

4-15-2015

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

None

IN THE MATTER OF EXECUTIVE SESSION Judge Shaffer declared the meeting to be in Executive Session pursuant to ORS 192.660 (2) (d) Labor Negotiations, (g) Trade Negotiations and (j) Public Investments. Separate minutes were taken and will be filed in the office of the County Clerk.

IN THE MATTER OF GILLIAM COUNTY FIRE SERVICES, SGCRFPD BUILDING UPDATE

Present were South Gilliam County Rural Fire District (SGCRFD) Chair Thirza Kilgore, Shannon Coppock Gilliam County Fire Services Coordinator, Jim Hinton, South Gilliam County Fire Chief and Jeff Schott, Project Manager, Pillar Consulting Group. The project has gone out for bid and the low bid from Griffin Construction is \$200,000 over budget. The SGCRFD Board met and discussed options for reducing the cost of construction. There have also been preliminary discussions with Griffin Construction on ways to pare down the scope of work/costs to bring the project cost closer into line with the budget. Kilgore mentioned the District is considering approaching the City of Condon for some funding since they house two of the City's vehicles.

Jeff Schott presented to the Court particulars on the bid/funds available for the new building project. The bid came in at \$1.48 million, bringing the total project cost to \$1.722 million, including \$91,000 already spent on design, permitting and other portions of the project. After allowing \$74,000 for contingencies, that leaves the project \$163,000 over budget. They have discussed with Griffin Construction 26 items that could be eliminated to reduce the budget by \$163,000. The District broke line items down into three categories: 1) Items that were easy to eliminate, 2) Items that they could eliminate and 3) Items that would be very difficult to eliminate. Schott presented line items to the Court.

Tier 1 line items:

- Landscaping: \$12,553
- Remove sign and associated light: \$2,076
- Eliminate architectural retaining walls at entry, and grade to street: \$11,391
- Remove awning on east side of building. Provide (3) f type fixtures over (3) doors: \$2,178
- Change cabinetry to less expensive (laminated) material: \$1,863
- Eliminate (2) urinals: \$1,101
- Eliminate future conduits and generator pad: \$660
- Make propane ½ as long and 5 bollards: \$1,890
- Eliminate all wall painting north of G LG and replace by owner: \$5,309
- Replace floor coverings to sheet vinyl and use sheet carpet from LVT and carpet tile: \$960
- Eliminate can lights in training room and fire office: \$1,280
- Use alternative fixture from can lights in kitchen and bathrooms: \$786

- Eliminate window coverings: \$ 959
- Omit exterior “street lights” south of building and on SW corner of building. NE street light to remain: \$4,874
- Schott thinks they could adjust the floor elevation near the handrails on GL D and near the ramp (raise it 1” in these areas, for a short distance near GI D and the ramp). This would allow the guardrail/handrail to go from a 6 or 7/S.2 to a 5/S2.2 detail, eliminating the 4” spaced rails: \$560

Tier 2 line Items: Can be removed, but would be less desirable:

- Eliminate parking paving. There would still need to pave the ADA space (PCC): \$8,577
- Eliminate awning all together: \$4,084
- Eliminate all cabinetry except at coffee bar. Eliminate kitchen appliances. Provide rough in for associated sinks and power, but eliminate fixtures. This would affect the decon room and kitchen: \$6,897
- Replace PCC pavement in front of overhead doors with AC pavement: \$10,525
- Eliminate flooring north of GL G (except in bathroom 21): \$1,680

Commissioner Gronquist suggested Schott suspend outlining Tier 3 items. Gronquist believes that the Court should find a way to fund that remaining \$163,000 in order to complete the project properly. He doesn’t know if the Court could come up the money during this fiscal year, but he believes they could over the course of construction. Commissioner Weimar noted that perhaps part of those funds could be included in the 2016 fiscal year. Schott said that the SGCRFPD would like to get started on the project and said some of the funds would be spent in fiscal 2015, but that the majority would be spent in the 2016 fiscal year. There was a general discussion with respect to financial logistics. The Court was in agreement that the County should find the funds to cover the \$163,000 that the SGCRFPD is short. Judge Shaffer noted that the funds would be taken from the discretionary fund and that the Court’s mission has been to pay down County debt, so extending the District a loan that could be forgiven at a later date would best allow the Court to stay within their process. There was further discussion of how to structure the funding, but the Court was in agreement that \$163,000 should be made available to complete the project as designed. The Court asked the SGCRFD to hold off presenting to their board and to appear at the Court’s May 6th session.

IN THE MATTER OF LIBRARY BOARD REQUEST FOR GILLIAM COUNTY LIBRARY TOBACCO-FREE ZONE

Gilliam County Library Board Chair Kim Farrar presented to the Court a request from the Library Board to create a tobacco free zone around the Library to extend behind the Library to the garden area. Farrar met with Leanne Durfey who advised the Library Board to submit that request in writing, which they have done, and Farrar presented the request in person in order to answer any questions the Court might have. The Library Board is anticipating that the garden will be completed this summer. They have observed smokers using the garden as a smoking site and not picking up after themselves. Kathryn Greiner informed that all buildings within the City of Condon are tobacco-free zones within 10’ of the building.

Motion made by Commissioner Weimar, seconded by Commissioner Gronquist to make the garden area behind the Library a tobacco-free zone. Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

IN THE MATTER OF MARCH 4th COUNTY COURT MINUTES

Concerning the March 4th minutes which were approved at the previous Court session – a correction was necessary and has been made in regards to the \$32,000 contract to Carlson Veit Architects as it should be corrected to read \$35,325. Judge Shaffer inquired about the process for correction to approved minutes. After a brief discussion of options, Judge Shaffer asked to have it put on record that the previous minutes contained an error and the minutes have since been corrected.

Motion by Commissioner Weimar, seconded by Commissioner Gronquist to approve the correction made to the March 4th County Court minutes in regards to the Fire Protection System Proposals; Pillar Consulting contract was approved at \$32,000 and the Carlson Veit Architects contract was approved at \$35,325 and the minutes were corrected before they were finalized and distributed. Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

IN THE MATTER OF APPOINTMENT TO GILLIAM COUNTY CULTURAL COALITION

The Court received a letter from Samantha Barber, a Arlington High School student, who is interested in participating in the Cultural Coalition. Judge Shaffer asked for a motion to approve the appointment.

Motion to approve by Commissioner Gronquist, seconded by Commissioner Weimar to approve the appointment of Samantha Barber to the Cultural Coalition, term to expire 12/31/17; Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

IN THE MATTER OF RESOLUTION No. 2015-05 IN OPPOSITION OF EXPANSION OF FIREARMS PURCHASE BACKGROUND CHECK SYSTEM

Motion by Commissioner Gronquist, seconded by Commissioner Weimar to approve Resolution 2015-05 opposing expansion of firearms purchase background checks. Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

After the vote Commissioner Weimar asked where Sherriff Bettencourt stands on the issue. Judge Shaffer informed the Court that Bettencourt was a no comment on the issue; that Sheriff Bettencourt felt that it would be okay either way.

IN THE MATTER OF QUOTE FOR WINDOW COVERINGS IN FAMILY SERVICES OFFICE AND THE ROAD ADMIN. OFFICE

There was a general Court discussion with respect to the need for new window coverings and what type of blinds should be installed. Commissioner Weimar said blinds should only be replaced with energy efficient blinds. Judge Shaffer informed the Court the vertical blinds would be replaced with 3/8” double cell pleaded blinds. The window covering quote is \$2,550, which includes installation and removal of the existing blinds. The Court agreed that a motion to approve would be contingent on the new the blinds having a higher energy rating than the current blinds. The new blinds will be paid for out of the maintenance budget.

Motion by Commissioner Gronquist, seconded by Commissioner Weimar to approve the bid, contingent on energy efficiency, and will be paid for out of the Maintenance budget. Shaffer – Yes; Gronquist – Yes; Weimar – yes; **Motion carried.**

IN THE MATTER OF IGA NO. 6374 WITH OREGON STATE PARKS AND RECREATION DEPARTMENT FOR WEED CONTROL.

The contract was signed March 26, 2015 by Weed Control Officer Don Farrar. The contract is coming before the Court for review as requested during the Court's March 18 session in Arlington. Commissioner Weimar pointed out that some of the work will take place outside of Gilliam County.

Motion by Commissioner Gronquist, seconded by Commissioner Weimar to approve the Intergovernmental Agreement No. 6374 signed by Don Farrar for weed control with Oregon State Parks and Recreation Department. Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

IN THE MATTER OF MCCED REQUEST TO ASSIST IN FUNDING GOVERNMENTAL AFFAIRS AND COMMUNICATIONS PSA FOR WIND CONSULTANT

Judge Shaffer presented to the Court that there has been a lot of work recently to convince the State of California to open up their markets to renewable energies that are produced in other states. Shaffer informed that there are two differing aspects to these efforts. The wind companies approach is to create litigation to possibly sue the State of California for being in violation of inter-commerce laws. On the other hand, state governments in Oregon and Washington are working with their counterparts in California to open up their borders. Judge Shaffer informed that he met with the local wind farm companies in the hope that they could partner with Gilliam County in this effort. However, since the wind industry approach is proposed litigation, the County has decided to look at another approach. The reason for possible litigation is that local wind power companies, Caithness and Iberdrola, would like to have power purchase agreements with the State of California, but those are currently not available to companies in Oregon or Washington. Local government wants State Governors to get together and begin thinking of strategies to convince the State of California to open up their market. Mid-Columbia Economic Development District (MCCED) along with Community Renewable Energy Association (CREA) and the Columbia Gorge Bi-State Renewable Energy Zone (CGBREZ), have put out an RFP to hire a lobbyist to lobby the State of California to allow power purchase agreements in the States of Oregon and Washington. MCCED is asking each of the affected counties, Klickitat, Sherman, Gilliam and Morrow, put up \$10,000, or \$7,500 if Morrow County chooses to participate. Judge Shaffer stated he is comfortable with Gilliam County participating in the hiring of a lobbyist, and has also discussed this with Will Carey, who stated that he thought that this would be one of the best investments Gilliam County could make in getting someone who could open doors in Olympia, Sacramento and Salem toward convincing governments to work together. The person who has been chosen by the RFP by MCCED is David Van't Hof, who was Governor Kulongoski's Energy Director. Van't Hof was chosen because he already has ties with California and Washington. There was a general Court discussion of the issues at length. The Court decided in favor of participating in MCCED's lobbying efforts. The cost will be paid for as a consulting line item in the County budget. Judge Shaffer stated that he believes that this is an important dialog to get going in Olympia, Salem and Sacramento. Judge Shaffer said the timing is right for Oregon and Washington to have a voice at the table in Sacramento since Texas, Oklahoma and Wyoming are lobbying for their states. He also informed the Court that Shepherd's Flatt purchased 400 KW of capacity and is currently only using 150 KW. Therefore, Caithness has the capacity to add an additional 250 KW in Gilliam County if Van't Hof's lobbying efforts are successful and companies in Oregon and Washington are able to enter into power purchase agreements with California.

Motion by Commissioner Gronquist, seconded by Commissioner Weimar, with reservations, to approve Gilliam County helping fund MCCED to hire David Van't Hof as their wind energy

consultant, \$7000 to be paid now and the remaining amount to be paid after MCCED knows how many counties will be partnering. Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

IN THE MATTER OF IBR/ARDENT MILLS WATER QUALITY PROJECT

As a follow up item, Judge Shaffer reported to Commissioner Weimar that Anderson Perry's bid of \$140,000 includes their engineering fee for the Shutler Station water treatment solution.

IN THE MATTER OF GILLIAM COUNTY TAX ASSESSOR TAX ESTIMATES FOR 2015-2016

Dave Messenger presented tax estimates for 2015-16

IN THE MATTER OF CORRESPONDENCE

The Court received an invitation from Anderson Perry to 40th Anniversary Celebration. Her will email to the Commissioners.

IN THE MATTER OF COURT MEMBER REPORTS

Judge Shaffer reported that he has been occupied with Union negotiations. Shaffer had a scheduled meeting last Friday in Prineville with a John Arens who is with the CREA Organization that did not take place as the MCEDD vehicle he was driving caught on fire on the way to Prineville.

Shaffer told the Court there is a disagreement with Wasco County regarding public health. The original ask of Wasco County was \$376,000. Wasco County thought their portion should have been \$314,000. The amount was mediated to \$344,000, but Wasco thinks the mediated amount is \$314,000 so the issue is ongoing.

Shaffer informed the Court that NORCOR will be meeting on April 16 to further discuss the fee increase. Shaffer doesn't anticipate too much of an increase since there have been successful conversations since the last meeting.

Commissioner Weimar informed the Court that he had a Lower John Day Area Commission on Transportation meeting on April 6th. There was a recommendation that \$116,649 in Region 4 Transit Funds should be given to Gilliam County for a new senior transport vehicle. Gilliam County did not receive any Enhanced Funds money. Most of the funds are going to the Highway 97 project, with some also going to the Fix It project on Highway 26. Weimar reported that the Swanson Canyon preservation project in Arlington received \$8,000. Gilliam County did not get any more funding for the Connect Oregon project. Weimar said he attended the AOC Transportation meeting via conference call. Weimar testified regarding Senate Bill 668, a proposed bill that would correct the current law that says counties cannot charge energy companies for the collection of franchise fees when using country right of ways. SB 668 would allow counties to collect franchise fees to cover road repairs due to transmission lines laid by private companies such as WindWave. Weimar also informed that there is a federal law that prohibits counties from collecting fees from co-ops such Columbia Basin Electric Co-op. Weimar said that this was the main focus of the AOC meeting.

Commissioner Gronquist asked Judge Shaffer about his Association of Oregon Counties - AOC - meeting. Shaffer answered that he is involved with energy, environment and economic development. The key discussion in economic development was the portion of gain share dollars

going to Oregon counties. Since Gilliam County is in a Strategic Investment Program (SIP) it would not be affected. It will only apply to counties receiving in excess of \$5 million dollars. Gain share would primarily affect Washington County. They have worked out a system that would have them returning about half of the dollar amount they receive back to the State of Oregon.

In Energy and Environment Committee, there was a bill that came in strictly for solar projects. When solar projects go in they initially have a high dollar value, then depreciation goes down rapidly. Therefore, companies have a huge initial tax cost upfront that then goes down to practically nothing. So when companies look to an investor or go for a bank loan, the bank factors in the highest tax liability they will have and uses that number for the length of the loan. So what the bill is hoping to do is to set up something similar to a SIP that would maximize tax liability at \$7000 per megawatt. Then businesses could use that price per megawatt tax rate to go to banks, or to private investors, and say this is what our maximum tax liability would be for the life of the taxing period. Where this would differ from the way a SIP works, is that where SIP money goes to the host county, these monies would go to individual tax districts. Large solar projects could come in and ask for a SIP, or they could elect to use this new model.

Judge Shaffer adjourned the meeting at 12:42 p.m.

IN THE MATTER OF NEXT MEETING

The next regular meeting of the Gilliam County Court will be held May 6, 2015 beginning at 10:00 a.m. at the Gilliam County Courthouse, Condon, Oregon.

It appearing to the Court that there was no further business to be conducted at this time and no additional matters to be considered Judge Shaffer adjourned the meeting.

GILLIAM COUNTY COURT

By _____

Steve, Shaffer, Judge

By _____

Dennis Gronquist, Commissiioner

By _____

Michael Weimar, Commissioner

Rachel Weinstein - Recorder