

## 8-20-2014

Judge Shaffer called the regular Gilliam County Court meeting to order at 10:07 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

Road Shop update

Announcement Association of Oregon Counties (AOC) District 3 meeting is scheduled for Thursday September 11, 2014 at the Sage Center at Boardman.

### IN THE MATTER OF CORRESPONDENCE RE: CWEA - LETTER DECLINING GRANT AWARD

The Court acknowledged letter from Condon Western Events Association (CWEA) notifying the Court that CWEA will not be accepting the South Special Projects grant in the amount of \$8,000.00 for 2014-15 that was awarded to CWEA. The letter stated the organization will discontinue after its August 9-10, 2014 event. Discussion took place regarding the South Special Project grant funds including carrying the funds to the 2015-16 fiscal year and redistributing the funds this year.

**Motion** by Commissioner Gronquist, seconded by Commissioner Weimar, to roll the \$8,000.00 in South Special Project funds not being claimed by CWEA into the next fiscal year; adding to the funds available for South Special Project Funds for 2015-16 fiscal year. Shaffer – Yes; Weimar – Yes; Gronquist – Yes; **Motion carried.**

### IN THE MATTER OF GILLIAM COUNTY HISTORICAL SOCIETY BOARD MEMBERS: FUNDING REQUEST FOR UPPR DEPOT ROOF PROJECT

Tom Greiner and Margaret Stangel reported the Historical Society Board held a special meeting August 11, 2014 to discuss the UPPR Depot roof proposals. The Historical Society Board had a third contractor review the proposals and based on input received the Board voted to replace the roof accepting the lowest bid contingent on receiving funding from the County. Discussion took place. Commissioner Gronquist stated he is in favor of funding the entire roof replacement at a cost of \$10,522.00. County Budget was reviewed it was consensus to fund the request from Economic Development project development line item.

**Motion** by Commissioner Gronquist, seconded by Commissioner Weimar, to grant Gilliam County Historical Society \$10,522.00 to replace the UPPR Depot Roof at the Museum Complex at Condon. Shaffer – Yes; Weimar – Yes; Gronquist – Yes; **Motion carried.**

### IN THE MATTER OF PLANNING DIRECTOR SUSIE ANDERSON: STAFF REPORT

Planner Susie Anderson distributed handouts to the Court for review. Anderson highlighted the following from the written report:

- Gilliam County was not successful in obtaining the designation as an Electronic Commerce Zone.
- The Rock Creek repeated code violation is now considered closed, matter resolved.
- The Mikkalo violation. The property owner of the ongoing violation in the Mikkalo area has complied with all but two requests. Anderson has had phone conversations with the

property owner and the owner has until September 2, 2014 to comply with the remaining two requests.

- Aggregate inventory project continues to be ongoing and Anderson is working with consultant Dan Meader.
- Received notification that Gilliam County has been approved by Department of Environmental Quality (DEQ) for the 2013 Opportunity to Recycle Report for Gilliam County Wasteshed.
- Accepted appointment to committee to conduct 2014 comprehensive plan and zoning ordinance update for City of Arlington.
- Anderson is providing assistance along with Port of Arlington to assist the City of Condon with its Urban Growth Boundary expansion project to include the airport at Condon.
- National Marine Fisheries Service (NMFS) and Federal Emergency Management Agency (FEMA) has flooded Anderson's email along with other county planners with respect to NMFS 'reasonable and prudent alternatives' (RPA) as part of the draft biological opinion as a part of the Section 7(a)(1) of the Endangered Species Act for the protection of Salmonids for flood plain management that was sent to FEMA in 2013. This process could have potential adverse impacts to roads along Rock Creek, Columbia River, John Day River and tributaries into these waterways. State agencies, legislators, Army Corp of Engineers are all working on this matter as more develops, information will be shared with the Court.
- Transportation System Plan Grant update. Anderson has been reviewing the lengthy Intergovernmental Agreement (IGA) and commented she has concerns with document language. Anderson stated she intends to send a memo with the IGA back to Oregon Department of Transportation (ODOT) outlining concerns and understanding of phone conversations with ODOT representatives. Commissioner Gronquist asked Anderson to request a memo from ODOT instead.

Anderson returned to the Court meeting later in the day to report she has talked to ODOT representatives and they have agreed to allow Anderson to 'red line' the document to County satisfaction. Anderson reported she is more than happy to reflect changes in the document such as inserting words like 'shall' where applicable. Anderson reported not only having conversations with ODOT but consultant Dan Meader since her previous report to the Court and is now comfortable with making changes to the document and moving forward. The Court directed Anderson to review and markup the document to her satisfaction and then forward a recommendation to the Court for consideration at the next Court meeting.

#### IN THE MATTER OF CONSENT AGENDA

**Motion** by Commissioner Gronquist, seconded by Commissioner Weimar, to approve Gilliam Court minutes for August 6, 2014. Shaffer – Yes; Weimar – Yes; Gronquist – Yes; **Motion carried.**

#### IN THE MATTER OF ASSIGNMENT & MEMORANDUM OF CARGILL LEASE OF BUSINESS PROPERTY AND ASSIGNMENT OF CARGILL LEASE OF EQUIPMENT & PERSONAL PROPERTY

Judge Shaffer prefaced by stating the Court approved at the August 6, 2014 Court meeting the Assignment and Memorandum of Lease of Business Property (building lease) and approved Assignment of Lease of Equipment and Personal Property, contingent on Cargill Inc. and Ardent Mills, LLC, signing the two documents first based on recommendation by County Legal Counsel however the items were not listed on the Court's August 6 agenda. Judge Shaffer asked the Commissioners to reaffirm the vote noting the public has had the opportunity to be aware of the items as they were listed on the agenda for today's Court meeting. Court Administrator Leanne Durfey noted signature lines for the Commissioners will be added to the documents.

**Motion** by Commissioner Weimar, seconded by Commissioner Gronquist, to re-approve Assignment and Memorandum of Lease of Business Property (building lease) and re-approve Assignment of Lease of Equipment and Personal Property, contingent on Cargill Inc. and Ardent Mills, LLC, signing first based on recommendation by County Legal Counsel. Shaffer – Yes; Weimar – Yes; Gronquist – Yes; **Motion carried.**

#### IN THE MATTER OF JUVENILE DIRECTOR STAFF REPORT & APPROVE JUVENILE CRIME PREVENTION PLAN

Juvenile Director Vicki Winters referred to written staff report previously provided to the Court. Winters commented with the sunset of the Commission on Children and Families several grant streams were incorporated into the Youth Development Division and have become part of a competitive process noting these funds use to be automatically allocated to each county. Winters stated the process to apply for funds on a competitive basis has taken a tremendous amount of time i.e. one grant has taken approximately 43 hours. Judge Shaffer commented the counties have limited staff and with the State's restructuring process staff has to spend too much time trying to secure funds that previous were allocated to the county rather than providing services.

Winters commented she has met with the newly hired (Rebecca Humphreys) Arlington and Condon school based counselor and is excited about this project moving forward.

Winters announced Gilliam County Local Community Advisory Committee applied for and is being awarded an Eastern Oregon Healthcare Transformation Project Grant in the amount of \$87,600.00 for the 2014-15 fiscal year; this project has three components: to address the negative stigma associated with obtaining mental health services by implementing a local media campaign; to support a school counselor position in the Arlington and Condon school districts which are currently without school counselors and to address older adult depression by providing a part-time peer mentor in the locations where they receive care (e.g. senior meal sites, Summit Springs and Columbia Hills Manor). Gilliam County applied for and is being awarded an Oregon Department of Education grant in the amount of \$50,000.00 for tutoring program in the schools, school counselor, county summer youth workforce program for the 2014-15 fiscal year. Gilliam County will be receiving a contract extension/amendment from Youth Development Division – Juvenile Crime Plan Prevention funds through June 30, 2015 and is being granted \$22,500.00 for school based counselor and summer youth workforce program.

Winters highlighted other items from staff report including regular involvement in organizations and trainings. Noted Central and Eastern Oregon Juvenile Justice Consortium (CEOJJC) is involved in a pilot program called the Youth Reformation System. Reported delinquency and dependency case load has been busy. Winters is working diligently with local Department of Human Services (DHS) to have the local case workers available and accessible within the County and not reassigned to other areas. Recommended the Court approve the Juvenile Crime Prevention Plan which focuses on youth work force and school counselor.

**Motion** by Commissioner Gronquist, seconded by Commissioner Weimar, to approve Juvenile Crime Prevention Plan for 2014-15. Shaffer – Yes; Weimar – Yes; Gronquist – Yes; **Motion carried.**

#### IN THE MATTER OF USDA WILDLIFE SERVICES WORK AND FINANCIAL PLAN FOR FISCAL YEAR 2014-15

It was reported USDA has replied to the County's concerns about a possible fifth payment to take place in October of the following fiscal year. USDA has changed the contract language by moving the final date to invoice for funds from the County from October to mid-July. Judge Shaffer commented he would prefer the language not be in the contract when the County has agreed to

contribute and has budgeted for a set amount however July is much better than October. Commissioner Gronquist pointed out there is a discrepancy for how much the County will contribute in the contract. USDA will be contacted to clarify the amount. The Court revisited this topic later in the day; where it was reported USDA apologizes for the typo the correct amount from the County is not to exceed \$68,424.92.

**Motion** by Commissioner Weimar, seconded by Commissioner Gronquist, to approve USDA APHIS Wildlife Services Work and Financial Plan for July 1, 2014 – June 30, 2015 in amount not to exceed \$68,424.92 for Gilliam County's contribution. Shaffer – Yes; Weimar – Yes; Gronquist – Yes; **Motion carried.**

#### IN THE MATTER OF CORRESPONDENCE RE: SOUTH GILLIAM COUNTY CEMETERY DISTRICT – GRANT REPORT/FINAL ACCOUNTING

Court acknowledged receipt of financial report and thanks from South Gilliam County Cemetery District for funds received from County totaling \$37,515.00 to assist with irrigation project/phase I and booster pump/phase II projects.

#### IN THE MATTER OF PORT OF ARLINGTON QUARTERLY REPORT

Port of Arlington Port Manager/Economic Development Officer Peter Mitchell distributed and reviewed quarterly report. Mitchell provided an update on Board member status including two resignations in the last couple of months; one position is yet to be filled the District No. 3 vacated by Duane Johnson. Susan Jones has filled the vacant board position that Tim Wetherell held and the new Board Chair is Ron Wilson filling Tim Wetherell's vacancy with his resignation. Mitchell provided an update on Island Park and Marina including installation of fuel dispenser, Arlington Mesa Industrial Park business recruitment, Shutler Station Industrial Park Connect Oregon V grant application was not selected, and Condon Radar Base (Columbia Plateau Industrial Park) environmental project is complete and ownership is returned to former owners to continue redevelopment work. Additional Port economic development activities included providing assistance to start-up and expansion business plans for local businesses, currently assisting five entities. The program works closely with the business owners to develop business plans, a legal frame work, and accounting structure that can set the stage for success. Mitchell explained the business assistance provided generally allows a business owner the ability to inquire for expanded assistance from an economic development district or the small business administration. Informed the Court that Arlington has an electric car charging station, a level III quick charge station has been installed in the Bank of Eastern Oregon Parking lot. The electric charging station offers a 20 minute quick charge or standard four hour charge. The Port has been working with Sherman County on developing leases to take over Lapage Park, Giles French Park and on the matters of Corp of Engineers closing of Philippi Park, and Roosevelt Park. Mitchell explained currently all park fees collected are sent to Washington DC, legislation is being worked on to change the process so fees collected can remain local and used locally to benefit the park. The Commissioners are in favor of the parks staying open but not at a significant cost to either Gilliam or Sherman County. Consensus of the Court to support proposed legislation to retain park fees locally and will supply a letter of support to that matter RE: Bi-State Outreach Seeking Support for Legislation Regarding U.S. Army Corps of Engineers.

In response to Commissioner Weimar's question, Mitchell commented the Port of Arlington is supportive of the Port of Morrow, stating any economic development on the east side of the State is good and with close proximity to Boardman would hope development would benefit everyone. In response to Commissioner Gronquist inquiry the Port of Arlington is still working on settling the dock issue, stating its getting closer to being finalized. Mitchell was thanked for the report.

## IN THE MATTER OF CAITHNESS SHEPHERDS FLAT WIND FARM

Caithness representatives Jeff Delgado, Gary Keevill, Tom Novak and Dale Ellis (works locally) were present to provide an update on Caithness activity in Gilliam County. Delgado provided a PowerPoint presentation on Caithness Shepherds Flat, LLC. The PowerPoint included

- Caithness energy overview, provided overview history or organization noting the company is celebrating its 50<sup>th</sup> anniversary, included some history.
- Current investment areas including natural gas, wind, and other (California, a battery storage project).
- Caithness Shepherds Flat project is comprised of three separate projects collectively the three projects are one of the largest wind energy facilities in the world. Collectively the projects employ 45 full time jobs, noting 45 is the steady baseline however the figure does fluctuate. There are 338 total towers collectively; North Hurlburt Wind LLC is comprised of 106 turbines; South Hurlburt Wind, LLC is comprised of 116 towers; and Horseshoe Bend Wind LLC, is comprised of 116 towers; all three projects have twenty-year purchase agreements with South California Edison and of the 338 towers 226 are in Gilliam County. The projects are performing as expected.
- Caithness Shepherds Flat projects support a number of charities and programs in the region including Columbia Gorge Community College wind technician training program, Gilliam and Morrow County Fairs, Columbia Basin High School Rodeo, Lone Education Foundation and Arlington Community Charter School.
- Reported no lost time injuries since commercial operation has commenced.
- Security measures have been adjusted and additional cameras are being installed.
- Caithness Shepherds Flat projects have performed successfully since commissioning.
- Operations update included road repairs and enhancements taking place, information technology infrastructure improvements and continuing strong landowner relations.
- Caithness asked the County to assist in helping tell the story of the partnership and success of Caithness Shepherds Flat Wind Farm. Caithness asked the County to continue to provide leadership in the Association of Oregon Counties through the renewable energy caucus. Discussion took place on State of California's initiative not to purchase renewables outside of the State and the three Governors of the States of Washington, Oregon and California meeting on this matter (western collaboration on renewable energy)

In response to question about repowering; it was stated the Caithness Shepherds Flat wind farm installed state of the art technology, leading the industry with the install of 338 GE 2.5XL+ turbines therefore not anticipating having to repower. In response to question Caithness representative commented approximately 75% of the employees working at the Shepherds Flat projects are living/commuting from The Dalles. Discussion took place on ideas to encourage employees to live in Gilliam County. Discussion took place on utilization of work force development hosting tours of onsite operations for high school students as a means to attract locals to the wind farm industry. In response to question about Saddle Butte, the company is keeping permits active the largest hurdle is securing purchase agreements at this time; the company looking at opportunities to develop purchase agreements, once secured the project will move forward. Caithness representatives were thanked for the update.

## IN THE MATTER OF SWCD DIRECTOR SANDY MCKAY: SEMI ANNUAL REPORT

Gilliam County Soil Water Conservation District (SWCD) District Manager Sandy McKay distributed copy of semi-annual report. Highlights of the report included:

- SWCD employs 3.5 full time positions, noting recent Watershed Coordinator Wes Garth has resigned to take a position with the Gilliam County Sheriff Office; position has not been filed yet.

- District continues to administer the Conservation Reserve Program (CRP) and Conservation Reserve Enhancement Program (CREP) for Natural Resource Conservation Service (NRCS). One full time staff member is dedicated to these programs.
- Oregon Watershed Enhancement Board (OWEB) small grant funds awarded to the District have been utilized on 11 projects totaling \$47,781.00 with another \$41,734.00 leveraged in landowner cost share. Projects have included spring developments, pipeline systems, juniper removal, livestock management fencing and grass seeding projects. The District was awarded a total of \$66,667.00 in OWEB small grant funds with \$18,886.00 remaining through June 2015 which has been earmarked for fire restoration activities. It was noted landowners are encouraged to contact the local Farm Service Agency (FSA) about fire restoration funds that may be available.
- Large grant projects included the replacement of two failing culverts in the Lonerock area. The projects were a partnership with Gilliam County Road Department. Starting in September work will begin on the Olsen Irrigation Diversion. Other projects to take place include Campbell Irrigation push-up dam, assessing loss of surface flow where the natural gas pipeline crosses the lower Thirtymile Creek, assessing potential to use juniper at coal fire plant at Boardman, and partnering with several agencies to address noxious weeds in the lower John Day River Corridor.
- SWCD has pre-applied and being asked to make full application to the NRCS Regional Conservation Partnership Program (RCPP). If successful it could mean the SWCD could be awarded a significant amount of grant funds per year of the five year program.
- Outreach/education component includes workshops to agricultural producers and landowners, fair booth, participate at Gilliam County Outdoor School, events at Cottonwood Canyon State Park, classroom presentations and field days and participate on regional work groups.

McKay made a formal request on behalf of the SWCD asking the Court to consider an annual financial contribution in the amount of \$50,000 to the SWCD operations. Judge Shaffer commented all funding request need to be addressed during the County budget cycle, noting the current fiscal year budget is established. Judge Shaffer wondered if the Cayuse and Lonerock bridges would be possible candidates for culvert replacement/bridge projects similar to what was done in Lonerock area. McKay commented it would have to be assessed but likely. Commissioner Weimar commented the Soil & Water Conservation District should not rule out the creation of a tax base. McKay was thanked for the report.

#### IN THE MATTER OF OYCC CREW REPORT

Family Services Coordinator Teddy Fennern introduced Gilliam County OYCC crew leader Gibb Wilkins. It was reported the crew consisted of five full time members and two part time/substitutes. Those present at Court were Jeremiah Ellery, Paige Ackerman, Jacob Colgan, David Re and alternate Ian Fennern. On the crew but not present were Sam Colgan and alternate Ethan Eakin. The crew ran the month of July and worked five days a week. Each of the kids present commented on their experience. Mr. Wilkins commented on some of the projects the crew did including pulling weeds and planting trees. It was noted there is not a shortage of projects in the area and Cottonwood Canyon State Park could keep the crew busy the entire time. Funds from the Juvenile Crime Prevention grant help fund this program. Wilkins commented he has approached the school district about integrating OYCC all year around noting Burns has a successful program associated with the school system. Fennern commented she has approached the school about allowing the students .5 credits for their participation with the program. Judge Shaffer commented he hopes the youth are building 'soft' skills too including being to work on time as it is a desirable trait for employers. The crew was thanked and exited by way of shaking the hands of the Court members.

## IN THE MATTER ROAD SHOP FIRE DAMAGE

Judge Shaffer reported City County Insurance Services (CIS) adjuster's rough estimate to repair the building is \$225,000. Judge Shaffer commented he approached Jeff Schott with Pillar Consulting about rough cost estimate and availability to be project manager on the project. Schott thinks a new building could be built for less than \$300,000 however he is unavailable to work on the project until December but will see if another engineer at Pillar Consulting is available. No decisions were made.

## IN THE MATTER OF NEW EMPLOYEE – SHERIFF OFFICE

Sheriff Bettencourt introduced new employee Wes Garth. It was noted Garth is replacing Mark Mitchell's position in Arlington who retired in July. Garth will be attending the academy this fall.

## IN THE MATTER OF COURT MEMBER REPORTS

- September 11, 2014 is Association of Oregon Counties (AOC) District 3 meeting at the Sage Center at Boardman.
- Commissioner Gronquist reported he has met with Waste Management representatives recently continuing to strengthen relationship.
- September 12, 2014 four Metro representatives are scheduled to have lunch with the County Court.

Judge Shaffer commented on attending juvenile judge training at Bend and attended two Business Oregon workshops since the last meeting. Judge Shaffer encouraged Commissioner Weimar to express an interest in serving on AOC's transportation committee and noted Commissioner Gronquist experience may be valuable with AOC's subcommittee that will be focusing on solid waste.

Commissioner Gronquist commented legal counsel may need to get involved to resolve the land lease agreement and lack of payments from WI. Discussion took place on the acreage WI is currently utilizing. The matter was tabled until more information is available.

## IN THE MATTER OF NEXT MEETING

The next Gilliam County Court meeting will be held on September 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 3:00 p.m.

## GILLIAM COUNTY COURT

By \_\_\_\_\_

Steve Shaffer, Judge

By \_\_\_\_\_

Dennis Gronquist, Commissioner

By \_\_\_\_\_

Michael Weimar, Commissioner

*M.Colby-Recorder*