

**11-5-2014**

Judge Shaffer called the regular Gilliam County Court meeting to order at 10:02 am. The meeting was held at the Gilliam County Courthouse, Courtroom located at 221 S. Oregon St. Condon, OR. Court members present were: Judge Steve Shaffer, Commissioner Dennis Gronquist and Commissioner Michael Weimar. Absent: None

**IN THE MATTER OF ADDITIONS TO AGENDA**

- 1.6.1 Arlington request for portion of budgeted funds for Career Technical Education Building
- 3.4 Columbia Hills Manor letter – request for exempt status
- 3.5 Letter of resignation; Dave Jones, North Central Public Health District Board
- 3.2 Resolution 2014-19; TABLED at request of Treasurer

**IN THE MATTER OF CONSENT AGENDA:OCTOBER 15, 2014 MINUTES / OCTOBER CLAIMS PENDING REVIEW / ARLINGTON SCHOOL DISTRICT REQUEST FOR BUDGETED FUNDS**

**Motion** by Commissioner Gronquist, seconded by Commissioner Weimar to approve consent agenda including October 15, 2014 minutes; October claims pending review and Arlington School District request for budgeted funds in the amount of \$50,000.00 for Early College Program. Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

**IN THE MATTER OF RECONSIDER 10-15-14 DECISION ON HSA CONTRIBUTION**

It was prefaced since the last meeting it was brought to the attention of the County Court office that the Court had previously signed a memorandum with respect to VEBA accounts and the Court agreed to an annual contribution schedule through June 2015. The memorandum states the contribution shall take place in one annual lump sum. Commissioner Weimar inquired if the document specifies when the annual payment shall be made, response was no. Discussion took place. Commissioner Gronquist suggested the contribution be made the first of the calendar year.

**Motion** by Commissioner Weimar, seconded by Commissioner Gronquist to resend motion made October 15, 2015 'Health Savings Account (HSA) contributions to be made on a quarterly basis for the 2015 calendar year' Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

**Consensus** for the HSA/VEBA contributions to be made annually the month of January 2015.

**IN THE MATTER OF GILLIAM COUNTY FIRE SERVICES COORDINATOR REPORT**

Gilliam County Fire Services Coordinator, Shannon Coppock distributed copies of report and site building plans for South Gilliam County Rural Fire Protection District new emergency services building. Coppock commented it was a very busy fire season county-wide. The biggest fire was the Sniption fire which was fought for an entire week. Bureau of Land Management (BLM) picked up the bulk of the Sniption fire expenses. Fire behavior was very extreme this year; contributing factors included warm weather and wind. Condon had one structure fire and 11 wildland fires. Arlington had no structure fires, and four wildland. Training efforts continue with north and south and even Fossil volunteer fire fighters in attendance. Department of Public Safety Standards and Training (DPSST) brought in a mobile training unit to simulate fire in a structure in April. DPSST presented a flammable liquids and gasses lecture and hands on training in October. South Gilliam County firefighters were trained on their new extrication cutter this fall. The North

Gilliam County Rural Fire Protection District (NGCRFPD) held its open house July 1, 2014. Plans are moving forward for the South Gilliam County Rural Fire Protection District (SGCRFPD) building; plans are to go out to bid in January 2015. Fire prevention and public education efforts include participation at the 2014 Gilliam County children's fair with the Fire Safety House. The Condon preschool is scheduled to visit the station this month. Coppock has met with Arlington school superintendent to discuss possible training programs i.e. junior firefighter and/or fire science program. Plans are again underway to work in conjunction with the health class at Condon High School. Reported SGCRFPD received a \$2,000 grant from Condon Elks Lodge towards new extrication cutter with the remainder of the cost coming from a special projects grant. SGCRFPD received a Volunteer Firefighter Assistance grant in the amount of \$2,377 towards replacement hose for structural firefighting and three portable scene lights. Coppock provided a demonstration of one of the new lights. The lights are very portable and the battery will last six hours on high beam and run 18 hours on low beam. With the assistance of Gilliam County Emergency Management Coordinator Chris Fitzsimmons the fire district will receive additional 700 MHz radios via a Homeland Security Grant. SGCRFPD will be holding a chili feed, bake sale and barbeque at the fall festival at Condon, November 22<sup>nd</sup>. Recruiting efforts for volunteers have been increased including a full page ad in The Times-Journal. Coppock stated a goal of hers is to work on changing the state mobilization criteria as currently in order to qualify for state mobilization a structure(s) need to be threatened and is working on a campaign to change the way Oregon manages wild fires. Commissioner Weimar commented the County is thankful for BLM and their resources and responsiveness. Coppock highlighted the mutual aid agreement with BLM and is very grateful for the working relationship. In response to question Coppock commented the north end ambulances are currently being stored at the new fire hall and added a lack of communication and/or misunderstanding may result in the ambulance board finding alternative storage. Coppock concluded by stating volunteers are needed at both ends of the County. Coppock was thanked for the report.

#### IN THE MATTER OF GILLIAM COUNTY PLANNING DIRECTOR STAFF REPORT

Planner Susie Anderson distributed revised written staff report noting nothing has changed to the matrix previously emailed to the court members. Anderson reported the Horn Butte application has expired due to intervention of the Navy. The Saddle Butte application is being contested by the Navy and Department of Defense. Judge Shaffer commented the County was in discussions with the Navy about Saddle Butte and then at the last moment, the Navy contested the case eliminating County involvement in the process at this time. The Mikkalo violation property owner has complied with requested measures and the case is closed. Transportation System Plan (TSP) process is a lot more work than anticipated and very time consuming. The Oregon Department of Transportation (ODOT) aggregate inventory process is on hold at this time. ODOT offered the County \$5,000 towards a consultant to conduct ODOT ESEE analysis however nothing has materialized. Anderson mentioned Gilliam County's 2013 Opportunity to Recycle report was approved. Reported serving on the Department of Land Conversation and Development (DLCD) technical advisory committee for the City of Arlington's 2014 Comprehensive Plan and Zoning Ordinance update. Anderson is staying informed of the process for the City of Condon to expand urban growth boundary around the airport; Port of Arlington is leading the project; if the required landowner signatures are not obtained the project will not proceed. Anderson is working on annual reports including Gilliam County's 2014 Opportunity to Recycle report and 2014 Farm and Forest reports. Waste Management (WM) has inquired about starting a composting venture however unsure where WM is with the state process. Waste Management is scheduled to present their annual report to the County Planning Commission in December. Anderson was thanked for her report.

#### IN THE MATTER OF FAMILY SERVICES COORDINATOR STAFF REPORT

Family Services Coordinator Teddy Fennern reported Oregon Youth Conservation Corp (OYCC) paperwork on the \$10,000 grant received is now complete. Assisted Juvenile Director Vicki Winters on the Youth and Community Grant received for \$50,000 for workforce development, tutoring and Arlington/Condon school counselor. Assisted Winters with the Juvenile Crime Prevention plan amendments and funds received go towards workforce development, tutoring and Arlington/Condon school counselor. Serves as food coordinator for Condon Food Pantry. Facilitated the Emergency Food and Shelter Program grant for the County in the amount of \$2,800 to be split equally between Arlington and Condon Food Pantry's. Condon Food Pantry on average serves 37.5 households and 76.5 people per month. South Gilliam County energy assistance program served 28 households and 70 people last heating season providing assistance in the amount of \$9,345.43 and leveraged an additional \$3,385.79 through Columbia Basin's Helping Hearts program. Condon Meal Site has served 798 over 60 and 101 under 60 for the first quarter beginning July 1. Arlington Meal Site has served 406 over 60 and 30 under 60 for the first quarter. Both meal sites are struggling financially with the increase in cost of groceries and Fennern is looking into cost saving measures. In the process of reviewing facility agreement for the use of the United Church of Christ for the Condon Meal Site. In response to question the County receives reimbursement from Mid-Columbia Council of Governments (MCCOG) in the amount of approximately \$58/month for Arlington and \$128/month for Condon for the meal sites. Fennern does not receive a lot of interaction from MCCOG director nor is there much presence in Gilliam County. The County supplements payroll for meal site cooks and groceries. Working with the state on efforts to create a five county Early Learning HUB in which the state is providing technical assistance. Fennern provides staffing to the Local Community Advisory Council (LCAC). The LCAC wrote and was awarded a grant in the amount of \$87,600 for mental health awareness. Working with Cover Oregon to receive the new training to be able to offer support assistance to residents of Gilliam County who wish to apply for medical insurance. Fennern continues to work with the Healthy Start Program. Fennern was thanked for the report and Judge Shaffer asked that a written report be emailed to the Court members.

#### IN THE MATTER OF BOILER BIDS & INDUSTRIAL PARK RESERVOIR CLEANING

Maintenance Department employee Darryl Houghtelling was unavailable for the scheduled time. Copies of industrial park reservoir cleaning bids received were distributed and reviewed. Two bids were received and it was noted Houghtelling received two email responses indicating a bid would not be submitted. Discussion took place.

**Motion** by Commissioner Gronquist, seconded by Commissioner Weimar to accept low bid from Advanced Diving Services, Inc. in the amount of \$11,632.0 to perform industrial park reservoir cleaning and anode replacement. Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

Boiler system bids were distributed and reviewed; the matter was tabled until Houghtelling can be present to answer questions the Court members have.

#### IN THE MATTER OF ABANDONED VEHICLE / MISSING PERSON IN CONDON UPDATE

Gilliam County Sheriff's Office Sergeant John Terland provided an update on the abandoned vehicle / missing person situation at Condon over the Halloween weekend. Individual missing was presumed and later found to be Mr. Darcy Allen. Terland provided a recap of the course of events including last sighting of Mr. Allen at approximately 8:30 p.m. October 31 by a witness, Frontier Regional 911 received call about an abandoned vehicle in city limits around 11:30 p.m. October 31, ground grid search of town was activated then east of town search activated, K-9 Unit dispatched, recruited the efforts of Duane Johnson to search east of town on horseback and

received offer from Sam Bates to conduct search by plane if needed. Subsequently Mr. Johnson found the body deceased, not desired outcome but reality of the situation. In response to question Terland commented Sheriff Office investigated and conducted an evaluation and assessment of the scene in which the body was found. Full determination on the cause of death is still to be determined. The body was then transported to mortuary. Mr. Allen's dog was found in the abandoned vehicle and has since been treated and adopted. Mr. Allen's family has been notified. The abandoned vehicle has been moved to the County shop parking lot and waits for family to claim it. Judge Shaffer stated for the record he commends the efforts of the Gilliam County Sheriff Office for their involvement with this unfortunate situation. Terland was thanked for the update.

#### IN THE MATTER OF LETTER OF SUPPORT FOR PUMPED STORAGE PROJECT

Judge Shaffer provided information on the pumped storage project and request for letter of support. It was prefaced the State of California has banned any out of state purchase of power. Klickitat County Public Utility District is requesting letters of support for their efforts to obtain a FERC license for the proposed John Day Pool pumped storage project located in south central Klickitat County, Washington. Judge Shaffer commented it is not feasible to construct a pump storage project in Gilliam County. The objective with the pump storage project is that California will lift the energy purchase ban. In response to Commissioner Gronquist question the pump storage will not adversely impact wind generation power in Oregon. The pump storage and wind projects will work hand in hand. Commissioner Gronquist commented he has no problem, as long as California opens its border. It was stated the project is two billion dollars and will require federal funding and could become cost prohibitive based on funding sources.

**Motion** by Commissioner Gronquist, seconded by Commissioner Weimar to supply a letter of support for Klickitat County Public Utility District pump storage project. Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

*LUNCH the County Court recessed for lunch at 12:04 p.m. and reconvened at 1:02 p.m.*

#### IN THE MATTER OF ASSESSOR DEPARTMENT REPORT / HOMESTEAD REBATE CERTIFICATION / GILLIAM COUNTY 2014-15 ASSESSMENT & TAXROLL SUMMARY

Assessor Dave Messenger presented a summary of Gilliam County Homestead Rebate Program for 2014-2015. Messenger stated the Gilliam County Homestead Rebate Program yielded a refund total for 2014-2015 of \$252,495.38 based on levied taxes of \$707,731.09 for 521 applicants. The refund was computed on 100% of the 2014-15 tax amounts to be paid for each homestead with a maximum payment of \$500.00. Messenger distributed copies of the Gilliam County 2014-2015 Assessment and tax roll summary. Messenger stated tax and fees imposed totaled \$9,207,729.28 with there being a taxable income of \$753,454,980.00. It was explained there is an increase in taxes which is mostly attributed to omission of Waste Management (WM) gas property. The Department of Revenue conducted an assessment over the last five years. WM has appealed to Oregon Magistrate Division regarding the Department of Revenue assessment and the County is named as a defendant. In response to question about gas production Messenger stated the Assessor's Office only receives information on assets not on income generated from gas production. Messenger reported there are four properties in tax foreclosure; one has paid, and three remain in the foreclosure process; of the three, two properties are in their last year of redemption process and owned by the same individual and located in Condon.

Messenger reported there are personal property taxes owed the County from 2008. The Company (LH Grading) is no longer in business; the equipment has sold/auctioned and no assets

remain. Numerous attempts have been made to collect the taxes owed. The value of personal property taxes owed on the tax rolls is approximately \$34,000. Messenger stated the County Court has the authority to direct the Assessor to remove the liability from the records and recommends the Court do so. It was reiterated numerous attempts have been made to contact owner and/or find owner. Messenger commented all efforts have been exhausted to collect.

**Motion** by Commissioner Gronquist, seconded by Commissioner Weimar to accept Gilliam County Assessor recommendation to eliminate tax liability of LH Grading in the amount of \$34,030.44. Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

#### IN THE MATTER OF TAX EXEMPTION CRITERIA PER ORS 307.515-523 AND CONSIDER COLUMBIA HILLS MANOR APPLICATION FOR TAX EXEMPTION

Assessor Dave Messenger was present for the discussion. It was prefaced the Court needs to establish criteria before an entity can apply for tax exemption. It was noted once an entity has applied for tax exemption status per ORS 307.515-307.523 then the jurisdiction (County Court) may accept or deny application based on criteria. An applicant has a December 1 deadline in which to ask for tax exemption from a jurisdiction (County Court). The County Court has a deadline of April 1 to approve or deny an application for tax exemption. If an applicant meets all criteria and guidelines established the entity would be totally exempt; if the applicant does not meet all criteria they may only be partially exempt. If an entity is tax exempt the exemption applies to all taxing districts.

Commissioner Gronquist commented in discussions with members of Columbia Hills Manor Board they thought the facility would automatically be given tax exemption status and are confused with the process. Messenger commented the Assessor Office has sent information to Columbia Hills Manor previously about the process. Columbia Hills Manor can only be granted tax exemption status if they apply to the County requesting such status it is not automatically given. Currently Columbia Hills Manor has a tax liability of approximately \$17,000 any tax exemption that may be granted to Columbia Hills Manor is for future tax years and is not retroactive. Discussion took place on Columbia Hills Manor ability to pay taxes. Messenger commented he does not believe the County can waive the taxes; options of assistance should the County be asked could include the County granting Columbia Hills Manor funds to pay their tax liability. It was reiterated the County needs to establish criteria prior to an entity making application to the County.

Judge Shaffer proposed the following criteria for consideration for tax exemption under ORS 307.517 an entity must have qualifying low income residents (who meet the 60% median income), entity must provide independent housing for senior citizens, owner of facility needs to be a nonprofit 501(c)3 entity. The statutes were reviewed. Discussion took place on whose authority is it to determine income levels. Agreed the income determination would be the responsibility of the entity applying/qualifying for tax exemption status and to furnish appropriate documentation to the County.

**Motion** by Judge Shaffer, seconded by Commissioner Gronquist to establish the following criteria residents are to be low income defined as 60% of median income, residents are to be senior citizens, facility to be owned by a 501(c)3, facility to provide independent housing and to qualify with tax exemption status by an independent housing facility for seniors as provided by ORS 307.515 to 307.523; Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

Commissioner Gronquist asked about Summit Springs Village. It was stated Summit Springs Village (SSV) is a different type of facility, SSV is a licensed assisted living facility and they are

not technically tax exempt; the structure of Summit Springs Village results in the State of Oregon being responsible for the paying the property taxes.

Court acknowledged receipt of a letter accompanied by an application from Columbia Hills Manor, Inc. requesting tax exemption per ORS 307.515-307.523. Messenger stated the Columbia Hills Manor account number 887 would potentially qualify for tax exemption status as the housing facility resides on that tax lot whereas Columbia Hills Manor account 886 does not qualify for tax exemption. It was noted there is currently one unit that would not qualify for tax exemption based on income guidelines. Discussion took place. Messenger commented the process should Columbia Hills Manor be granted tax exemption status would include calculating taxes based on the square footage of the non-qualifying unit along with an equal percentage of the commons area(s). Columbia Hills Manor tax exemption application would be for tax liability beginning 2015-2016 and for the duration of the exemption status. The Court has until April 1 to accept/deny the application.

#### IN THE MATTER OF ARLINGTON SCHOOL: CTE PROGRAM FACILITY EXPANSION

Arlington School District Superintendent Kevin Hunking was present to provide an update to the Court on the progress of the Career Technical Education (CTE) Building. Judge Shaffer informed Hunking the Court approved the release of budgeted funds in the amount of \$50,000 for college program earlier in the day. Hunking distributed copies of proposed interior floor plan for the CTE building and aerial on approximate location for the new building. Hunking requested a partial disbursement in the amount of \$15,000 from the \$350,000 budgeted for the CTE building for planning stage and work to be done by engineer and project manager.

**Motion** by Commissioner Gronquist, seconded by Commissioner Weimar to approve a partial distribution of budgeted funds for Arlington School District Career Technical Education Building in the amount of \$15,000.00 to be taken from the \$350,000 allocation. Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

In response to question Hunking stated he is very pleased with the joint school counselor hired for both Arlington and Condon School Districts; art therapy and tutoring is being scheduled.

#### IN THE MATTER OF BOILER BIDS - CONTINUED

Houghtelling was able to be present later in the day to provide input on the bids. It was noted Eclipse separated the project into two separate bids whereas Jamieson & Marshall submitted one bid for all of the work to be performed. Houghtelling commented he talked to other companies and no one else responded. Discussion took place on Jamieson and Marshall's bid and lack of detail and unable to determine if the stainless steel piping is included in the quote. Discussion took place on concern with difference in bids and whether or not the same work and materials are being bid on. Houghtelling suggested there be a completion by date when the work is awarded.

**Motion** by Commissioner Gronquist, seconded by Commissioner Weimar to accept the low bid from Jamieson Marshall contingent on Houghtelling verifying the bid comparable to the other bid received; if so then proceed with awarding Jamieson Marshall the bid for boiler system repairs. Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

#### IN THE MATTER OF NCPHD BOARD RESIGNATION

Judge Shaffer prefaced stating he received email correspondence from Dave Jones informing the Judge of his resignation from the North Central Public Health District Board effective immediately.

**Consensus** to accept Mr. Jones resignation and to advertise the Gilliam County representative board vacancy position.

#### IN THE MATTER OF SCHEDULE PUBLIC HEARNIGS FOR ADOPTION OF ORDINANCE RATIFYING CREATION OF CENTRAL OREGON WORKFORCE CONSORTIUM

Judge Shaffer prefaced the discussion stating the process to create and become a member of the Central Oregon Workforce Consortium includes the adoption of an Ordinance. Process to adopt an ordinance general includes two public hearings the State is calling for an emergency situation and asking the County to hold only one public hearing. It was noted legal counsel has seen and reviewed the draft ordinance and associated documents. Judge Shaffer stated no action is required today and a public hearing will be scheduled for the next court meeting on December 3, 2014. Judge Shaffer encouraged the Commissioners to review draft ordinance and provide feedback as soon as possible. The creation of the workforce consortium was explained. The consortium is comprised of elected official representatives of the counties involved and is ultimately responsible for how Workforce Development Board spends the funds. The Workforce Development Board is the entity which receives workforce funds and allocates the funds accordingly. The Workforce Development Board is very large and diverse including representatives from community college, business sector, etc. **Consensus** to declare emergency situation and conduct one public hearing for the adoption of ordinance ratifying creation of Central Oregon Workforce Consortium, to take place December 3, 2014.

#### IN THE MATTER OF SHUTLER STATION INDUSTRIAL PARK LEASE PER ACRE FEE

Discussion took place on the process in which the lease per acre rate was established. Neighboring industrial park lease rates were previously considered. The County decided on a \$750/first acre and \$400 each additional acre. Discussion took place on adjusting and/or reconsidering lease rate. **Consensus** of the Court to maintain the rate structures of \$750/first acre and \$400 each additional acre. It was stated WI is using 3.28 acres currently, Judge Shaffer will contact WI and notify them that the industrial park lease rates are firm.

#### IN THE MATTER OF RESOLUTION 2014-19 MAKING APPROPRIATIONS FOR TRANSFER OF HB2712 FUNDS

TABLED per request of Gilliam County Treasurer; HB2712 funds are still being debated.

#### IN THE MATTER OF CORRESPONDENCE

Acknowledged receipt of Gilliam County Library 2014 Oregon Public Library Statistical report.

#### IN THE MATTER OF COURT MEMBER REPORTS

Commissioner Gronquist commented he is working on arranging a dinner for the Court members and Metro representatives for Monday November 10, 2014 prior to the Let's Talk Trash video gala/reception scheduled for later that evening.

Commissioner Gronquist asked if official notice has been received from Columbia Hills Manor as to whether or not they plan to request budgeted funds for the development of a community center; nothing in writing has been received. Judge Shaffer commented he has had conversations with board members and is of the understanding Columbia Hills will not be requesting funds this fiscal year and the funds will need to be carried into the 2015-16 fiscal year.

Judge Shaffer reported

- The Four Rivers Early Learning Council is being awarded a grant in the amount of \$50,000 to establish HUB and another \$50,000 to assist with implementation.
- The fiber connectivity project the County submitted to the Greater Eastern Oregon Development Corporation (GEODC) Comprehensive Economic Development Strategy (CEDs) process is gaining in the rankings of regional priorities. Reported the Director at GEODC has resigned and any efforts to continue the discussion of moving from GEODC to MCEDD are on hold for a while.
- Proposed the holiday dinner for employees be scheduled for December 11, 2014 hearing no objections, staff will make arrangements.
- Suggested holding an executive session at the next Court meeting to discuss delinquent business loan accounts, no objections.
- Election results for November 4, 2014 are in and the County will have a new County Treasurer January 1, 2015. Nathan Hammer won the election who currently is the grain lab manager. Judge Shaffer suggested the possibility of allowing Hammer to gain some training of Treasurer duties prior to the end of year; no objections. Discussion took place on grain lab positions. Commissioner Gronquist suggested having a conversation with Ardent Mills about utilizing the lab. Commissioner Weimar commented the extension service utilizes the lab for services however it was discussed the use does not generate revenue. Discussion took place on Economic Development Administration grant conditions imposed on the grain lab building.

Commissioner Weimar reported attending the Mid-Columbia Council of Governments (MCCOG) meeting and the board utilized the 360 process to evaluate the director and generate a review/report which was discussed. Attended CAPECO regular monthly meeting which was combined with an appreciation lunch for staff and volunteers hosted by upper management, staff and volunteers were recognized for years of service.

#### IN THE MATTER OF NEXT MEETING

The next Gilliam County Court meeting will be held on December 3, 2014 beginning at 10:00 a.m. and will be held in the Gilliam County Courthouse at Condon, OR.

It appearing to the Court there was no further business to be conducted at this time and not additional matters to be considered Judge Shaffer adjourned the meeting at 3:03 p.m.

#### GILLIAM COUNTY COURT

By \_\_\_\_\_  
Steve Shaffer, Judge

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

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

*M.Colby-Recorder*