

**11-28-2012**

Judge Shaw opened the regular Gilliam County Court meeting at 10:05 a.m. on Wednesday, November 28, 2012 at the Gilliam County Grain Lab- Shutler Industrial Park, Arlington, Oregon.

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

IN THE MATTER OF ADDITIONS/REVISIONS TO AGENDA

- Delene Durfey vehicle rebid
- Sheriff Gary Bettencourt new drug dog

IN THE MATTER OF NEW DRUG DOG

Sheriff Gary Bettencourt reported Deputy Rick Brown purchased an Oregon Police Canine Association-OCPA trained/certified (Rex) Belgium Malinois for \$8,000 with personal funds. The dog is trained to locate drugs and track people.

Brown and Rex traveled to Texas for training for three weeks, and returned on November 22, 2012. Rex's first day of work was November 27, 2012. Veterinarian Gary Wade will provide care for Rex.

Commissioner Weimar inquired about dog expenses being removed from the Sheriff's budget, and wanted to know how Rex's expenses would be covered. Bettencourt replied he plans to reduce the staff training budget to cover expenses.

It was noted if the dog works out the Sheriff's Department may consider reimbursing Brown for the purchase of Rex. The previous canine officer (Kilo) had a care and training budget of \$10,000, noting Kilo was a pound puppy and was free.

IN THE MATTER OF TREASURER/BUDGET OFFICER

Treasurer Alcenia Wright reported meeting with Jack Ingram, WI Inc. owner to discuss concrete credit due to Gilliam County. Both entities agree the previous completed project invoices match. Ingram reportedly does not agree with the counties billing process. Wright reported Ingram never contacted her office with any concerns regarding the billing, and all WI Inc. checks issued were cashed.

Ingram authorized Wright to speak with WI Inc. auditor, and provided contact information to Wright. Wright reported she had been unable to speak with auditor, but will continue calling.

Commissioner Gronquist added he would support taking matter to court for resolution.

Wright provided the Court with a letter she received from Barbara Hawk regarding her property which is in accelerated foreclosure. Hawk wrote she has been ill and unable to travel to Condon, and was requesting payments to catch up on her taxes. Wright added the property is in foreclosure, which requires the back taxes be paid in full.

Commissioner Weimar asked if Condon property was primary residence and if she qualified for the Homestead Rebate. Wright added Hawk would have received one hundred percent of her tax \$480: but to receive funds you must be current on property taxes.

Judge Shaw will forward the letter to legal counsel Will Carey.

#### IN THE MATTER OF RESOLUTION NO. 2012-12

Treasurer Alcenia Wright provided the Court with copies of Resolution 2012-12 for review. Wright reported the need for a short term loan for the Wind Energy SIP fund. \$896,969 was needed to fill a shortfall in 2012 property tax to funds to these committed projects: South Gilliam Fire District, City of Arlington/Condon infrastructure, City of Lonerock water tank and Columbia Hills Manor-Retirement Housing.

Economic Enhancement Funds provided the \$896,969 shortfall with a short term loan to be repaid January 1, 2014, and no fee or interest was incurred. Commissioner Gronquist wanted entities know less funds may be available in the future, and if the county does not receive the revenue, funds will not be available.

It was noted Willow Creek and Caithness wind projects have not paid property tax yet.

MOTION: Commissioner Gronquist moved to approve Resolution No. 2012-12 authorizing a short term loan from the county's Economic Enhancement Fund to wind energy SIP funds.

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 TREASURER POSITION APPOINTMENT

Judge Shaw reported there were four applicants for consideration to be appointed to the Treasurer position available December 1, 2012. Applicants: Deputy Treasurer Danelle Wetherell, Grain Lab Manager Nathan Hammer, Sherri Wilkins and Nick Bettencourt.

Commissioner Gronquist supported Deputy Treasurer Danelle Wetherell for the position expressing office experience and recommendation from Treasurer Alcenia Wright.

Judge elect Steve Shaffer agreed Wetherell would provide a streamline process, but all applicants should be considered.

Commissioner Weimar felt all applicants should be considered, since the position was advertised.

Judge Shaw added Wetherell does have experience working in the Treasurer's office, but does not have investment experience. Hammer has education and experience working as an accountant, but has never worked in a Treasurer's office. Judge Shaw proposed Hammer could be half time Treasurer and half time Grain Lab Manager.

Commissioner Gronquist stated the Treasurer should be a full time position and anyone appointed will require training. Judge Shaw added other counties have made the Treasurer position part time, and have brought investment officer duties to the Court.

Court discussed Treasurer's office scope of work and agreed with it becoming a one FTE office. It was noted successful applicant will be required to communicate with court and other county boards.

MOTION: Commissioner Gronquist moved to approve appointing Danelle Wetherell as Treasurer effective December 1, 2012.

SECOND: Judge Shaw.

Judge Shaw asked Wetherell if she felt the office could run with one staff and if asked Wetherell if she could handle the position personally and physically. Wetherell stated it was not that hard and she could do the job, and the investment duties are done by the Advisory Committee.

Judge Shaw asked how often the Advisory Committee meets. It was noted the Committee had met two months earlier. Wright intervened and explained Gilliam County does not have an abundance of discretionary funds to invest at this time.

Commissioner Gronquist added whoever is appointed will have two years to perform duties of the office before the next general election. Then the voters may elect their chose.

Commissioner Weimar added Wetherell would do a good job, but Hammer has training and abilities which would benefit the position. Wright added private sector experience was different from government.

<u>Vote:</u>	2-1
Yes:	Judge Shaw and Commissioner Gronquist
No:	Commissioner Weimar

Abstained: None  
Absent: None  
Motion Passed

## IN THE MATTER OF PUBLIC HEARING

This being the time and place advertised Judge Shaw opened the public hearing to take oral and written testimony regarding revised Economic Enhancement Fund Ordinance No. 2012-05.

Judge Shaw reported the revisions included:

- Article III: Distribution reduced from 2.5% to 1% in Law Enforcement Fund. This fund is capped at \$300,000 and has remained at the capped amount for two/three years; excess funds have been moved to Economic Development Fund. This will increase the Homestead Rebate Fund from 10% to 11.5%.
- Article II: Allocates excess of Homestead Rebate Funds be moved to the Endowment Fund instead of the Economic Development Fund.
- Reinstating spending Rationale

Sheriff Gary Bettencourt has concerns the Law Enforcement Fund has been cut twice: 2008-.5% and 2012-1.5%. If the fund is accessed and used how will it rebuild to cap amount if reductions continue. Bettencourt feels the cap is sufficient, but in the event a serious crime suspect requires medical services, it may be depleted.

Bettencourt supports replacing "Increased transportation cost to regional jail," since this rarely occurs with video court availability with language to cover inmate medical costs.

Bettencourt feels there are many things funded through economic development funds, personally would like to see the funds put in the Bridge Fund. He feels many entities come to the court for funds, which may need to find funding elsewhere.

Additionally there is a Governor's taskforce which is looking at reducing Department of Justice funds, which may lead to reduced jail time. Then parole services will fall back on local probation officers, which are struggling with funding. Reduce recidivism programs will be put in place, and will be funded through community corrections. Remaining rationale appears to cover other possible expenditures.

Bettencourt supports leaving the Law Enforcement Fund at 2.5% and divert excess funds to Homestead Rebate Fund. This would protect Law Enforcement Fund in case of capital crime expenditure, while back filling the Homestead Rebate Fund. Noting any expense incurred will be covered through this fund or the General Fund upon approval from County Court.

It appearing to be no further public input or written testimony Judge Shaw closed the Public Hearing at 11:22 a.m.

#### IN THE MATTER OF ECONOMIC ENHANCEMENT FUND DISCUSSION

Judge Shaw reported the Homestead Rebate Fund needs to be sustained and using the Endowment Fund costs processing fees.

Bettencourt supports having the Law Enforcement Fund are left at 2.5%, and funds over the cap be distributed to the Homestead Rebate Fund.

This matter will be added to the next court meeting agenda.

#### IN THE MATTER OF GRAIN LAB MANAGER REPORT:

Grain Lab Manager Nathan Hammer reported on the following:

##### Budget and Building:

- Budget is on track, noting Laboratory supply equipment is at limit due to machinery repairs. Protein machines repaired.
- Building has a new hot water heater, Flicker deterrent measures in place, and a semi-annual insect infestation treatment completed.

##### Projects:

- Provided Fariongraph, protein and moisture for valley based mill.
- Port of Arlington feasibility Study
- Performed volume loaf test with Gilliam County soft wheat flour, results will be presented December 4, 2012 at 10:30 in Condon.
- Working with Round Up Grill Bakery provided milled soft white flour and troubleshooting process with baker Marti Durfey. Laura Pryor sent two five gallon buckets of wheat for protein and moisture, then milled into flour to be used at Round Up Bakery. Pryor billed for testing/milling of wheat, no charge for delivery.

##### Professional Training/Development:

- Hammer and Lab Technician Jodie Gentry traveled to Washington State University worked on baking technique.
- Exhibited at Tristate Grain Conference

- Plan to attend Western Wheat Quality meeting in January to check and compare lab samples
- Working to reduce variability in moisture test results. To purchase a Shaker was \$4,000 plus the table. Hammer and summer youth employee worked on the Shaker and it should be completed in January.
- Hammer has been in discussion with the Port of Arlington and Mid-Columbia Producers regarding testing opportunities.
- Port of Arlington Administrative Assistant Denise Ball reported the RFP for the expiring elevator lease is specifically looking for willingness to do processing locally.

#### IN THE MATTER OF TRANSPORTATION VEHICLE BID

Transportation Coordinator Delene Durfey informed the court the state denied the court approved bid for the 2013 Toyota Sienna.

Durfey provided the court with four bids: Toyota of Bend-\$28,800, Campbell Toyota-\$30,205 which did not include processing/licensing fees, Tri Cities Toyota-\$30,056.64 and Griffith Toyota-\$29,849.72.

Judge Shaw supports purchasing American made vehicles.

MOTION: Commissioner Gronquist moved to approve the rebid for the purchase of a 2013 Toyota Sienna from Toyota of Bend in the amount of \$28,800. This motion rescinds the previous bid for the 2013 Toyota Sienna approved at the November 7, 2012 court meeting.

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 BUSINESS DEVELOPMENT LOAN PROCESS

Community Development Coordinator Michelle Colby reported she has reviewed the existing loan document. Colby has taken the information and created two draft documents: one for policy and one for procedure. Colby asked the court to review the drafts and provide guidance. It was noted a potential loan application is probable, pending appraisal process. No decisions were made, will add to December agenda.

#### IN THE MATTER OF COMMUNITY DEVELOPMENT STAFF REPORT:

Michelle Colby informed the court she has met with the loan default client to discuss loan. Client is considering asking court for loan forgiveness; Colby informed client he could get a loan restructure which would cut the 7% interest in half. Colby is asking permission to move forward and is able to contact the client through email, who is out of the country until March.

Colby reported client has paid \$19,553.87 in principal and \$17,795.66 in interest, not including the last two payments. The original loan was \$32,135, with an outstanding balance of \$13,000. Colby will contact Legal Counsel Will Carey for options on restructure.

Colby added the appreciated dinner has 76 attendees to date. Dallas Harsin will be cooking again and the event is at Memorial Hall on December 11, 2012.

Colby provided court members with a summary of her duties.

#### IN THE MATTER OF CONSENT AGENDA

MOTION: Commissioner Weimar moved to approve the consent agenda consisting of the November 7, 2012 regular court meeting minutes.

SECOND: None.

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

#### IN THE MATTER OF RESOLUTION NO. 2012-13

Tabled

#### IN THE MATTER OF SPECIAL INSTRUCTIONS/LIBRARY PROJECT

Tabled

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

Judge Shaw reported the MCCOG Board has asked for an elected city official appointment. The appointed member must be available to attend the meetings every other month

MOTION: Commissioner Gronquist moved to reappoint Delene Durfey as Gilliam County representative for MCCOG Budget committee member.

SECOND: Commissioner Weimar.

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

It was noted Arlington City Commissioner Denise Ball is interested in the appointment. County Court will send a letter to all city councils asking for representatives to be appointed to the MCCOG Board.

Commissioner Weimar added MCCOG had discussion on Area Agency of Aging. He also reported the Columbia Crossing will affect ODOT funds and freight trafficking, so the cost will affect everyone on Columbia River.

Tim Josi is running for Meco second vice president and is supported though the AOC and campaign funds may be sent to AOC. Judge Shaw will inquire about funding campaign stipulations.

#### IN THE MATTER OF RFP FOR AUDIT SERVICES

Judge Shaw has consulted Treasurer Alcenia Wright and Clerk Rena Kennedy and they agree on moving forward on the RFP process for audit services.

It was noted a committee with one staff member from each: Court, Treasurer and Clerk will review RFP submissions and make a recommendation to the Court.

#### IN THE MATTER OF CORRESPONDENCE

None

#### IN THE MATTER OF NEXT MEETING

The next scheduled Court meeting is set for Wednesday December 5, 2012 12/12 and will be held in the Gilliam County Courthouse Courtroom-Condon, Oregon.

Tri-County Court meeting will be held on Wednesday, December 12, 2012 and will be held in the Gilliam County Courthouse Courtroom-Condon, Oregon.

Alcenia Wright's retirement open house is scheduled for Thursday, November 29, 2012 from 4:00-6:00 p.m. in the Gilliam County Courthouse Courtroom-Condon, Oregon.

Pat Shaw's retirement gathering is scheduled for Thursday, December 20, 2012 from 4:00-6:00 p.m. and will be held at the Elks Lodge-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 12:39 p.m.

GILLIAM COUNTY COURT

By \_\_\_\_\_  
Patricia Shaw, Judge

By \_\_\_\_\_  
Dennis Gronquist, Commissioner

By \_\_\_\_\_  
Michael Weimar, Commissioner

Marla Davies-Recorder