

10-3-2012

Judge Shaw opened the regular Gilliam County Court meeting at 10:00 a.m. on Wednesday, October 3, 2012 at the Gilliam County Courthouse-Condon, Oregon.

Commissioners Present: Judge Patricia Shaw, Commissioner Dennis Gronquist and Commissioner Michael Weimar. Absent: None.

IN THE MATTER OF AGENDA ADDITIONS/REVISIONS

- Revise appointment schedule

IN THE MATTER OF ROAD MASTER STAFF REPORT

Roadmaster Dewey Kennedy reported on the following:

- Completed mass excavation/subgrade work at Columbia Hills Manor.
- Finished earth fill below Condon Football field. Graded, graveled the top and sloped the end; track walked, seeded and fertilized.
- Processed I-84 grindings and paved 4,200 feet including portions of: Mikkalo Lane, Clem/Mikkalo, Barnett and Heritage Lane which will prevent wash boarding. Projects requiring stripping, fog sealing are complete.
- Chip sealed 10,560 feet of streets for the City of Condon.
- Kennedy invited to asphalt conference in Moscow, Idaho later this month. Meeting with engineers to discuss paving product use in Gilliam County.
- Crusher finished crushing at Pennington Quarry. Moved to Philippi Quarry and processed grindings for paving projects. Shaffer Quarry crushing will be complete end of October. The Crusher will winter at the newly shot Mayville Quarry, located on Dyer property.
- Brian Wilkins was hired June 18, 2012 to replace retiring Bob Mallgren. Wilkins is a good addition to the crew.
- Went to Washington DC as Port of Arlington representative for Gilliam County. Met with congressional representatives about Willow Creek Port project earmarked reimbursement. Met face to face with Senator Ron Wyden, Senator Jeff Merkley and Congressman Greg Walden and felt the trip will benefit the task of getting Port/County funds reimbursed.

- Concrete will be poured for the Alville Bridge project tomorrow. Project should be completed late fall-early winter.
- Baseline Project will straighten, widen and build shoulders on Eight Mile Road. Material for project will come from the Crum Quarry and will be the winter project for the road crew.
- Plan to upgrade water truck with a used model, since new models are \$180,000-\$200,000. Existing water truck will be part of the Crusher equipment to prevent dust. Need to replace two 2000 pick-ups, both have over 175,000 miles. Kennedy budgeted \$370,364 for equipment replacement.

Consensus to approve purchase of water truck and two pickups.

- Assistant Roadmaster Gerry Durfey is supervising Blattner's road rehabilitation project. This project should be completed next week.

IN THE MATTER OF CONSENT AGENDA

It was noted the September 19, 2012 regular court minutes were not available for this meeting.

MOTION: Commissioner Weimar moved to approve the consent agenda including September claims pending review and Morrow and Sherman County's Reciprocal Agreements to provide independent assessment services.

SECOND: Commissioner Gronquist.

Vote: 3-0
 Yes: Judge Shaw, Commissioner Gronquist and Commissioner Weimar
 No: None
 Abstained: None
 Absent: None
 Motion Passed.

IN THE MATTER OF BOPTA BOARD APPOINTMENTS

Judge Shaw reported there were Board of Property Tax Appeals appointments for Court Representation and Lay Positions.

MOTION: Commissioner Gronquist moved to appoint Commissioner Michael Weimar as the court representative, and Jay LaRue, Peter Mitchell and Doug Wilson as lay appointees.

SECOND: Commissioner Weimar.

Vote: 3-0
 Yes: Judge Shaw, Commissioner Gronquist and Commissioner Weimar

No: None
Abstained: None
Absent: None
Motion Passed.

IN THE MATTER OF SERVER/SUPPLY FLOORING PROPOSAL

Judge Shaw reported the upstairs server room and supply closet were not included in the original tile estimate. Proposal for the installation tile in the server room and office supplies closet is \$2,200. The proposal also listed the price to re-grout the two bathroom floors with the same type of grout used on the tiling installed throughout the Courthouse.

Commissioner Weimar asked why the additional grout was necessary. It was noted future maintenance and cost on the hallway tiles was reduced with the upgrade to a grout that does not need to be sealed periodically. The bathrooms require annual sealing. Court members felt maintenance staff could seal the bathroom grout as needed.

MOTION: Commissioner Gronquist moved to tile the computer server room and the supply closet in the amount of \$2200. The additional re-grouting proposal amount of \$650 was denied.

SECOND: Commissioner Weimar.

Vote: 3-0
Yes: Judge Shaw, Commissioner Gronquist and Commissioner Weimar

No: None
Abstained: None
Absent: None
Motion Passed.

IN THE MATTER OF WHEELCHAIR LIFT UPDATE

Court Administrator Leanne Durfey reported Pillar Consulting Inc. sent an email stating construction timeline delays for the wheelchair lift project. Shipping of the lift unit has been delayed causing the construction to be delayed.

IN THE MATTER OF REPLACING COURTROOM TABLES

Judge Shaw reported Court Security Funds will be used to purchase new tables in the Courtroom. The new tables will be shorter which will enhance security in the Courtroom. The tables estimated cost is \$2,500.

Consensus to approve purchase.

IN THE MATTER OF COURT MEMBER REPORTS

Commissioner Weimar reported:

- Tri-County Court meeting included discussion on Veteran's Services, Consolidated Care Organization-CCO and Frontier Telenet/Tricom.
- Attended Area Commission on Transportation meeting and reported City of Condon has a project scheduled, nothing for Gilliam County at this time. Reported ODOT personnel liked working with the Road Department on the Mikkalo project.
- Attended: The Operations Kick-Off of the Shepherd's Flat Wind Farm and MCCOG meeting.

Commissioner Gronquist requested an update on the NORCOR funding matter. Judge Shaw had nothing to report: upcoming meeting.

Judge Shaw reported:

- North Central Public Health Department-NCPHD is planning to split from Wasco County, possibly within the year. Working out funding formula and other details at this time.
- Jefferson County 911 services are merging with Tricom, which will regionalize 911 services between Wheeler, Gilliam, Sherman and Jefferson Counties. Jefferson's Supervisor is educating operators about increased calls and multiple situations which will occur with the merge. This should make the system more efficient. There will be a public hearing on the Ordinance ratifying the Intergovernmental Agreement creating the Frontier Regional 911 Agency at the next County Court meeting.
- Oregon StRut-students recycling using technology program is being supported through MCCOG. The program is located at the vacant Petersburg elementary school building. The program allows students to evaluate, repair and refurbish computers which are distributed free of charge to local schools. Students are learning how to build and program robots.
- CCO advisory committee being formed: Judge Shaw suggested Physician Assistant Ryan Hawley from South Gilliam Health Center. Consensus agreed. County Court representative will be Judge Elect Steve Shaffer.
- Attended Shepherd's Flat Wind Farm Operations Kick-Off Ceremony/.

IN THE MATTER OF SOUTH GILLIAM HEALTH CENTER DISCUSSION

South Gilliam Manager Hollie Winslow and Physician Assistant Ryan Hawley presented a Wellness Center prototype to the Court.

Hawley reported the expanded space could house a variety of services including: additional medical services, massage, chiropractor, cardiologist and a fitness center could be merged into the space. Information was gathered from existing and potential service providers for this concept.

The Clinic has been operating under the new structure for 21 months and 1,200 different patients have received services. Year to date there have been 1,015 patients seen at the clinic. Cost of the project is \$3 million and would like the Court to recognize the vision. Judge Shaw noted the County does not have funds at this time. Winslow felt county staff could provide project experience as the project moves forward.

Winslow provided professional drawings of the project and has been in contact with Senior Services Coordinator Delene Durfey about merging the senior meal site into plan.

Condon City Administrator Kathryn Greiner reported the City of Condon Council is meeting to resolve the property land switch agreement between the Fire Department and City of Condon. Winslow added Fire Services Coordinator Shannon Coppock has been a partner of this project. Services between fire, clinic and ambulance can work together to provide a community need.

Discussion occurred on alternative plan, funding and sustainability.

IN THE MATTER OF PUBLIC HEARING

Legal Council Will Carey and Planner Susie Anderson joined the Court meeting.

This being the time and place advertised, Judge Shaw opened the Public Hearing to take oral and written testimony regarding the proposed Gilliam County Nuisance Ordinance and Gilliam County Code Enforcement and to consider the adoption of the Nuisance Ordinance and Code Enforcement Ordinance.

The following items were discussed and requested direction from the Court.

Code Enforcement:

2.3 B: language requires “appointed administrative hearing officer to be a member in good standing of the Oregon State Bar.” Discussion: difficult to appoint qualified Gilliam County resident; Size of community may require the need for numerous hearing officers to prevent conflict of interest/non-bias decision.

Consensus to remove Oregon State Bar membership requirement.

2.12 A/3: Penalty payment language “in no case by more than 90 days” could not applicable to financially strained citizens.

Consensus to remove 90 day time language.

2.15 B: Remove “expressly”.

Consensus to remove “expressly”.

Nuisance Ordinance:

1.2 Definitions:

Abandoned Vehicle:

#1 “vehicle not currently licensed and registered for operation”. Discussion on local area agricultural equipment and other vehicle storage.

Consensus to leave language in #1 with addition of “and” at the end. This would require additional criteria for the classification of abandoned vehicle.

1.4 D 4: Discarded Vehicles/Equipment language change: remove county insert “public” and remove “is” in the first sentence. Consensus on language change.

Consensus to remove 1.6 Vehicular Nuisances.

1.8: Add “tenant” and remove County Resident in first sentence. Consensus agrees with language change.

1.12 Summary Abatement addition in first sentence to add: Judge “Hearings Officer or Law Enforcement Personnel” remove Sheriff. Consensus to change.

1.12 A: Remove 24 hours replace with “reasonable period of time”. Consensus to change

1.12 B: Remove 24 hours replace with “reasonable period of time”. Consensus to change

Judge Shaw closed the public portion of the hearing there being no more comments at 12:06 p.m.

Judge Shaw asked Anderson to make changes and bring the final ordinances back to the Court for approval.

IN THE MATTER OF REQUEST OF ACCELERATED FORECLOSURE

Treasurer Alcenia Wright reported four properties had Final Judgment filed October 2, 2012 putting them in foreclosure, which allows landowners a two year redemption period.

The property at 503 South Washington (Cabral property) is hazardous/dangerous and adjacent landowner submitted a letter requesting an Accelerated Foreclosure process for this property. Wright added there have been 21 notices sent out to family with no return correspondence.

It was noted the City of Condon had received a letter from Steve Watson interested in purchasing/refurbishing the property. Judge Shaw requested Watson receive correspondence on process procedure/timeline with instruction no one can work on the property at this time.

Legal Counsel Will Carey reviewed Ordinance and instructed the Court to notify landowner of Accelerated Foreclosure process and schedule a public hearing and publish notice 30 days prior to the hearing. If Court finds the property meets waste/abandonment, it may be deeded to Gilliam County. Public Hearing is set for November 21, 2012 at the County Court meeting. The final Foreclosure proceeding will occur late December-early January.

Wright asked if title searches should be done on property; Carey said a preliminary title search should be done previous to posting public hearing.

MOTION: Commissioner Gronquist moved to send notice to landowners of Accelerated Foreclosure, post/set Public Hearing and a preliminary title search be ordered.

SECOND: Commissioner Weimar.

Vote: 3-0

Yes: Judge Shaw, Commissioner Gronquist and Commissioner Weimar

No: None

Abstained: None

Absent: None

Motion Passed.

Wright will order title search immediately.

Discussion on another property foreclosure occurred. Wright reported the Hawk property has a Final Judgment and is vacant and may be deemed hazardous.

MOTION: Commissioner Weimar moved to include the Hawk property with the Cabral property to Accelerated Foreclosure process including preliminary title search.

SECOND: Commissioner Gronquist.

Vote: 3-0

Yes: Judge Shaw, Commissioner Gronquist and Commissioner Weimar
No: None
Abstained: None
Absent: None
Motion Passed.

IN THE MATTER OF WI, INC CONCRETE CREDIT

Commissioner Gronquist asked Columbia Hill Manor-CHM board member Alcenia Wright about the County concrete credit available at WI, Inc.

Wright reported CHM has been in contact with WI, Inc., and the concrete credit balance differs between WI, Inc. accounting and her accounting. Wright stated a \$70,000 concrete credit is due and can provide concrete invoices received and paid. Legal Counsel Will Carey added WI, Inc. would have the burden of proof on a lesser amount due.

Discussion occurred on the original contract between Gilliam County and WI, Inc. Schedule WI, Inc. owner Jack Ingram to Court meeting to discuss if necessary: Wright will meet with WI, Inc. to get balance due.

Commissioner Gronquist clarified Gilliam County provided the \$70,000 concrete credit to the Columbia Hills Manor project as in-kind contribution. No other in-kind funds/services will be available to CHM if the concrete credit through WI, Inc. is not used/available.

Commissioner Gronquist asked Wright to make sure Pinnacle Architecture and contractor are aware of concrete available. Wright noted concrete scheduling availability may be an issue between CHM and WI, Inc.

IN THE MATTER OF SMALL BUSINESS DEVELOPMENT LOAN

Treasurer Alcenia Wright received a letter from Wayne Standiford stating he was able to make \$150 monthly payments, is trying to sell property and pay the balance. It was noted the interest on the loan is 7.5%. Wright will contact Standiford and ask him to County Court to discuss loan.

IN THE MATTER OF EASTERN OREGON VISITOR GUIDE

Community Development Officer Michelle Colby asked the Court to support advertising in the Eastern Oregon Visitor Guide. This opportunity was available last year through a grant acquired by John Day River Territory.

Colby would like to purchase two pages in the guide at a cost of \$3,300 then she will contact 18 local businesses and ask them to place their informational ad in the guide at

a cost of \$150. Local information and pictures will be added to the pages, and the deadline for the project is October 25, 2012.

MOTION: Commissioner Weimar moved to approve the purchase of two pages in the Eastern Oregon Visitors guide in the amount of \$3,300 to be paid with project development funds budgeted in Colby's Administrative Specialist budget.

SECOND: Judge Shaw.

Vote: 3-0
Yes: Judge Shaw, Commissioner Gronquist and Commissioner Weimar
No: None
Abstained: None
Absent: None
Motion Passed.

IN THE MATTER OF HOLIDAY DINNER: EMPLOYEES/VOLUNTEERS

Judge Shaw asked the Court if they supported having another employee and volunteer appreciation dinner. December 11, 2012 tentative date for dinner.

Consensus to host dinner.

IN THE MATTER OF FOUR DAY WORK WEEK REVIEW

Tabled

IN THE MATTER OF PUBLIC NUISANCE & CODE ENFORCEMENT ORDINANCES

MOTION: Commissioner Gronquist moved to approve Gilliam County Public Nuisance Ordinance No. 2012-02 and Gilliam County Code Enforcement Ordinance No. 2012-03.

SECOND: Commissioner Weimar.

Vote: 3-0
Yes: Judge Shaw, Commissioner Gronquist and Commissioner Weimar
No: None
Abstained: None
Absent: None
Motion Passed.

IN THE MATTER OF CORRESPONDENCE

Summit Springs thanked the Court for the \$70,477 which went to pay an outstanding loan for the Memory Care Unit (\$12,000) and \$58,477 went to general operating expenses.

IN THE MATTER OF LIBRARY BUILDING DISCUSSION

Commissioner Gronquist was approached regarding the purchase of the current Library building, located on Main Street-Condon, OR.

Legal Counsel Will Carey advised the Court the property would have to be declared surplus property. Though not required, Carey suggested a public hearing to gather testimony and input from citizens. Property should be appraised which will provide minimum bid for potential sale. Other options were discussed.

IN THE MATTER OF NEXT COURT MEETING

Next Court meeting is scheduled for Wednesday, October 17, 2012 at 10:00 a.m. and will be held in the Gilliam County Courthouse-Condon, Oregon.

It appearing to the Court there was no further business to be conducted at this time, and no additional matters to be considered, Judge Shaw adjourned the meeting at 2:36p.m.

GILLIAM COUNTY COURT

By _____

Patricia Shaw, Judge

By _____

Dennis Gronquist, Commissioner

By _____

Michael Weimar, Commissioner

Marla Davies-Recorder