office Deputy/Emergency Services Management Coordinator Chris Fitzsimmons. Sheriff Bettencourt outlined specific duties of each and noted how they have stepped above and beyond expectations. He also commented that Fitzsimmons' salary-base salary percentage is substantially lower than the salary-base salary percentage of the ~~new~~ court administrator, although the responsibilities are similar and she has been on the job for 25 years. He also noted that Sheriff's Department salaries in Gilliam County are fair but a little behind the curve in comparison to other counties with similar situations.

Sheriff Bettencourt requested raises outside of the existing salary classification schedule of 4% for Garth, 4% for Terland, and ~~6~~4% for Fitzsimmons, bringing them to 78%, 82%, and 71% of base salaries, respectively. Nathan Hammer said the amounts have been included in the budget, although they have yet to be approved.

In response to a question from commissioners, Sheriff Bettencourt explained the certification system, which occurs after completion of academy and proceeds from basic, intermediate, advanced, executive leadership and middle management certification, each with a corresponding increase in salary.

In response to Commissioner Wetherell's inquiry about overtime, Sheriff Bettencourt said that Lt. Terland has accrued a substantial amount of overtime due to a number of difficult cases, as well as recent training at the FBI Academy. Overtime has been minimal for Corp. Garth.

Commissioner Weimar commented that the County has had situations in which supervisors are paid less than those they supervise, which is a result of the pay structure and isn't in itself a reason to increase pay.

No decisions were made.

## **IN THE MATTER OF PUBLIC TRANSIT COORDINATOR STAFF REPORT**

County Transit Coordinator Marla Davis presented a quarterly staff report, including the following:

- RFQs have been issued for another lift-equipped vehicle to ensure one will be available at each end of the County. She noted that wheelchair ridership has increased substantially the last few years.
- She has signed up as a trainer as all drivers must be certified every two to three years. All drivers have current CPR cards.
- Grant money for the Bus Barn was lost, as a request for an extension was declined.
- STF funding will still be coming to the County, but possibly not this fiscal year, and possibly not in the amount originally projected.

- She is working on an updated financial policy to conform to recommendations provided after a recent ODOT site review. Nathan Hammer has agreed to proofread the draft, which will be submitted to the Court for approval.
- This quarter (January to March, 2018), 80% of passengers were seniors and people with disabilities, and 14% were veterans.
- Total hours transporting community members this quarter was 1,969, with total mileage of 49,120 and an average 23 mpg.
- Since the first quarter 2013, mileage traveled has increased by 64%, rides have increased by 191% and hours of operation have increased by 49%.

Davies also proposed hiring a part-time, college-age intern this summer to help with inputting data into the new dispatch system. Commissioner Wetherell inquired about costs, and Davies estimated \$2,000 to \$3,000. Judge Shaffer asked if work would fall behind again after the intern leaves, and if a part-time employee might eventually be necessary due to significant growth of the program. Davies said that it's not a long-term problem, but just a matter of initial data entry.

After continued discussion, Davies agreed to contact Alan Cunningham to see if her proposal would fit his criteria for a summer internship program. No decisions were made.

### **IN THE MATTER OF ASSESSOR SOFTWARE CONVERSION**

County Assessor Chet Wilkins and Treasurer Nathan Hammer presented documents associated with new Helion property tax software. Wilkins explained the reasoning for a sole source contract -- no other providers meet the needs of a small county and Helion Software, Inc. is the only software that will enable the County to upload required information directly to the State's system. Additionally, Oregon has specific tax laws that aren't necessarily compatible with more generic software.

Wilkins said the cost of conversion is \$177,500, reduced from \$250,000. The documents have been reviewed by legal counsel. Insurance agent John Anderson is also comfortable with the contracts.

**MOTION** by Commissioner Wetherell, second by Commissioner Weimar, to adopt Resolution No. 2018-07, a joint resolution of the Gilliam County Court and Local Contract Review Board specifying an alternate award process for copyrighted materials, whereas the County has identified Helion Software, Inc. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

**MOTION** by Commissioner Wetherell, second by Commissioner Weimar, to approve a conversion to Helion System in the amount of \$177,500. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

**MOTION** by Commissioner Wetherell, second by Commissioner Weimar, to approve ~~an~~ Intergovernmental Agreement with Lane County for Ascend/Proval Software Support in the amount of \$25,750, a one-year contract. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

**MOTION** by Commissioner Wetherell, second by Commissioner Weimar, to approve the services contract, Client Software Support with Helion in the amount of \$60,150. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

**MOTION** by Commissioner Wetherell, second by Commissioner Weimar, to approve a one-time ORCATS software license in the amount of \$40,000. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

**MOTION** by Commissioner Wetherell, second by Commissioner Weimar, to approve an Intergovernmental Agreement for Tax Map ~~Maintenance and~~ Maintenance and Geographic Information Systems in the amount of \$80 per hour. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

**MOTION** by Commissioner Weimar, second by Commissioner Wetherell, to approve an Intergovernmental Agreement with Lane County for Development and Support of the Property Assessment and Taxation Search Web Application in the amount of \$12,180. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

Short recess: Session was completed in downstairs conference room.

#### **IN THE MATTER OF DMV LEASE OF OFFICE SPACE**

The Court discussed a proposed Intergovernmental Office Space Lease Agreement with the State of Oregon. Court Administrator Sandy McKay noted that there has been no lease agreement to date, but DMV has now requested a written lease. McKay noted he forwarded the agreement to Ruben Cleaveland, who said there are aspects of the agreement he didn't like, and that it seems the DMV is asking a lot considering the office space is cost-free. Cleaveland has opted not to pursue the matter further until he has direction from the Court as to the importance of maintaining the service, length of term, ADA requirements, etc.

Judge Shaffer said he finds the entire thing disturbing and that it's important to provide the service, but DMV has threatened to pull out if their demands aren't met. He said this may be a good opportunity to make a case for retaining service in Condon, but that

there may not be a lot of room for negotiation right now as DMV may be looking for a way out.

The Court agreed to table the matter until Judge Shaffer has an opportunity to look into it further.

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

The Court received a letter from Jadon Herron of Anderson Perry regarding a FEMA Map Revision Approach for Shutler Station. Herron noted that the Industrial Park is located within FEMA Zone – Area of 100-year Flood. The first step to revise the FEMA Flood Insurance Rate Map for the Industrial Park would be to request any available analysis completed as part of the original FEMA mapping, following by completion of a topographic survey and hydraulic analysis. The estimated fee to complete Task 1, the hydraulic analysis, is \$30,710. Depending on the outcome of Task 1, Task 2, involving completion of map revision, is estimated to be between \$20,000 and \$70,000.

Judge Shaffer noted that failure to finalize the plan will affect the County's ability to purchase insurance for the Industrial Park. Jeff Schott of Pillar Consulting will be asked to provide an opinion on the matter.

### **IN THE MATTER OF SELECTION OF PROJECT MANAGER FOR FIBER BUILD**

Judge Shaffer explained that City of Condon Fiber Consultant Adam Haas was previously selected to serve as manager for the Arlington to Condon fiber build as designated within an IGA with the City of Condon, in which the City would serve as fiscal agent with oversight of project management. However, once the County decided to maintain responsibility for its share of financials, the City opted to negate the IGA, thus creating a situation in which the County must maintain its own contract with Haas. Judge Shaffer said he is under the assumption that the process will continue as originally planned, with each entity paying half of the cost. The contract, with full details, should be ready by the next Court meeting.

### **IN THE MATTER OF RECORDER CONTRACT RENEWAL**

The Court discussed a contract renewal with County Recorder Mary Dyer of High Desert Writing Services, including her request for an increase to \$50 per hour. Because the yearly total will exceed \$10,000, it may be necessary to issue a Request for Proposals. Judge Shaffer will discuss the matter with Ruben Cleaveland.

Also, the Court discussed the possibility of reducing the minutes and opted to remain with the current level of detail, which provides enough information for those who might seek it now and into the future.

The matter was tabled until the next meeting.

### **IN THE MATTER OF APRIL 16 EXECUTIVE SESSION MINUTES**

Approval of April 16 executive session minutes was tabled until the next meeting.

### **IN THE MATTER OF APRIL 18 AND MAY 2 REGULAR MEETING MINUTES**

**MOTION** by Commissioner Weimar, second by Commissioner Wetherell, to approve April 18 and May 2 regular Court meeting minutes as corrected. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

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

Judge Shaffer:

- Traveled to John Day, along with Rachel Weinstein and Rob Turrie, to give a presentation on the Gilliam County Attainable Housing Project to the Oregon Housing Commission. The Commission is considering various ways to improve housing opportunities across the state. There are a number of obstacles on the east side, including difficulty in finding building inspectors and other service providers.
- Attended a meeting regarding a potential pump storage renewable energy project in Goldendale, also attended by several representatives of state government, as well as consulates of U.K., China and Canada. Commissioner Wetherell was present for part of the meeting.
- Attended a budget meeting of CREA (Community Renewable Energy Association), which also involved a discussion on the pump storage project.

Commissioner Weimar:

- Attended a meeting of the Lower John Day Commission on Transportation. Discussions included support for Rachel Weinstein's proposal for creation of a bike trail from Cottonwood Canyon State Park to the Mountain Identifier, and an ODOT settlement of a lawsuit brought against the state after an audit revealed that many of Oregon's curb ramps don't comply with the Americans with Disabilities Act.

Commissioner Wetherell:

- Was present at parts of the meeting regarding pump storage at Goldendale, as outlined above by Judge Shaffer.



- Attended a meeting of the North Central Public Health District, primarily involving discussions of budget and contract review.
- Commissioner Wetherell also commented that a firm deadline for submission of packet information and agenda materials would allow Commissioners time to review information before the Court meeting. Judge Shaffer agreed, and also said it would help to establish a quarterly schedule for staff reports. Sandy McKay agreed to proceed with creation of a deadline.

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

The next regular Gilliam County Court meeting will be held Wednesday, June 6, 2018, beginning at 10:00 a.m. at the 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 3:30 p.m.

GILLIAM COUNTY COURT

By \_\_\_\_\_

Steve Shaffer, Judge

By \_\_\_\_\_

Michael Weimar, Commissioner

By \_\_\_\_\_

Leslie Wetherell, Commissioner

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