

3-7-12

Judge Shaw opened the Gilliam County Court Meeting held Wednesday, March 7, 2012, at 10:00 a.m. at the Gilliam County Courthouse in Condon, Oregon.

Court Members Present: Judge Patricia Shaw, Commissioner Mike Weimar and Commissioner Gronquist (*arrived late*). Absent: None.

#### IN THE MATTER OF ADDITIONS OR REVISIONS TO THE AGENDA

Cancelled

- Laura Pryor: local business development appointment
- Rob Myers Legislative Report

Additions

- Consider renewal for Railroad Liability Insurance

#### IN THE MATTER OF PUBLIC HEARING FOR WEED CONTROL ASSESSMENT FOR 2012-13 CONSIDER ADOPTION OF ORDINANCE NO. 2012-01 AND WEED STAFF REPORT

This being the time and place advertised, Judge Shaw opened the Public Hearing to obtain citizen views and respond to questions and comments about the Ordinance for a Special Weed Control Assessment within Gilliam County; to receive evidence of the need, identify who will benefit, and determine the assessment to be levied. Judge Shaw opened the floor for public comment; in opposition or in favor of. Weed Officer Don Farrar was present.

Comment from the audience, Mac Stichfield landowner of property located in Mayville stated he is in support of the increase.

Judge Shaw closed the public portion of the hearing there being no more comments.

MOTION: Commissioner Weimar moved to approve Ordinance 2012-01 for a Special Weed Assessment within Gilliam County with 692,023.83 total assessed acres for 2012-13 at .07/acre at anticipated available revenue of \$48,803.04.

SECOND: Judge Shaw.

Vote: 2-0  
Yes: Judge Shaw and Commissioner Weimar  
No: None  
Abstained: None  
Absent: Commissioner Gronquist  
Motion Passed.

Weed Officer Don Farrar reported on the following:

- Spraying of County Roads is two-thirds complete.
- Spraying of Oregon Department of Transportation is 10% complete.
- Spraying of Shutler Station Industrial Park will be done this weekend weather permitting.
- Spot treatment has begun for Cottonwood Canyon State Park and will be on going.
- Bureau of Land Management (BLM) fire treatment has started; Farrar explained treating Medusa Head in areas where there was a fire.
- Three out of four grants submitted were approved for funding; Farrar commented Teri McElroy wrote the grants. The grants will be requiring additional reporting measures that will require more in office work.

- Weed spraying for a land owner in Arlington was completed last Sunday. In response to question the landowner paid for the chemical.
- Will be meeting with BLM about additional Fire Survey SWAT approach work.
- Filing mapping and reporting.
- Farrar commented he hopes to refill the position McElroy held.

Discussion was held on Weed Department cost accounting for providing services to bus barns, rural fire, clinic, industrial park, schools, courthouse, and Burns Park. Farrar stated these entities are being charged for chemical only not labor. Reference was made to the January 18, 2012 meeting at which time a discussion was held on Weed Department charging for time and labor for work performed locally.

*Commissioner Gronquist arrived during Weed Staff report*

Farrar distributed a copy of a spray report for review. Farrar tried to explain the report. Discussion took place on billing entities. Farrar commented there are cases in which the question of billing is a matter of being cost effective. Discussion took place on who is being billed for chemical only and who is billed for chemical and labor and who is not being billed. Farrar stated he does not charge the County for work performed on County property and that is what he is trying to show in the report. The Court requested more detail and explanation about the report in a more user friendly format, Commissioner Weimar commented this is a topic that continues to surface with the Weed Department and that there are opinions that the Weed Department needs to generate funds and be more self-sufficient and this is a battle Weimar continues to argue against. Farrar's response to comment about whether the Weed Department should bill other County Departments was he has to pay the Assessor's Office \$1,500 every year for services arguing isn't the Assessor Office a part of the County. Discussion took place. Farrar will follow up with a more detailed report to the Court regarding work performed on County owned property and the cost for both labor and chemical. In response to question from the audience (Mac Stinchfield) raising the Weed Assessment will generate approximately an addition of \$13,000 for the program.

Commissioner Weimar inquired about Weed Department equipment replacement situation especially with recent equipment incident. Farrar explained what happened to the Weed Department equipment recently which by chance Commissioner Weimar witnessed. Farrar distributed for review a copy of equipment replacement cost estimate. Judge Shaw instructed Farrar to include equipment replacement cost with budget request.

**IN THE MATTER OF SENIOR PROGRAMS SALE OF 1994 FORD VAN TO SHERIFF DEPT.**

Senior Services Programs Coordinator Delene Durfey reported the Gilliam County Sheriff has inquired about purchasing the transportation surplus 1994 Ford Van for \$3,000. Durfey explained the transport vehicle is surplus and the County has authority to donate, sale, etc. as all requirements for the vehicle have been satisfied with the State. Durfey commented the vehicle has been replaced and any funds from a sale would aid in the future purchase of additional transport vehicles. Durfey commented she contacted the local school districts, churches and local OSU extension office and no one is interested. Discussion took place.

**MOTION:** Commissioner Gronquist moved to sale 1994 Ford Van to Gilliam County Sheriff Department for \$3,000.

**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 ROADMASTER STAFF REPORT & COUNTY BRIDGES DISCUSSION

Gilliam County Road Master Dewey Kennedy reported on the following

- Tax foreclosed house located diagonally from the southeast corner of the courthouse was demolished today, the City of Condon knocked the house down and the County will haul it away.
- Crusher is on location at Mikkalo and was out of service recently due to computer issues. Crusher operation should finish this week and then move to the shop for some maintenance and then onto Pennington Quarry.
- Met with Oregon Department of Transportation (ODOT) about work at Mikkalo and should complete the project in a couple of weeks.
- Arlington Airport road widening project completed.
- Waiting for environmental permit in order to begin excavation site work for Columbia Hills Manor at Arlington.
- Provided a tour/demonstration for Lake County Roadmaster showing how the grinding pavement project throughout the City of Condon is holding up. In addition Blue Line is very interested in the project and conducting tests for free and will share the results with the County.
- Several items of equipment need to be declared surplus. Kennedy was asked to draft a resolution listing the items and forward to the Court for approval.
- Judge Shaw asked Kennedy to attend meeting with Department of Environmental Quality (DEQ) scheduled for May 4, 2012 at 1:00 pm

### Bridge updates

Kennedy prefaced by stating ODOT routinely inspects bridges every two years and in the recent reports Cayuse Canyon Road Bridge is flagged to be closed. There were other bridges throughout the County that received unfavorable inspections.

### Alville Bridge

Kennedy reported he has been working on obtaining a permit to replace culvert on Alville Bridge for four years now. The process is being held up by various state agencies. Judge Shaw commented this type of issue is perfect for Regional Solutions and told Kennedy to contact Scott Fairley the Regional Solutions Director for our area. Kennedy explained the condition of the old wooden plank bridge, safety concerns and the issue with the creek being classified a wetland. Pictures of bridge were distributed. He informed the Court that the materials for the Alville Bridge have been purchased but without the permit can't install them.

### Cayuse Canyon Road Bridge – closure rating

Kennedy explained ODOT hires a firm to conduct the inspections. Cayuse Canyon Road Bridge received a closure rating. In response to question the County may keep a bridge open temporarily however the liability exposure increases with an ODOT rating of closed. It will cost approximately \$285,000 to fix the Cayuse Canyon Bridge. A full bridge replacement is an estimate \$2 million. Two primary landowners use the bridge at this time. ODOT recommendation is to address the issue by placing permanent cement blocks denying access. Another option

would be to offer the bridge to a landowner and make the bridge the sole responsibility of the landowner in which the County ownership ends at the bridge. Discussion took place. Cayuse Road is a Class 5 road and is graded twice a year. In response to question about abandoning the road Kennedy stated there are several landowners that use the road but not necessarily the bridge. Commissioner Gronquist commented he believes no landowner will agree to take the bridge on, the liability is too much. Kennedy will contact the local landowners about the eminent bridge closure and have the discussion with them.

Comment from the audience, Joe Patnode arrived and provided input on the Cayuse Bridge discussion. Patnode commented if the bridge is closed he is concerned with his fencing at/around the creek and if the road is left open there is potential for damage occurring to his fence. Fire protection access is a concern if bridge and/or road is closed. Dewey will contact individual landowners about bridge closure and potential to close the road and report back to the Court. Kennedy clarified there is no option with closing the bridge, ODOT is closing the bridge, the issue is communicating the closure to residents and discussing closing the road.

#### Bridge Replacement Fund

Kennedy commented at the rate the bridge replacement fund is accumulating it will take a very long time to have enough funds available to be able to just fix a bridge let alone replace one. Discussion took place on bridge replacement fund. It was noted there is approximately \$285,000 in the special fund for bridges with approximately \$23,000 added to the fund annually from the Host Fee Ordinance. In response to question Kennedy stated it would be very difficult to transfer funds from the general road budget to the bridge replacement fund. Judge Shaw suggested the Court needs to think about building the bridge replacement fund faster.

#### Lonerock Road Bridge

Kennedy distributed a copy of the inspection report for Lonerock Road Bridge.

### IN THE MATTER OF CONSIDER GILLIAM COUNTY ACCOUNTING SOFTWARE PROPOSAL

Gilliam County Clerk Rena Kennedy and Gilliam County Treasurer Alcenia Wright were present to recommend purchasing a new accounting software program. It was noted a decision was not reached at the special meeting on February 27, 2012, staff was directed to research options more. A revised proposal from Chaves Consulting Inc. was presented to the Court. Kennedy and Wright concurred they are impressed with the samples of reports and customer service. It was explained the product is not windows based yet but the company has plans on doing so. Kennedy explained the changes on the fee schedule reflect a difference from two concurrent users to three. Chavez will monitor the usage to determine if three is adequate. Kennedy and Wright recommended the Court approve entering the Letter of Understanding from Chavez to move forward with new accounting software program for a first year cost of \$20,584 (including set up and conversion) and subsequent annual cost of \$4,584 for the second year.

MOTION: Commissioner Gronquist moved to accept recommendation from Clerk and Treasurer to enter into Letter of Understanding with Chavez Consulting, Inc. for an accounting software program at a first year cost of \$20,584 and second year annual fee of \$4,584.

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 CHS PRESENTATION ON COLLEGE CREDITS PROGRAM

Condon School District Counselor Michelle Geer, Condon High School Junior Hanna Fatland and Condon High School Senior Anna Vinogradova were present to thank the Court for funding the college credit program and to highlight the program. Geer distributed handouts for review outlining the following:

- Credits taken since spring 2011
- Benefits to Condon High School (CHS) students
- Struggles for CHS students
- Organizational structure of the program
- Copy of classes offered for current year and proposal for 2012-13

The students commented on their experience with the program and how grateful they are to be able to participate. In response to Commissioner Gronquist question students can elect to participate in the program after they have passed the Oregon testing standards, generally junior and seniors however a sophomore could qualify. Geer commented the program is working well with the exception of some technology difficulties. In response to question about technology issues Geer commented they usually lie with hardware malfunctions, connectivity is usually not the problem.

Comment from the audience (Kathryn Greiner) stated she is in support of the program as a parent who has a student accessing the program; she is very appreciative of the County's support and Ms. Geer for her attention to the program and providing a link between the students and the college.

## IN THE MATTER OF INSURANCE RENEWAL FOR RAIL LINE AT SHUTLER STATION

Court Administrator Leanne Durfey reviewed email correspondence from Nancy Snider with Wheatland Insurance regarding renewal for railroad liability coverage. Durfey commented Snider tried to obtain additional quotes from other companies but was unsuccessful in finding a better premium. The renewal with Liberty Surplus Insurance Corporation has the same premium as last year at \$7,500 plus optional terrorism premium of \$150.

MOTION: Commissioner Weimar moved to approve renewing Railroad Liability insurance coverage at cost of \$7,650 including terrorism coverage with Liberty Surplus Insurance Corporation.

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 CHANGE ORDER FOR COURTHOUSE VOIP PHONE SYSTEM

Community Development Director Michelle Colby informed the Court in communications with Obsidian Technologies the company selected to install the new VOIP phone system their quote for equipment did not accurately reflect the amount of fax lines in the courthouse and after

discussions with Obsidian an additional piece of equipment needs to be purchased at a cost of \$183.92. Discussion took place.

MOTION: Commissioner Gronquist moved to approve Change Order to Courthouse VOIP Phone System project in the amount of \$183.92 for a Cisco ATA 187 2 port adaptor.

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 CONDON DOLLARS FOR SCHOLARS REQUEST FOR CONTRIBUTION

Court acknowledged receipt of Condon Dollars for Scholars annual appeal letter for donations in support of its scholarship program. Judge Shaw commented Condon Dollars for Scholars is most likely applying to the County's consolidated grant funding cycle and suggested the Court wait to see the outcome of the grant cycle process prior to considering a donation. No decisions were made at this time.

#### IN THE MATTER OF CONSOLIDATED GRANT FUNDING CYCLE ELIGIBILITY

Community Development Director Michelle Colby reported receiving an inquiry from Oregon Solutions about the process to apply to the County Consolidated Grant Funding Cycle. Colby asked for clarification about eligible applicants as the application and advertisement states 'Entities eligible include non-profits, government agencies, special districts and schools within Gilliam County' and Oregon Solutions is not a Gilliam County entity. Consensus of the Court that Oregon Solutions needs to be informed they do not qualify and to submit a funding request directly to the Court for consideration. The Oregon Solutions request is for \$4,000 to provide funds for the group that is working on the planning of an interpretive center at Cottonwood Canyon State Park.

#### IN THE MATTER OF EXECUTIVE SESSION 192.660 (2) (d) LABOR NEGOTIATIONS

Judge Shaw declared the meeting to be in Executive Session pursuant to ORS 192.660 (2) (d) to consider labor negotiations. Michelle Colby was excused from the meeting. Separate minutes were taken by Court Administrator and will be on file in the office of the County Clerk.

#### IN THE MATTER OF CONSIDER/AWARD BID FOR CONDON PUBLIC SWIMMING POOL

Pillar Consulting Group, Jeff Schott project manager for Condon Swimming Pool mechanical improvements project participated via telephone. Schott reported two bids were received one from Griffin Construction in the amount of \$85,000 for base bid and Kneer Construction in the amount of \$90,200 for base bid. Schott proceeded to recommend the Court approve the low bidder for the base bid and recommended the Court elect to fund Alternate No.3: extra solar panel in the amount of \$840. Schott explained his cost opinion was off due to solar panel supports and the actual square footage being different than estimate therefore is recommending Alternate No.3. Schott commented Alternate No.1: Domestic Solar (domestic shower and sink) is not a recommendation at this time due to budget constraints. Alternate No.2: boiler is worth considering; Schott explained the boiler was not included in the base as it was believed the boiler was in better condition than now realized. Schott commented additional research has revealed

that the boiler was requiring almost daily maintenance last season. Pool Committee Member Gary Miller commented the boiler will need to be replaced whether now or next year, it is in worst shape than originally thought and is at the end of its useful life. City of Condon Administrator Kathryn Greiner commented a recent walk through of pool facility has revealed some other issues; Jamieson and Marshall was providing daily maintenance to the boiler last season, vacuum does not work, broken pipes in ladies restroom and need for stairs. Greiner stated the City plans on submitting a grant request to the County's Consolidated Funding Cycle for several of the items. Discussion took place on budget and county allocated funds of \$107,000 towards swimming pool improvements of which \$101,000 is remaining. In response to question there will be additional expenses for the pool project including project management, inspections, drawings, mechanical engineering, prevailing wage fee and contingency. Judge Shaw stated there is a balance of \$101,000 in swimming pool line item currently and identified other potential sources of funds including \$41,000 in local improvement SIP line item and \$15,000 in project development line item in Community Development Department. Schott reiterated he is not recommending the Court consider Alternate No.1 his recommendation to the Court is to approve the low base bid and Alternate No.2 and No.3 at an additional cost of \$18,640.00 for a total pool mechanical improvement construction cost of \$103,640.00. Discussion took place on process for approving bid and additional funds needed to complete pool project.

MOTION: Commissioner Weimar moved to award contract to the low bidder Griffin Construction at a base cost of \$85,000 and to add Alternate No.2 cost of \$17,800 and Alternate No.3 cost of \$840 for a total of \$103,640.00 for Condon School District pool mechanical improvements.

SECOND: Commissioner Gronquist.

Vote: 3-0

Yes: Judge Shaw, Commissioner Gronquist and Commissioner Weimar

No: None

Abstained: None

Absent: None

Motion Passed.

MOTION: Commissioner Weimar moved to increase 2011-12 swimming pool budget line item to \$140,000 for pool improvements with a transfer of \$33,000 from SIP local improvement funds.

SECOND: Commissioner Gronquist.

Vote: 3-0

Yes: Judge Shaw, Commissioner Gronquist and Commissioner Weimar

No: None

Abstained: None

Absent: None

Motion Passed.

The target completion date is June 1, 2012.

Pool Committee Member Gary Miller thanked the Court for its support for the pool and continued support.

#### IN THE MATTER OF LIBRARY PROJECT UPDATE

Pillar Consulting Group, Jeff Schott project manager participated via telephone and reported meetings have taken place with architect and will be submitting planning documents within next two weeks. City of Condon Administrator Kathryn Greiner reminded Schott that the Library plans need to be submitted to the City Planning Commission for the Historic District Review which is required by City Ordinance. If the plans are submitted to the City by the end of March the City

Planning Commission can review them at their April meeting. In response to Library Board Chair Jane Campbell's question the Library Board will have input in choice of exterior colors. Greiner suggested the Library Board consult with Sandra Harris on colors as she is a member of the City of Condon's project review board. The Library Board will meet next on March 21, 2012 and will plan on discussing the application to the City.

#### IN THE MATTER OF CONSENT AGENDA: FEBRUARY MINUTES AND FEBRUARY BILLS

Judge Shaw commented the February 27, 2012 special session minutes need to be corrected to state staff will research Chavez software further not Microsoft dynamics.

MOTION: Commissioner Weimar moved to consent agenda including February 15, 2012 minutes, corrected February 27, 2012 minutes and February 2012 claims pending review.

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 MOA FOR SIP FUNDS/UPDATE OF ESTIMATED REVENUES

Judge Shaw reported she met with Assessor Dave Messenger and Treasurer Alcenia Wright regarding estimated county revenues based on SIP agreements and actual funds received. Judge Shaw handed out and reviewed estimated County revenues. Judge Shaw pointed out based on estimated revenue there is an approximate shortfall of \$70,000 to fulfill funding commitments to the five entities in the 2012-13 budget and approximately \$2 million shortfall looking at 2013-2014. Judge Shaw stated the estimated revenue figures are based on current SIP funds received however there is wind farm construction ongoing that depending when complete could impact the figures. Discussion took place on estimated revenue figures. It was agreed the County will find the funds to satisfy the 2012-13 commitments and the remaining funding commitments will be proportionately redistributed over an increased time frame.

Consensus of the Court to send letters to the five entities (South Gilliam County Rural Fire Protection District, City of Arlington, City of Condon, City of Lonerock and Columbia Hills Manor) that their memorandum of agreement with the County is being revised based on funds availability and allocation of funds will be extended an additional year and be outlined in the letter.

#### IN THE MATTER OF PROPOSAL FOR ALLOCATION OF COUNTY RECREATIONAL SERVICES FUNDS PROCESS

Judge Shaw referred to the page of the SIP revenue handouts and under the Community Service Fee Distribution section a line item titled Recreation. Judge Shaw asked if the Court is interested in developing a process to distribute such funds. It was noted the Court has committed \$50,000 from the line item to fund the swimming pool for the 2012 season. Commissioner Gronquist stated he is not ready to make a decision today and needs more time to think about the concept. No decisions were made.

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

Judge Shaw reported



- Congressman Walden is holding a town hall meeting Thursday March 15 at St. Francis Catholic Church Parish Hall at Arlington at 9:00 am.
- Working with North Central Public Health Department and pursuing the extension/revision of the current 190 agreement to make a clear understanding of what Wasco County owns and what the Health District owns.

#### Commissioner Weimar reported

- Attended Mid-Columbia Council of Governments (MCOGG) meeting. MCOGG is requesting an executive session at the Court's March 28, 2012 meeting to present a business proposal. Meal site allocation of funds continues to be a huge discussion. Commissioner Weimar is now a member of the MCOGG Executive Board.
- Met with Oregon Solutions about the Cottonwood State Canyon Park project and there is an interpretive center planning kick off meeting on March 20, 2012 at Moro.

#### Commissioner Gronquist reported

- Corresponding with WestRail regarding rail line repairs and WestRail is to proceed with addressing the matter and bill approximately \$2,500 will be paid from the Industrial Park fund.

#### IN THE MATTER OF OTHER

- Discussion took place on budget process and work session scheduled for March 28, 2012.
- Judge Shaw stated the Court needs to discuss renewal of personal services contract with Rob Myers and reported Myers has agreed to be project manager for rural internet project under his current agreement with the County.
- Greater Eastern Oregon Development Corporation business loan service agreement is up for renewal at the end of June. As follow up from the previous meeting Court Administrator distributed highlight copies of the contract language for review.
- 2011-12 Supplemental Budget. Commissioner Weimar pointed out the Court's budget has an over expenditure of \$502,000. Judge Shaw explained the amount is for the digital switch the three counties agreed to purchase as the Frontier Digital Network. Gilliam County is the fiscal and the figure represents the entire cost and Gilliam is being reimbursed from other counties. Noted the purchase of the digital switch was an unanticipated expense this fiscal year and will need to be addressed in a supplemental budget. Judge Shaw suggested that a new fund be created for this as there are seven years of annual payments yet to be made.

#### IN THE MATTER OF CORRESPONDENCE

##### Acknowledged receipt of

- Columbia Ridge Landfill Citizen's Advisory Committee 2011 annual report.
- Approval of Gilliam County Wasteshed 2011 Opportunity to Recycle Program from Department of Environmental Quality
- Request for continued financial assistance in the 2012-13 budget for Arlington HELP. It was noted the Court made the decision last year that the energy assistance requests do not need to go through the consolidated grant funding cycle.

#### IN THE MATTER OF NEXT COURT MEETING

March 28, 2012 at 10:00 am at Gilliam County Courthouse, Condon, OR

IN THE MATTER OF ADDITIONAL BUSINESS

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.

GILLIAM COUNTY COURT

By \_\_\_\_\_

Patricia J. Shaw, Judge

By \_\_\_\_\_

Dennis Gronquist, Commissioner

By \_\_\_\_\_

Michael Weimar, Commissioner

*Michelle Colby, Recorder*