

**1-16-2013**

Judge Shaffer opened the regular Gilliam County Court meeting at 10:03 a.m. on Wednesday, January 16, 2013 at the Gilliam County Courthouse-Condon, Oregon.

Commissioners Present: Judge Steve Shaffer, Commissioner Dennis Gronquist and Commissioner Michael Weimar. Absent: None.

IN THE MATTER OF CONSENT AGENDA

MOTION: Commissioner Gronquist moved to approve the consent agenda including the following: December 5, 2012 and December 19, 2012 regular County Court minutes, December 19, 2012 Executive Session minutes.

SECOND: Commissioner Weimar.

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

Noting January 2, 2013 regular court minutes will be added to next consent agenda.

IN THE MATTER OF ROADMASTER STAFF REPORT

Road Master Dewey Kennedy reported the following:

- Alville bridge replacement project near completion, need to connect two fences to abutments which will be done in the spring. Noting seeded area has been covered with straw.
- Crusher Crew finished Shaffer pit and is working at Potter Quarry weather permitting crushing left over shot rock. Assisting Larry Hardie in the shop with projects when weather prevents crushing activities.
- Base rock and widening project from Upper 8 Mile Road to Base Line Road continuing to county line. Shoulders completed, installing culverts, noting Monty Crum has donated rock for the project from his pit located on Base Line Road. Completed two preliminary surveys on two Base Line projects to straighten roads to improve line of sight. Projects will need 15,000 cubic yards of base rock.
- Kennedy asked the Court for permission to purchase a rock screener. He has contacted multiple equipment dealers, and has been unable to find any units in stock except for one unit in Bend, Oregon for \$12,700. Unit is compatible with the Road Departments existing equipment and has adjustable bars allowing variable rock size screening options. Kennedy will need to pick up the unit in Bend. Kennedy will provide bid documentation to Leanne Durfey.

MOTION: Commissioner Weimar moved to approve the purchase of a mid-size rock screener in the amount of \$12,700 from Rock Tough Inc. located in Bend, Oregon.

SECOND: Commissioner Gronquist.

Vote: 3-0

Yes: Judge Shaffer, Commissioner Gronquist and Commissioner Weimar

No: None

Abstained: None

Absent: None

Motion Passed.

- Attended Idaho Asphalt conference with Blue Line asphalt supplier Troy Tindal in October. Met with several engineers to discuss local asphalt projects successes/concerns with experimental product.

It was noted some local roads are raveling in places, and tests are being run to find solutions. Kennedy reported fog/chip sealing should prevent the raveling.

- Kennedy took a personal trip to Idaho and noticed highly traveled gravel roads did not have washboards. Plans to travel and meet with the Deer Creek Hwy District Roadmaster to discuss process/products used.
- Took delivery of two new pickups: Crusher crew installing aftermarket equipment getting vehicles ready for operation. Recommended to the court the other two pick-ups become surplus equipment. Will submit appropriate surplus request.
- Caithness has hired contractor to fix project roads after weather damage in Morrow County. Noting Morrow rock tested at 56% dirt, which is not acceptable for these types of projects. Kennedy added this type of road damage occurrence was the reason for insisting Blattner use Gilliam County quality rock for project ending maintenance.

Commissioner Gronquist asked Kennedy to contact appropriate inspector and schedule an IBR building inspection. Concerned with leaks, noting the repairs need to be completed. Kennedy reported the inspector is in Boardman, and he will schedule the inspection.

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

Judge Shaffer added the following items to agenda:

- Appoint pro tem Justice Court Judges
- Weed Department vehicle bid proposals

#### IN THE MATTER OF JUSTICE PROTEM JUDGE

Judge Cris Patnode submitted a request regarding the appointment of pro tem Justice Court Judges to serve Arlington or Condon for the 2013 calendar year.

MOTION: Commissioner Gronquist moved to appoint the following people as pro tem Justice Court Judges as needed in the absence of Judge Cris Patnode: Ron McDermid, Leona Foster, S. Chris Nix and Laura Pryor.

SECOND: Commissioner Weimar.

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

#### IN THE MATTER OF WEED DEPARTMENT PICK UP BID

Judge Shaffer reported Weed Department Officer Don Farrar submitted three proposals for a vehicle replacement. It was noted the bids did not coincide on vehicle specs.

Treasurer Danelle Wetherell concurred there were funds available in the Weed Department to purchase the vehicle, but will require a supplemental budget to allocate funds to appropriate line item.

Proposals included: Wright Chevrolet- \$31,228, Bob Stone Chevrolet-\$33,485 and Sherrell Chevrolet- \$40,963.

MOTION: Commissioner Gronquist moved to approve \$31,228 for the purchase of a 2013 Chevrolet 3500HD with listed specifications from Wright's Chevrolet.

SECOND: Commissioner Weimar.

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

#### IN THE MATTER OF TAX FORECLOSED PROPERTIES

Assessor Dave Messenger reported the two properties in the accelerated foreclosure process met the Court ordered 30 day time limit on Saturday, January 5, 2013. Gilliam County ownership Deed documents were filed the following week.

Messenger asked the Court for direction moving forward noting the former Hawk property assessment is \$27,500, and the former Cabral property assessment is \$13,300. Judge Shaffer added the notice must be advertised for four weeks and a minimum bid be listed as well.

Properties will be sold at Sheriff Auction and will require a resolution to dispose of surplus property. Leanne Durfey added if declaring the abandoned property as surplus what ramifications/expectations be listed for future property use. Legal Counsel Will Carey will prepare property contracts listing all provisions/expectations for potential buyers.

Messenger reported the County deeded properties are tax exempt and all past taxes due need to be cleared from the tax role.

MOTION: Commissioner Gronquist moved to remove the total past property tax amount due on the two accelerated foreclosure properties (former Hawk/Cabral) which were deeded to Gilliam County after January 5, 2013.

SECOND: Commissioner Weimar.

Vote: 3-0

Yes: Judge Shaffer, Commissioner Gronquist and Commissioner Weimar

No: None

Abstained: None

Absent: None

Motion Passed.

Commissioner Weimar supports listing the former Fox property as surplus property and adding it to the Sheriff's Auction process.

MOTION: Commissioner Gronquist moved to include the former Fox, Hawk and Cabral, now Gilliam County owned properties to be declared surplus property and to be sold at Sheriff's Auction.

SECOND: Commissioner Weimar.

It was noted a minimum bid needs to be decided for the property. Document shall have additional language reserving Gilliam County's right to remove any property from sale if desired.

Vote: 3-0

Yes: Judge Shaffer, Commissioner Gronquist and Commissioner Weimar

No: None

Abstained: None

Absent: None

Motion Passed.

IN THE MATTER OF TREASURER'S REPORT

Treasurer Danelle Wetherell provided the Court with industrial park and business development loan revenues. It was noted there were discrepancies on the worksheet and Wetherell was advised to check totals.

Discussion on WI Inc. delinquent lease status and the frustration of owner Jack Ingram's unavailability to settle concrete balance owed to Gilliam County. Former Treasurer Alcenia Wright had tried in vain to get matter resolved before her retirement. Wetherell has been in contact with WI Inc. staff trying to set up an appointment to decipher invoices and checks, and will continue effort. Commissioner Gronquist supports moving this matter to court to gain closure. Wetherell was instructed to bill WI Inc. late fees as applicable.

Commissioner Gronquist reported calling and leaving a message for Watco representative Ted Caudel regarding rail use and invoiced rail usage fee. Noting he has not received a return call and will move forward trying to contact someone at Watco.

#### IN THE MATTER BUSINESS DEVELOPMENT LOAN ADMINISTRATION

Judge Shaffer stated he would like to add the business development loan program to the Treasurer's office. Noting the timeline to change is appropriate with limited loan funds available, provides Wetherell time to gather additional training and support moving forward. Wetherell could build policies and procedures during financial lull, and gain experience with small gap funding projects.

Commissioner Weimar felt having the business development loan process in two separate offices led to bad communication. Supports Wetherell since current position incorporates investment/return of county dollars. He feels comfortable moving forward working with Wetherell on program.

Commissioner Gronquist inquired about Wetherell's feelings about adding this to her position. Wetherell supported the task being moved to the Treasurer's office.

**MOTION:** Commissioner Gronquist moved to approve the Business Development Loan application process be administered by the Treasurer's Office.

**SECOND:** Commissioner Weimar.

**Vote:** 3-0

**Yes:** Judge Shaffer, Commissioner Gronquist and Commissioner Weimar

**No:** None

**Abstained:** None

**Absent:** None

Motion Passed.

#### IN THE MATTER OF GEODC BOARD REPRESENTATIVE

Judge Shaffer reported meeting with Jeff Bailey, current GEODC board President and discussed a Gilliam County board representative for GEODC. Judge Shaffer recommended Treasurer Danelle Wetherell for the appointment, noting it would provide resources and be a good learning experience.

Commissioner Gronquist asked about future plans for Michelle Colby, since she had been responsible for the business development loan application, and was on the GEODC board.

Judge Shaffer reported he has been contacted by individuals interested in contracting the budget officer duties.

Commissioner Gronquist added he had been contacted by interested contractors as well, and supports Danelle Wetherell for Budget Officer if she wants the position.

Commissioner Weimar concerned with additional duties with reduced staff.

Judge Shaffer he sees the budget officer would build the budget, noting the Treasurer would still be charge of monitoring the budget, and reporting in a timely manner to the court on a regular basis.

Commissioner Gronquist asked Wetherell if she was interested in the budget officer position. Wetherell replied she has worked with the budget process for the past eight years, and feels confident in her ability to do the job. Adding she will have Alcenia Wright come in and work with her on the supplemental budget process.

Consensus the Budget Officer position will not be contracted, position will be in house.

Judge Shaffer recommended Michelle Colby for the budget officer position with Leanne Durfey acting on as Consultant. Believing the combination would allow Court to gain improved knowledge of budget and expenditures. Noting both Colby and Durfey have been informed and have discussed this possibility.

Matter will be discussed later today.

## IN THE MATTER OF NORCOR JOINT RESOLUTION

NORCOR Director Jim Weed reported the following:

- Alleged double murder suspect had brain surgery on Friday and returned to Norcor on Saturday. Inmate passed away and underwent autopsy, noting cause of death was a substantial coronary.
- MCCOG did Norco accounting originally, but due to personnel changes and discrepancies Interim Norcor Director Laura Pryor moved accounting services to

Patty Kaseberg and the software Quick Books was implemented. Weed reported a payroll investigation found \$20,000 in payroll mistakes, enriching employees pay by several thousand dollars. Quick Books is no longer being used, and payroll is being done by hand at this time. Researching accounting software which offer transparency and are successful in Oregon government. Noting an option which would allow software sublicensing from another entity (example: Wasco County) could save thousands of dollars.

- Jail management system needs updating: current software ineffective with increased reporting requirements, staff is handwriting results. Working on a grant to update system.
- Visitation video system which would allow families to video visit inmates, without being at Norcor facility. Current system requires staff to move visitors through facility to visiting room area. New system would provide internet visitation for family members through their computer. Looking towards a fee service for family: example \$5 for visit, sustaining the program with fees while cutting wasted staff time. Noting the visiting area could be more effectively used. Installation of system and certification should be completed October 2013.
- Medical contract care providers were terminated. Medical services are in house and are working well; noting doctor and other staffs have relocated to the area for employment.

Judge Shaffer will be the Norcor board representative for Gilliam County.

#### IN THE MATTER OF WASTE MANAGEMENT QUARTERLY REPORT

Columbia Ridge Landfill Manager Kelly Gronquist reported the following:

- 2012 volume was 2.02 million tons, up from 1.7 million tons in 2011. Waste streams flat excluding soils which were up 300,000 tons.
- Host fees \$2.45 million in 2012, up \$100,000 from 2011.
- 61 employees at this time. Noting mechanic, equipment operator and driver positions and are reaching out of the area to find applicants. Concerns with shortage of available housing for potential employees.
- Rail crossing upgrade providing smoother operation surface.
- Replaced scraper fleet with articulating dump trucks which are fuel efficient and are more efficient to maintain.

- Upcoming project include expanding the gas to energy facility which is powered by eight 3516 CAT motors. There will be an addition of four 3520 CAT motors which produce the same amount of energy of the eight smaller motors. (total twelve motors) This will require a title five permit modification for the expansion.
- Prepare application to develop a Monofill landfill, specifically for disposing of ash type product. This project would operate with the same type of Subtitle D requirements currently used at the landfill.
- Boeing dredge project will provide 90,000 tons of waste. The work will be done around the fish spawning migration.
- Gathering Rail yard lighting proposals
- Plan to bid on Snohomish County waste which will bring about 400,000 tons to site by rail is successful in bid process.

Commissioner Gronquist opened the discussion regarding the landfill gas collection system. He provided an overview of previous discussions between Gilliam County and Waste Management regarding the potential for financial benefits for Waste Management and Gilliam County from the generation of electricity.

Chem Waste Manager Gary Fisher reported the following:

- 121,000 tons in 2012 up from 88,000 tons in 2011.
- Host fees increased to \$130,000 in 2012, up from \$102,000 in 2011: Due to significant projects and economy boost.
- Expansion of Chem Waste landfill: installing a new cell on the North side of landfill, capping older landfill. This will bring contractors to the county in 2013.
- There are three to five environmental and equipment operation positions available.
- Noting the last Chem Waste quarterly report regarding a violation, which Chem Waste had self-reported to DEQ: Expecting decision on the violation and anticipate a fine will be applied. Will inform court of final decision.
- Umatilla Army Depot demolition project is in the bid process for contractors. February deadline for proposal submission and should begin in fall 2013. Project will have 60,000-100,000 yards of material to be disposed. Noting buildings, concrete and footings being removed and disposed of.



Judge Shaffer asked about the positions at the landfill and wanted to know if positions were being filled locally. Applications from California, Pennsylvania and Bend have been submitted, noting most local qualified workers are employed.

Judge Shaffer reported the Governor's office is working with regional solutions to move the need of wage earner homes forward. Judge Shaffer asked for a letter of support regarding housing concerns which he will forward to Governor.

#### IN THE MATTER OF HIGH SCHOOL TRACK AREA CLEAN UP

Frank Bettencourt reported the Condon High School track and field has undergone major upgrades. Bettencourt is concerned with some unsightly material and debris on the end of the track adding he spoke with Roadmaster Dewey Kennedy about removing the rubbish. Kennedy reportedly agreed to the task but needed the Court's approval to move forward.

Consensus to permit Kennedy to remove the debris as road department schedule allows.

#### IN THE MATTER OF CORRESPONDENCE

Judge Shaffer reported Iberdrola has submitted a transfer application to DEQ allowing the change of ownership of Leaning Juniper II and Montague from Iberdrola to Portland General Electric. Noting Montague construction must begin by September 2015 to qualify for tax credits. Judge Shaffer plans to meet with Iberdrola representative Sara Parson, Will Carey Legal Counsel and Assessor Dave Messenger for SIP development.

#### IN THE MATTER OF PILLAR CONSULTING PROJECT UPDATE

Pillar Consulting Jeff Schott recommended the Court approve the following Change Orders:

1. Addition - Economizer to HVAC unit for Library project: \$2,157
2. Addition- Ceiling demolition/wrap beam at front of library building: \$2,050
3. Decrease- Change in roofing material for library project: -\$3,474
4. Addition- Rock hammering charge necessary to complete plumbing trench and footings: \$3,105

It was noted the extent of demolition and variance of rock material for plumbing/sewer lines and footings inside the existing rear structure had unforeseen removal challenge

Change in contract price totaled \$3,838 to library project.

MOTION: Commissioner Gronquist moved to approve Change Order No. 1 with an increase amount of \$2,157: Change Order No. 2 with an increase amount of \$2,050: Change Order No. 3 with a decrease amount of \$3,474 and Change Order No. 4 with an increase amount of \$3,105.

SECOND: Commissioner Weimar.

Vote: 3-0

Yes: Judge Shaffer, Commissioner Gronquist and Commissioner Weimar

No: None

Abstained: None

Absent: None

Motion Passed.

#### IN THE MATTER OF LIBRARY ASBESTOS ABATEMENT

Pillar Consultant Jeff Schott reported asbestos containing material was found in the roof of the library building. Three contractors were asked to submit proposals: Pacific Northwest Environmental LLC-PNE was only contractor to submit bid: \$8,935. DEQ is required to receive notice ten days before demolition begins.

Commissioner Gronquist asked about the cost of disposing of material. Schott stated the waste material requires no tipping expense at the landfill, but the transportation cost still applies.

MOTION: Commissioner Gronquist moved to approve the asbestos roofing removal proposal submitted by Pacific Northwest Environmental LLC in the amount of \$8,935 for the Gilliam County Library project. 1:30:11 PM

SECOND: Commissioner Weimar.

Commissioner Weimar noted concern regarding an inaccuracy between PNE contract language and PNE proposal unidentified by Schott.

- "Removal of Flashing" is a requirement of the project proposal base bid of \$8,935.
- Contract exclusions states: Removal of ceiling joist, roofing materials, roofing structure, flashing, gutters or downspouts.

Vote: 3-0

Yes: Judge Shaffer, Commissioner Gronquist and Commissioner Weimar

No: None

Abstained: None

Absent: None

Motion Passed.

#### IN THE MATTER OF WHEAT BLENDING PROJECT AMENDMENT NO. 1

Table: waiting for additional information.

#### IN THE MATTER OF ODE/GILLIAM SPECIAL ADVISORY GROUP

Planner Susie Anderson reported Oregon Department of Energy-ODOE sent notification regarding the Special Advisory Group-SAG for Leaning Juniper II wind farm project requesting amendment to the Site Certification.

SAG functions include providing a list of applicable substantive criteria in the Gilliam County Zoning Ordinance, and review Proposed Final Order for County substantive criteria compliance.

Anderson has been performing these functions and kept the County Court informed of proceedings and outcomes. The original SAG order did not include any amendments for the Leaning Juniper II wind power facility, noting the letter for participation in the amendment process. Anderson will prepare and gather Court comments before submission.

#### IN THE MATTER OF ANNUAL GRANT APPLICATION PROCESS

Judge Shaffer provided the Court members with copies of existing applications used for the grant application. Considering additional language to include: "We receive many worthwhile requests and cannot accommodate all of them. More competitive grant proposals will be specifically identified." Noting applicants who take additional time and effort in their proposals may increase their chance for funding. Judge Shaffer's opinion is to receive the revenue, deposit funds and not commit projected funds which may not be available.

Commissioner Gronquist supports saving the revenue, but advocated for the five projects which have already received Court guaranteed funding.

Discussion on county entities which rely on county funds to operate: daycares, preschools, fire districts, etc. Programs may have an earmarked amount in county budget, or funded programs may have to be synced with strategic plan. Special Project funds may be allocated this year, but may consider revoking other grant fund application process.

Condon School District Superintendent Jan Zarate reminded the Court of the five year commitment to both Arlington and Condon school districts in the amount of \$50,000 annually to fund the college credit classes.

No decisions were made.

#### IN THE MATTER OF BUSINESS DEVELOPMENT LOAN APPLICATION NO. 2013-01

Tabled

IN THE MATTER OF BUDGET OFFICER APPOINTMENT

Judge Shaffer supports the grant application be a duty of Michelle Colby and supports Colby for the Budget Officer position. Noting importance of court involvement with budget building, and close working partnership between the court, Colby and consultant Leanne Durfey a positive partnership.

Commissioner Gronquist supports Danelle Wetherell for Budget Officer position. Noting experience within the office and acting as Assistant Treasurer over the past eight years.

Commissioner Weimar noted a positive working relationship is necessary. Feels Danelle Wetherell has experience, but realizes Wetherell has many new duties with new position.

Budget building information has been vague in the past.

MOTION: Commissioner Gronquist moved to appoint Treasurer Danelle Wetherell as Budget Officer and Leanne Durfey as Assistant Budget Officer for the fiscal year 2013-14 Budget Year.

SECOND: Commissioner Weimar

<u>Vote:</u>	2-1
Yes:	Commissioner Gronquist and Commissioner Weimar
No:	Judge Shaffer
Abstained:	None
Absent:	None

Motion Passed

Danelle Wetherell joined the Court to discuss the Budget Officer and GEODC Board appointment duties. Noting the importance of Wetherell and Durfey working together on this process, good communication is a must. Moving forward to build a positive working relationship including communication between the court and Treasurer's office.

Wetherell reported she will be completing the journal entries next week and will move on to the supplemental budget. Informed the Court she will be hiring former Treasurer Alcenia Wright who will provide supplemental budget training.

Commissioner Gronquist and Commissioner Weimar were confused with the supplemental budget discussion, stating they were under the impression the supplemental budget process had been completed, noting Resolution No. 2012-12 which authorized a short term loan to fill shortfall caused by decreased wind farm revenue.

IN THE MATTER OF GEODC BOARD APPOINTMENT- CONTINUED

Commissioner Weimar supported Wetherell for the GEODC Board membership stating the Union contract makes it difficult for Colby to attend meeting which may occur after regular work schedule.

MOTION: Commissioner Weimar moved to appoint Danelle Wetherell as GEODC Board member.

SECOND: Commissioner Gronquist.

Vote: 3-0

Yes: Judge Shaffer, Commissioner Gronquist and Commissioner Weimar

No: None

Abstained: None

Absent: None

Motion Passed.

## IN THE MATTER OF COUNTY COURT REPORTS

Commissioner Weimar reported:

- Attended AOC steering committee meeting which included a transportation meeting. Weimar reported the airport snow removal concerns, noting Pat Cimmiyotti id working on solution. State has compiled a list of airports to be closed throughout Oregon-waiting to receive list.
- Economic Community Development Committee had the state Housing Director Margaret S Van Vliet reporting the Governor plans on changing agencies which will include working to streamline funds
- Energy/Environment committee reported BPA is asking for property tax exemption on some assets, which has been done in Washington and Idaho. It was noted possible projects or expansion services may offer to entities offering such incentives. Working on a legislative concept on the matter, hoping to forward on the bill. Commissioner Weimar acted as Chair for a portion of meeting.

Judge Shaffer reported:

- Attended NCPHD meeting noting many issues are intertwined, such as different CCO and NCESD developing a hub which has caused some commotion. Adding the importance filling the board positions which include one Commissioner and two local citizens. Noting NCPHD has good money management, but has expended 65%-70% of budget with several months remaining.

## IN THE MATTER OF NEXT MEETING

Next Court meeting is scheduled for Wednesday, February 6, 2013 at 10:00 a.m. and will be held in the Gilliam County Courthouse Courtroom - 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 Shaffer adjourned the meeting at 2:55p.m.

GILLIAM COUNTY COURT

By \_\_\_\_\_

Steve Shaffer, Judge

By \_\_\_\_\_

Dennis Gronquist, Commissioner

By \_\_\_\_\_

Michael Weimar, Commissioner

*Marla Davies-Recorder*