

4-17-2013

Judge Shaffer opened the regular Gilliam County Court meeting at 10:01 a.m. 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 ADDITIONS AND REVISIONS TO AGENDA

- Kathryn Greiner Condon Pool funding request
- DEQ Public Notice of Air Contamination Discharge Permit

IN THE MATTER OF NORTH GILLIAM RFPD ROCK REQUEST

North Gilliam County Rural Fire Protection District Chairman Larry Eubanks submitted a written request asking the Court for a donation of rock/gravel. The materials will be used for the Emergency Services building being constructed in Arlington.

Eubanks reported there is over \$700,000 invested in foundation and site preparation, and the Fire District is applying for a grant to finish the project: \$1.6 million.

It was noted Roadmaster Dewey Kennedy has the materials, but at this time is unable to deliver the rock to the site. Eubanks added the Fire District could hire the hauling if necessary and will contact Kennedy to find out where materials are stored.

MOTION: Commissioner Gronquist moved to approve the donation of 1500 yards of rock including 800 yards of two inch rock and 700 yards of three quarter minus gravel to the North Gilliam County Rural Fire Protection District for the Emergency Services building in Arlington.

SECOND: Commissioner Weimar.

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

Commissioner Gronquist wanted to confirm the Arlington Ambulance service will be overseen by the North Gilliam Health District. Eubanks concurred and noted the IGA to provide ambulance storage at the Emergency Services building.

IN THE MATTER OF CONSENT AGENDA

MOTION: Commissioner Gronquist moved to approve April 3, 2013 regular Gilliam County Court meeting minutes.

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 CHS 2013 GRADUATION PARTY

Judge Shaffer acknowledged the letter submitted by the Condon High School Senior class requesting a donation for the drug and alcohol free party.

MOTION: Commissioner Gronquist moved to approve a \$200 donation to the Condon High School Drug and Alcohol Free Graduation Party being held on May 31, 2013.

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 BLALOCK MARKER MAINTENANCE UPDATE

Judge Shaffer reported Arlington Mayor Jeff Bufton has acknowledged via email conversation the City of Arlington staff will provide maintenance on the Blalock Historic Marker after the sign is installed by whomever.

IN THE MATTER OF COLUMBIA BLUE MOUNTAIN RC&D COUNCIL APPOINTMENT

Planner Susie Anderson who serves as CBMRC&D Council Alternate reported on the Columbia Blue Mountain Resource Conservation and Development-CBMRC&D which she participated in by teleconference.

The RC&D has decided to close the office and will be moving the operation to the Administrative Assistant's home. Noting only revenue at this time is a Umatilla Tourism project which is supplying \$1,300 a month.

Anderson is concerned with the lack of funding, projects and is questioning long term direction of the group. Noting there is one project at this time and it will be completed in July 2013. In the past the organization has done several good projects: handicap accessible fishing dock, Irrigon Marathon and Christmas Parade.

Commissioner Weimar added he supports the group noting the annual dues of \$225 are reasonable. He does realize the programs activity has suffered with the loss of the RC&D Coordinator.

It was agreed by Anderson and Commissioner Weimar the program is a good regional partner. Adding the local Soil Water Conservation District supports the RC&D and may partner on the upcoming Rock Creek Irrigation project.

MOTION: Commissioner Gronquist moved to:

- Appoint Commissioner Weimar Court representative and Susie Anderson as alternate Columbia Blue Mountain Resource Conservation and Development board members.
- Pay the annual dues of \$225.

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 FIRE SERVICES COORDINATOR SEMI-ANNUAL REPORT

Gilliam County Fires Services Coordinator Shannon Coppock reported on the following:

Volunteers:

- Arlington has 13 volunteers on roster: five are community full time structure qualified, three graduated Oregon Trail Fire Training Association Firefighter I Academy on April 2, 2013 and are trained structural Firefighter I level. There is new volunteer beginning wild land fire training. Great bunch of trainees and will be very beneficial to program.
- Condon has 12 volunteers on roster: eight are both wild land/structure qualified. Others are tender drivers, engine operators, wild land firefighters or safety officers.

Training:

- Weekly trainings continue for North/South firefighters. Both ends of county are combining ambulance/fire service training including extrication and emergency vehicle driving class. The Hermiston Hazmat team has provided in county trainings for ambulance and fire volunteers.
- Outside area trainings including Oregon Trail Training Association Firefighter I academy which included vehicle, propane tank, live and structure fire training.
- DHS Caseworker Shandie Johnson is providing Mandatory Reporting classes to North/South Fire Departments.
- Hermiston Hazmat team is coming to Condon for decontamination training on May 1, 2013.
- Gilliam County Sheriff Deputy Jon Terland will be teaching land navigation on May 22, 2013.
- Advanced Firefighter training has been offered to experienced firefighters and those who may be serving in command functions on the firegrounds.

New Building:

- North Gilliam County Rural Fire Protection District has completed the site work for the new emergency services building. This project had the original bid of \$450,000, but contaminated fill and other unanticipated expenses drove the project up to \$700,000. District working to secure funding for construction of building.
- South Gilliam County Rural Fire Protection District is in the planning process for their new building. Noting the land exchange has not occurred with the City of Condon.

Fire prevention/public education:

- Prevention trainings have slowed down during the winter months. Heppner Fire Department used the Fire Safety house, and plans to use it during their Fair. The Dalles has interest in using the Fire Safety House, noting they will need to get support from their local fire department since Coppock doesn't travel with the Fire Safety House.
- Planning fire extinguisher training for community members, noting have done trainings for AES and Summit Springs employees.

Grants:

- Local Fire Departments have received in excess of \$120,000 in grants since 2007. Grants have purchased: Fire Safety House, Breathing Air System (compressor, fill station for self-contained breathing apparatus), hose, tools, replacement water tank and a new brush truck.

Fundraising:

- South Gilliam volunteers have raised over \$15,000 since 2009, conducting bake sales, barbeques and steak dinners. Another is planned for May 11, 2013 for the South Gilliam Health Center Health Fair, looking for healthier menu items.
- North Gilliam volunteers have raised funds to pay for fireworks on the 4th of July.

Judge Shaffer inquired about the Oregon State Parks- Cottonwood Canyon asking Coppock if there has been any conversation on fire control. Coppock added limited conversation has occurred and is concerned what will happen if a fire begins on the Oregon State Park property. Concerns if the fire begins in the Park, it will most likely spread to private landowners before local volunteers are able to reach location. Coppock added when a fire begins on BLM land, BLM sends firefighters, equipment and other resources to assist.

Discussion on the Conditional Use Permit for the park included a fire protection plan which requires the North/South Fire Districts and Shannon Coppock sign off on the plan. Planner Susie Anderson reported she will be contacting appropriate representatives and let them know conversations with local fire prevention specialists are not occurring.

Judge Shaffer noted speaking with Sheriff Brad Lohrey regarding the emergency services radio capability may be lacking. Coppock reported Law Enforcement upgraded to a 700 frequency band system, which offers better coverage in the local terrain. Fire services uses a VHS system, noting due to expense and wanting to make sure the law enforcement upgraded systems worked well, she has not moved forward to replace units. Handheld 700 units cost \$6,000, vehicle installed units are cheaper.

Ambulances and Law Enforcement are equipped with both types of radios. Dispatch has the ability to patch the digital devices through to VHS devices as needed. Coppock added she continues to look for grants which would allow purchasing of updated radios.

IN THE MATTER OF CONDON POOL UPDATE

City of Condon Administrator Kathryn Greiner submitted a letter requesting the \$30,000 which was approved in October 2012 for pool repairs including re-plastering, painting, leak detection/repair and sand filter maintenance. The funds were to be available in 2013-14, but maintenance requirements have created the need for immediate funding.

In addition the ladders were removed and were to be sandblasted and repainted. Ladders are completely rusted through and will need to be replaced.

Consensus to release \$30,000 from the Parks and Recreation to the City of Condon for the immediate maintenance needs of the Condon Swimming Pool and to also allow the remaining balance of the \$50,000 (estimated at \$16,000) for operating to be used for the maintenance of the pool.

IN THE MATTER OF TIG SUPPORT AGREEMENT

Tabled

IN THE MATTER OF REVOCATION OF CARGILL GUARANTEE NO. 4896

Legal Counsel Will Carey acknowledged the letter received from Cargill regarding Guarantee Number 4896. When Cargill purchased the Integrated Bakery Services-IBR in 2009, the Guarantee was to be in place until 2014, as noted in the original 2004 agreement between Gilliam County and IBR.

Carey advised the Court to draft a letter stating Guarantee Number 4896 will stay in effect until 2014 date, and will not be returned as requested by Cargill staff.

Consensus to submit letter as advised.

IN THE MATTER OF COLUMBIA RIDGE LANDFILL CAC REPORT

Judge Shaffer acknowledged the Columbia Ridge Landfill Citizens Advisory Committee 2012 annual report. The meetings were held and representatives from Gilliam County, Waste Management, DEQ and Columbia Ridge Landfill. The group discussed covered topics including landfill development, operations, permitting and construction projects. There were no public comments or complaints brought before the CAC in 2012.

IN THE MATTER OF RESCIND COURT ORDER NO. 2012-02

The matter of rescinding Order No. 2012-02 was discussed.

MOTION: Commissioner Gronquist moved to rescind Order No. 2012-02: In the matter of the hearing to consider Redemption Acceleration of real property located in Township 4 South, Range 21 East, Section 10BD, Tax Lot 6800, Account No. 238, Owner Barbara M. Hawk.

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 PUBLIC HEARING

This being the time and placed advertised Judge Shaffer opened the Public Hearing to consider a redemption acceleration on tax foreclosed property within Gilliam County, City of Condon because of potential threat to public health safety and welfare as authorized by Gilliam County's Tax Foreclosed Property Redemption Ordinance No. 92.2 adopted the 1st day of April 1992.

The subject property 4S21E10BD, Tax Lot 6800, Acct. No 283: 2012 tax roll owner Barbara M. Hawk, P.O. Box 778- Condon, Oregon 97823.

Kathryn Greiner, City of Condon:

Reported water services were shut off in 2007, approaching six years of no water to property. Greiner reportedly spoke with City of Condon Police Bill Gubser who was unavailable for the hearing but could be reached by phone if necessary. Gubser wanted the Court to know there has been several complaints in the past regarding garbage and lawn and grounds being un-kept/mowed. Additionally the Gilliam County Justice of the Peace has implemented nuisance fines to Barbara M. Hawk. Gubser also reported he has pictures of the property for the Court if needed.

Legal Counsel Will Carey introduced the complete record of the last hearing which was held on December 5, 2012 to be part of today's record.

MOTION: Commissioner Weimar moved to allow the December 5, 2012 public hearing record including public testimony be introduced as evidence into today's proceedings.

SECOND: Commissioner Gronquist.

Vote: 3-0

Yes: Judge Shaffer, Commissioner Gronquist and Commissioner Weimar

No: None

Abstained: None

Absent: None

Motion Passed.

Barbara M. Hawk was not in the Courtroom for the Public Hearing.

Carey noted the first Public Hearing on this property matter was conducted and the property owner (Hawk) failed to appear. After the hearing the Gilliam County Court was notified by Hawk's attorney stating his client was unable to attend the hearing due to health issues. Based on the letter the Court accepted setting over the hearing and a new Public Hearing was scheduled, and the time and place was expressed and

provided to owner, Hawk and her attorney. Additionally, all testimony submitted overwhelming supports the property is a nuisance.

Barbara M. Hawk made her appearance at the bottom of the steps at the rear entrance of the Gilliam County Courthouse. Noting inability to use the wheelchair lift to navigate the Courtroom.

Gilliam County Court reconvened at the rear of the Courthouse to accommodate Hawk. The Court reviewed the information regarding the property not having water since 2007.

Barbara M. Hawk: The Dalles, Oregon

Stated she had the water shut off since the pipes under the kitchen sink burst. Adding she also has lived in the home since 2007 and relied on neighbors to bring her water.

Carey explained the purpose of this hearing was to consider the time limit of the tax foreclosure. Noting the property appears to be abandoned and has structural problems.

Tina Tramel-Portland, Oregon:

Reported Barbara Hawk stays with her when Hawk is in Portland. Tramel reported there is a friend, who is in Colorado, plans to fix the property and feels he can have the property manageable within six months.

Hawk stated she has paid for the supplies to fix the home and they are stored in The Dalles. She also reported being unable to find local people to work for her.

Karen Jones- Condon, Oregon

Jones stated she and her husband Dave Jones live across the street from the Hawk property. Dave and Karen Jones have looked after Hawk and provided assistance in the past. Jones added there has not been anyone at the home for a long time. The plumbing may have frozen; the upstairs window is broken allowing cats and birds entry into building. The house has asbestos siding and overall the home is not safe.

Jim Reser-Condon,

Suggested the City of Condon crew could take care of the lawn.

It appearing to the Court there were no further public comment or testimony Judge Shaffer closed the Public Hearing at 11:25 a.m.

Consensus the property is subject to waste and abandonment under County Ordinance 92.2, and therefore presents a potential threat to public health, safety and welfare.

MOTION: Commissioner Gronquist moved to approve the Redemption Accelerated Order 2013-02 of Real Property Located in Township 4 South, Range 21 East, Section 10BD, Tax Lot 6800, Account No. 283, Owner Barbara M. Hawk.

SECOND: Commissioner Weimar.

Vote: 3-0

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

Carey explained the redemption period has been accelerated to 30 days from today.

Hawk was instructed to contact Tax Collector for amount due.

The Court meeting moved from the rear entry back to the Courtroom.

Assessor Dave Messenger reported the 2008-2011 tax amounts due is \$2,774.96. Noting additional building permits would be applicable to repair the property.

IN THE MATTER OF BARGAIN SALE DEEDS 5700

Judge Shaffer acknowledged Certificate of Sale and Return of Sale No. 2013-01 for property: Township 4 South Range 21 East 10 CA 5700, Condon and Cornish Addition to the town of Condon Lots 1 and 2 Block 14, 4S21E10CA Tax Lot 5700 Ref#397- 309 Church Street submitted by Sheriff Gary Bettencourt.

MOTION: Commissioner Gronquist moved to approve Bargain and Sale Deed for property purchased by Joshua Selby at Sheriff Sale on April 4, 2013 in the amount of \$7,515 for the aforementioned property.

SECOND: Commissioner Weimar.

Vote: 3-0

Yes: Judge Shaffer, Commissioner Gronquist and Commissioner Weimar

No: None

Abstained: None

Absent: None

Motion Passed.

Court acknowledged Certificate of Sale and Return of Sale No 2013-01 for property: Township 4 South Range 21 East 10DB 8504, East Addition to Condon Block 32: Lot 1 and North 10' of Lot 2. 4S211DB Tax Lot 8504 Ref#3554- 503 S Washington Street.

MOTION: Commissioner Gronquist moved to approve Contract for the Sale of Real Property for property purchased by Steve Watson at Sheriff Sale on April 4, 2013 in the amount of \$13,300 for the aforementioned property.

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 COUNTY COURT MEMBER REPORTS

Judge Shaffer reported the Juvenile Judge Training he attended was informational. Wheeler County Judge Chris Perry also attended the training.

Commissioner Weimar attended MCCOG budget committee meeting and reported the budget is moving forward: MCCOG had proposed using (Transportation/AAA) program dollars to finance wages for Community Developer which was not agreed to by Budget Committee members.

Commissioner Weimar and Judge Shaffer attended the regular MCCOG meeting.

Judge Shaffer reported MCCOG is looking at a possible alternative school option at Petersburg school. Wahtonka High School has a 58% drop out/42% graduation rate and the local vocational training program has been eliminated.

IN THE MATTER OF LIBRARY PROJECT

Pillar Consulting Jeff Schott reported the Library project is four to six weeks from completion.

Change Order No. 08: Add fixed perimeter book shelves to construction contract in the amount of \$10,555.07.

Change Order No. 09: Add a layer of bat insulating along walls of attic space to protect rigid insulation from fire. Need was identified by inspector and costs \$2,007.51.

Schott reported the Change Orders are covered under Contingency.

MOTION: Commissioner Gronquist moved to approve Change Order No. 08 in the amount of \$10,555.07 and Change Order No. 09 in the amount of \$2,007.51.

SECOND: Commissioner Weimar.

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

Schott reported Gilliam County purchases propane tanks, noting most consumers receive tanks from suppliers for using the product. Schott contacted Pendleton Grain Growers Lee Aamodt and was informed the cost of the tank and installation is \$1,200.

MOTION: Commissioner Gronquist moved to approve up to \$1,200 for the purchase and installation of a propane tank from Pendleton Grain Growers for the Library.

SECOND: Commissioner Weimar.

Commissioner Weimar disclosed being a member of Pendleton Grain Growers.

Vote: 3-0

Yes: Judge Shaffer, Commissioner Gronquist and Commissioner Weimar

No: None

Abstained: None

Absent: None

Motion Passed.

Commissioner Gronquist asked Schott to contact Westrail and find out the cost to connect the Industrial Park Railspur dead end to the mainline.

IN THE MATTER OF TREASURER'S REPORT

Treasurer Danelle Wetherell reported the following:

- Industrial Park Revenue Summary- everyone current.
- Revolving Loan Fund: most accounts are current; one business has missed two payments.

Wetherell added the payment coupons she prepared and sent to businesses are working well and have streamlined process.

Commissioner Gronquist informed Wetherell Waste Management is storing cars on the Industrial Park Railspur, which will require a new line item. Wetherell reported there have been no funds received from Watco.

Wetherell submitted Resolution 2013-08 which increased Library Capitals funds to meet building renovation costs.

MOTION: Commissioner Gronquist moved to 2013-08 increasing Library Fund Grants (\$102,915) and Donations (\$16,000) revenue and Capital Projects expenditures.

SECOND: Commissioner Weimar.

Vote: 3-0

Yes: Judge Shaffer, Commissioner Gronquist and Commissioner Weimar

No: None

Abstained: None

Absent: None

Motion Passed.

Wetherell submitted Resolution 2013-09 regarding unexpected MCCOG Respite Care grant funds in the amount of \$1,100.

MOTION: Commissioner Gronquist moved to approve Resolution No 2013-09 appropriating funds for unanticipated grant funds for MCCOG Respite Care Grant.

SECOND: Commissioner Weimar.

Vote: 3-0

Yes: Judge Shaffer, Commissioner Gronquist and Commissioner Weimar

No: None

Abstained: None

Absent: None

Motion Passed.

Wetherell contacted Auditor and was told Supplemental Budget was not needed for the Resolutions since funds were used for a specific purpose.

IN THE MATTER OF VETERANS SERVICE OFFICER

Judge Shaffer acknowledged the third quarter report submitted by Veterans Service Officer Bryan Hunt which included: Individual County Activity report, Composite Activity Report, Enhancement/Expansion Outcomes and Measurements and Quarterly Financial Report/EE Plan Table 2012.

IN THE MATTER OF PORT LETTER

Commissioner Gronquist stated he was not comfortable with the direction of the letter submitted by Port of Arlington Peter Mitchell regarding Arlington housing. Noting there has never been any County committed of funds for this project.

IN THE MATTER OF RISK MANAGEMENT COORDINATOR

Risk Management Coordinator Terri Carnine reported the following:

- CIS rates: Property/Casualty rates should not exceed 8.9% and health benefits should not exceed 2%. Final rates will be available the end of April.
- Safety Committee and Safety Inspections were completed in March 2013.
- County Fleet Safety Inspection completed
- Worksite Wellness Program including staff and Jan Noland and Mary Gale- plan to meet bi-annually.
- CIS Risk Management Consultant provided ergonomic evaluations on four staff. Carnine was trained to provide evaluations.
- Fleet Safety Manual has been approved and the County will receive credit as part of our Risk Management Program by CIS.
- Asked the Court if she and another safety committee member could attend the Blue Mountain Occupational Safety and Health Conference in Pendleton- June 4, 2013.
- Safety committee will need a management representative, noting Commissioner Gronquist term expired December 2012.

- There were seven accidents, three incidents and one bomb threat last year. All applicable forms have been filed and investigations are complete.
- Fairgrounds are in need of substantial weed control services. Weed Coordinator Don Farrar reportedly has reviewed policy and feels if weed services are being provided, those entities should be billed. Discussion on Industrial Park spraying which has a line item in the budget. Fairground is property of Gilliam County, does not have a line item. It was noted the material/product costs are substantial an entity receiving service should be billed.

IN THE MATTER OF DEQ LANDFILL GAS PUBLIC HEARING

Public Hearing and request for comments on Columbia Ridge Landfill and Recycling Center's air quality permit. Hearing will be held Wednesday, May 15, 2013 at 6:00 p.m. and will be held at Arlington High School Library.

IN THE MATTER OF EARLY LEARNING HUB

Consensus was reached at joint meeting with Hood River, Wasco, Sherman, Gilliam and Wheeler Counties. Sherman County will draft an IGA to become the region's ELC Hub. NCESD is still interested in becoming the hub and seems to be in a quandary at this time. Discussion on hub partnering occurred.

IN THE MATTER OF NEXT MEETING

Next Gilliam County Court meeting will be held on Wednesday, May 1, 2013 at 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 Shaffer adjourned the meeting at 1:55 p.m.

GILLIAM COUNTY COURT

By _____
Steve Shaffer, Judge

By _____
Dennis Gronquist, Commissioner

By _____
Michael Weimar, Commissioner

Marla Davies-Recorder

