

## 11- 4-15

Judge Shaffer called a work session to order at 8:30 a.m. Judge Shaffer called the regular Gilliam County Court meeting to order at 10:07 a.m. The meeting was held at the Gilliam County Courthouse in Condon, OR. Present were Judge Steve Shaffer, Commissioner Michael Weimar and Commissioner Dennis Gronquist. Absent: None.

### IN THE MATTER OF ADDITIONS TO THE AGENDA

Judge Shaffer added Gilliam County holiday events to the agenda.

### IN THE MATTER OF EXECUTIVE SESSION ORS 192.660 (2) (e)

Judge Shaffer declared the meeting to be in Executive Session pursuant to ORS 192.660 2 (e) Real Property Transactions. Separate minutes were taken and will be filed in the office of the County Clerk.

### IN THE MATTER OF ROAD SHOP CHANGE ORDERS

Jeff Schott with Pillar Consulting Group was present to give an explanation of Road Shop change orders No. 3 & 4. Change Order No. 3 is a no cost change order. The order is to extend the construction schedule two months to compensate for the delay of schedule due to contaminated soil. The Order also states that Griffin Construction will not be responsible for weather protection costs or additives for concrete necessary to compensate for weather conditions. Change Order No. 4 is for a 945 square foot concrete slab in front of both entrances to the new and existing shops. The additional charge is \$8,894. Schott recommended the Court accept both change orders.

**Motion** by Commissioner Gronquist, seconded by Commissioner Weimar to accept Change Orders No. 3 & 4 for the County Road Shop in the amount of \$8,894; Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

### IN THE MATTER OF PROPOSAL FOR CTE TURBINE PROJECT REVIEW

Schott informed he was asked by Judge Shaffer to put together a proposal for the Gilliam County proposed CTE Turbine project to assess the scope of work. RUTE Foundation Systems CEO Doug Krause was also present for Schott's presentation. Schott said there will be some unique requirements due to the fact this is going to be a public project and will be subject to public purchasing rules. Schott's outlined the main points in his proposal.

1. Review the scope of the project, including planning requirements: \$3500
2. Develop design, procurement and construction strategy: \$5,000

3. Develop revised cost opinion and conceptual design: \$4000
  4. Reimbursable expenses (graphics and travel): \$1000
- Total: \$13,500

With respect to payment, Schott's proposal is on a time and materials basis. Commissioner Gronquist questioned whether having Schott conducting a scope of work review at this time is premature and a different approach than the Court voted on two weeks ago. Judge Shaffer said he thought this was the best way to proceed in gathering the information needed to make a decision on the project. Commissioner Weimar said based on the last Court session he was under the impression the County was not going to be the developer. Construction of the Turbine was to be done by the Gorge Training Facility, LLC and the County would purchase the Turbine at the point it went into operation. Judge Shaffer said that legal counsel Will Carey advised the County build the tower since the County will be the entity entering into the Power Purchase Agreement (PPA) with Columbia Basin Electric Co-op. Commissioner Weimar said he felt the whole project is very risky and he thought the Court needed to hire a financial consultant to get an idea of what the actual cost of the project will be. Commissioner Gronquist agreed there will be a need to include Schott if the Court decides to move forward with the project, but that now is too soon. Krause asked if it was okay to comment. Judge Shaffer said yes. Krause said that since the Court voted to sign the Memorandum of Understanding (MOU) for the project at the last County Court meeting and Columbia Basin Electric Co-op had signed a MOU for the PPA if the Bonneville Power Administration agrees to a waiver for their Tier II power agreement the project is moving forward. He stressed the PPA would give the County the ability to not only repay the cost of construction, but provide funds to continue to pay for CTE education in the schools and thinks that it is a really good project for the County. Commissioner Gronquist said he understood why Krause thinks it's a really good project, because it will be a marketing tool for his company, but that \$4.2 million is a lot of money for the people of the County. Krause said he disagreed and that from the perspective of the developer it is still a good investment. He noted that energy consultant Brian Skeahan has analyzed the project and also believes it's a good project. Krause said he is paying for a lot of the geotechnical work and the independent engineering in order to keep the project moving forward, but he is hoping that as the County realizes the Turbine is a smart project they will begin to take over more ownership. Krause said he thought the vote two weeks ago was more than hiring a financial consultant on a limited budget and he thinks that hiring Schott as an independent engineer is a smart move since he will be another layer of analysis for Members of the Court. Commissioner Gronquist asked if Schott would be opining on the quality of the project, or simply making sure the County adheres to public contracting rules. Schott said he would work with Doug to identify cost, access technical aspects and on outlining a schedule for the project. Commissioner Gronquist asked if without a signed PPA and without a site if it was premature to hire Schott. Judge Shaffer said he felt Schott's analysis would be exactly what Members of the Court needed to make an educated decision on the Turbine project. Commissioner Weimar asked for clarification that it was going to be the County's project from the beginning rather than purchasing the Turbine after

construction. Judge Shaffer said yes, based on the advice of legal counsel it was in the County's best interest for this to be a public works project.

**Motion** by Commissioner Gronquist, seconded by Commissioner Weimar to accept the Pillar Consulting Group for the Gilliam County CTE Turbine Project Scope Review proposal in the amount of \$13,500; Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

#### IN THE MATTER OF PLANNING DIRECTOR STAFF REPORT AND GRANT SUBMITTAL REQUESTS

Gilliam County Planner Michelle Colby gave her quarterly staff report and requested the Court's permission to apply for two planning assistance grants. The grants are from the Department of Land Conservation and Development (DLCD) and have a November 30, 2015 deadline. The first is Gilliam County PA-17-138, DLCD Planning Assistance Grant Offer for \$4000 for Gilliam County. The second is Lonerock PA-17-072 DLCD Planning Assistance Grant Offer for \$1000 for the City of Lonerock. Neither grant has a fund matching requirement. Colby had previously requested permission to apply for a DLCD grant, didn't meet the submission deadline and withdrew that request. As a result the DLCD approached her about the current grants.

**Motion** by Commissioner Gronquist, seconded by Commissioner Weimar to approve the grant submittals in the amount of \$4000 for the Gilliam County Planning Department and \$1000 for the City of Lonerock planning assistance grant; Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

Michelle Colby informed she had emailed her staff report to Members prior to Court in an effort to keep her presentation brief. She acknowledged that since becoming Planner in April she has been inundated with planning requests, so her focus has been almost 100% on planning and that other duties such as IT have become less of a priority. The short list of IT accomplishments in her report reflects that. Colby informed that Waste Management's Conditional Use Permit will be coming up for renewal in 2016. Another upcoming project are Farm and Forest reports that need to be completed by December 31, 2015. Commissioner Weimar asked what affect the US Navy will have on the permit. Colby said in her 90 day look ahead she noted the US Navy has a contested case at the Montague turbine site. The Department of Energy Facility Siting Council has two or three weeks to review the Navy's case. There will then be a public review of the Department of Energy's decision before a final decision will be rendered. The process is delaying the Montague permitting process. Judge Shaffer said the Navy is considering reducing the number of nautical miles it requires for training exercises from eight miles to four which would be of help. Commissioner Weimar asked who would be writing the permit and Colby thought it would be a collaborative process.

#### IN THE MATTER OF ARLINGTON CHILD CARE REQUEST FOR FUNDS

**Motion** by Commissioner Gronquist, seconded by Commissioner Weimar to approve the Arlington Child Care request for budgeted funds in the amount of \$75,000; Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

#### IN THE MATTER OF SOUTH GILLIAM HEALTH CENTER REQUEST FOR BUDGETED FUNDS

**Motion** by Commissioner Gronquist, seconded by Commissioner Weimar to approve the South Gilliam County Health Center request for budgeted funds in the amount of \$150,000; Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

#### IN THE MATTER OF THE ARLINGTON VEHICLE

The Court acknowledged an email from Nancy Snider with Wheatland Insurance on the topic of the county car in Arlington which is used primarily by the Port of Arlington. Snider said underwriting thought it would be good risk management on the part of the County to enter into a contract with the Port of Arlington requiring them to insure the vehicle. If Port of Arlington Manager Peter Mitchell were to have an accident while driving the County car, the County's experience mod calculation could be affected. There was a lengthy Court discussion of the various options available to manage the situation. Among them, the pros and cons of whether to surplus one of the County vehicles to the Port, and if so, whether to make a second County vehicle available for use in Arlington. Members of the Court decided to shelve the decision and continue to explore options. Commissioner Weimar said that until a decision is made, Mitchell should not drive the Arlington vehicle. Members of the Court agreed. Judge Shaffer was asked to talk to Mitchell.

#### IN THE MATTER OF HOLIDAY EVENTS

Members of the Court agreed to support a holiday dinner and gift County employees a ham as they have done previously. Judge Shaffer informed there would be an all Staff Meeting at the Courthouse on November 10<sup>th</sup> and suggested having staff select the date for the dinner at the meeting. Members of the Court agreed.

#### IN THE MATTER OF MAINTENANCE DEPARTMENT

Maintenance Technician Darryl Houghtelling was present to discuss both the Water Use permit at Shutler Station Industrial Park and the Burn's Park restrooms. Houghtelling informed the permit for drilling two additional wells at the Shutler Station Industrial Park has expired. Water Master Ken Thiemann was present to give further explanation and to answer questions regarding the Court's options. The Court doesn't need to do anything unless they want to extend the permit to have the option of drilling additional wells at the

Park. He informed the current well delivers 50 gallons a minute, which is very low for an industrial park. If the Court decides not to apply to extend the permit and later decides they need additional water at the Park they will need to apply for a new permit. A five year extension would cost \$575 and would give the County an additional 5 years to decide whether or not to act on drilling additional wells at Shutler Station. A new permit would cost \$1,500 plus time to go through the permitting process.

**Motion** by Commissioner Gronquist, seconded by Commissioner Weimar to approve Gilliam County filing for an extension for Permit No. G15627 for a five year extension for the two future wells at Shutler Station Industrial Park; Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

Houghtelling informed the three contractors working on the Fire Hall and Road Shop have asked that the bathrooms at Burn's Park remain open until they finish construction. He ordered an oil heater for the center maintenance room to help ensure the pipes don't freeze. The Members of the Court were in agreement that would be a good idea.

#### IN THE MATTER OF PROPOSED MARIJUANA ORDINANCE

Judge Shaffer informed that in considering banning marijuana in Gilliam County there are six options: Medical Marijuana Processing Sites, Medical Marijuana Dispensaries, Recreational Marijuana Producers, Recreational Marijuana Processors, Recreational Marijuana Wholesalers and/or Recreational Marijuana Retailers. Members of the Court resumed discussion of medical marijuana issues. There was a lengthy discussion of whether the Court should opt out of all six options and hold public hearings to allow the public to weigh in on whether or not to opt out of marijuana legislation.

**Motion** by Commissioner Weimar, seconded by Commissioner Gronquist for Gilliam County to create an ordinance to opt out of Senate Bill 420 and schedule public hearings in both the north and south ends of Gilliam County. Discussion: Court Members decided to hold public meetings on December 2, 2015 in Condon during County Court and in Arlington at 7:00 pm; Vote: Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

#### IN THE MATTER OF CONSENT AGENDA

**Motion** by Commissioner Weimar, seconded by Commissioner Gronquist to approve the October claims pending review; Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

#### IN THE MATTER OF CORRESPONDENCE

The Court received a thank you note from the Columbia Basin Rodeo Club thanking them for their support of the 2015 Columbia Basin Rodeo.

#### IN THE MATTER OF ASSESSOR DEPARTMENT REPORT

Gilliam County Assessor Dave Messenger was present to give his Department Report and to certify the Homestead Rebate total. Messenger reported that there were 516 residents in the County that qualified and received the Homestead rebate in 2015. The County paid out \$250,825.25 in Homestead rebates. For 50 of those residents the Homestead rebate paid for 100% of their property taxes. An additional 466 people received rebate checks of \$500. There were three widows of veterans who were eligible for the rebate, but their Veteran's Exemption was greater than the taxes owed. The total value of assessed property taxes on the 516 residences was \$728,058.80. To date approximately 19% of taxes had been collected. The due date is November 16, 2015. Tax value was up about \$500,000, but due to the Omitted Property Claim rendered against the County from Waste Management Renewable the County will receive less revenue than last year. Utilities account for approximately 70% of the taxes paid to Gilliam County. Messenger informed that property tax information is now available on the County website. The County has contracted with a company that will enable residents to pay their property taxes and fees on the website as well. The County does not pay a fee for the service. Users will be charged a nominal fee for use of the service.

#### IN THE MATTER OF COURT MEMBER REPORTS

Judge Shaffer attended part of the last Mid-Columbia Council of Governments (MCCOG) meeting along with Commissioner Weimar. MCCOG wants to maintain a presence in Hood River, but is looking to both meet their financial obligation with the Port of Hood River and find a way to lower their office space cost. The Port renovated the office space in exchange for MCCOG leasing the space for a period of time. Work Force Investment has relocated out of the building and MCCOG is looking at ways to reduce cost by renting or sub-leasing that portion of office.

Judge Shaffer attended Governor Brown's new advisory committee meeting on energy and agriculture. Governor Brown has a lot of concern about losing high value agricultural land to renewable energy projects and the transmission lines cross the land and how that might affect irrigation and crop production. The advisory committee is looking at ways of preventing that loss. Judge Shaffer thinks this is a topic which will have a large impact in Eastern Oregon. This first meeting enabled participants to voice particular issues and concerns and strategize on how to address those concerns. The goal is for the advisory committee to complete work by December 31, 2015.

Judge Shaffer met with NORCOR. The four committees have targeted three revenue and efficiency issues. NORCOR is continuing to evaluate both general population and

Juvenile facilities and practices. One efficiency issue they are trying to resolve is what they term, book and release, where they put all of the time and materials into booking an inmate into the facility and then within hours the inmates are released. The quick release leaves them with all of the expense, but they don't receive revenue from housing the inmate. One revenue issue for NORCOR is the increased need for mental health facilities. Mental health inmates bring in more revenue and seem to be arrested with more frequency. Hospitals are not interested in keeping them and NORCOR isn't currently equipped to take care of their specific needs. Commissioner Karen Joplin from Hood River County has been working with Director Brian Brandenburg and the National Institute of Corrections on a program to assist correctional facilities in adapting their facilities to accommodate mental health inmates. Brandenburg has been in discussions with the Oregon Department of Corrections on housing the growing female inmate overflow population.

Judge Shaffer met with Tillman Carr the new Executive Director of the Greater Eastern Oregon Development Corporation (GEODC) who will be in Condon next Monday along with David Porter from the Economic Development Administration to discuss a variety of issues including moving from GEODC to Mid-Columbia Economic Development District, CTE education grants and community economic development strategies.

Judge Shaffer attended an Association of Oregon Counties (AOC) meeting. Morrow County will be hosting the Military Airspace Advisory Committee to work with the Department of Defense on military training routes that affect Montague and Saddle Butte. Judge Shaffer informed the State of Oregon has awarded Hood River County \$450,000 to study the lack of available work force and professional housing. One of the obstacles is lack of affordable land. Fiber was another topic of conversation. The State of Oregon has awarded \$800,000 to Sherman County and \$400,000 to south Wasco County for fiber projects. There was also discussion of how to target and secure internet service providers (ISPs).

Commissioner Weimar informed Gilliam County sent a letter of support for de-listing the Canadian Grey Wolf from the Endangered Species list.

Judge Shaffer informed that State Senator Bill Hansell will be in Condon on November 12<sup>th</sup> at 4:00 pm for a Town Hall meeting at the Condon Chamber of Commerce.

The Association of Oregon Counties Annual Conference November 17<sup>th</sup>-20<sup>th</sup>. Thursday evening is the product tasting. This year Gilliam County will be featuring Tami Williamson's Home Town Coffee Roasters coffee and Rod McGuire's flavor infused olive oils and Trail Dust BBQ seasoning.

#### IN THE MATTER OF THE NEXT COURT MEETING

The next Gilliam County Court meeting will be held on November 18, 2015 beginning at 10:00 a.m., at Gilliam County Courthouse in Condon.

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 11:40 a.m.

GILLIAM COUNTY COURT

By \_\_\_\_\_

Steve Shaffer, Judge

By \_\_\_\_\_

Dennis Gronquist, Commissioner

By \_\_\_\_\_

Michael Weimar, Commissioner

*R. Weinstein/Recorder*