

7-06-2016

Judge Shaffer called the regular Gilliam County Court meeting to order at 10:00 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

Call to Action letter from Judge Olson in support of efforts to reform NORCOR

IN THE MATTER OF WEED CONTROL OFFICER STAFF REPORT

Gilliam County Weed Control Officer Don Farrar gave his quarterly staff report. Farrar reported on weed control efforts in Gilliam County, meetings attended and a new noxious weed that has invaded nurseries through Oregon.

- Met with Oregon Department of Agriculture (ODA) on funding County Weed Programs
- Had 23 releases for toadflax
- County and State roads and Shutler Industrial Park have been treated with spot treatments ongoing
- Oregon State Parks have been treated (Hay Creek Area)
- BLM control is 65% completed on the John Day River and Horn Butte
- County Courthouse and Burn's Park, Condon schools, Fairgrounds and bus barns have been treated
- Have completed an ODA grant, paper work and billings next
- Survey for Flowering Rush is 20% complete
- BPA line treatment is 20% complete
- OVMA meeting in Salem to set agenda for Oct. Conference
- Skeleton weed is being treated at the north end of the County
- Found three new sites of Leafy Spurge on the John Day River, one in Sherman County and two on Gilliam County side
- Attended County Weed Control Association meeting in Bend
- Released new Bio Agent for invasive Russian Knapweed

IN THE MATTER OF COOPERATIVE WILDLIFE DAMAGE MANAGEMENT PROGRAM

The Court reviewed USDA Work and Financial Plan for July 1, 2016 through June 30, 2017 to continue the cooperative wildlife damage management program within the

County. Judge Shaffer thought the agreement was similar to years past. Gilliam County's cost share is 65% in an amount not to exceed \$67,201.83.

Motion by Commissioner Weimar, seconded by Commissioner Gronquist to approve Agreement No. 16-7341-5186 in the amount of \$67,201.83 for fiscal 2016-17 between Gilliam County and the USDA APHIS for Wildlife Services; Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

IN THE MATTER OF MCCOG MEALS CONTRACT FOR FISCAL 2016-17

The Meals Contract between Gilliam County and the Mid-Columbia Council of Governments (MCCOG) Area Agency on Aging, an ORS Chapter 190 entity is up for renewal. Judge Shaffer informed the Court the language of the contract for fiscal 2016-17 is the same as last year, only the dollar amounts have changed. There is \$3,287 available for Arlington and \$4,998 available for Condon. Gilliam County Family Services Coordinator Teddy Fennern recommended signing the agreement.

Motion by Commissioner Weimar, seconded by Judge Shaffer to approve the Nutrition Contract between MCCOG Area Agency for Aging and Gilliam County for fiscal 2016-17 in the amount of \$3,287 for Arlington and \$4,998 for Condon, for a total of \$8,285; Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

IN THE MATTER OF SPECIAL TRANSPORTATION ODOT AGREEMENT NO. 31368

Special Transportation Coordinator Marla Davies was present to discuss Oregon Department of Transportation (ODOT) Agreement No. 31368 for capital and operating funds and gave her Transportation Staff Report. In an effort to clear up any confusion over the two grants she applied for in March, Davies reported that she received an ODOT 5310 grant to replace three vehicles. Davies used the 5310 grant to replace the 2011 Toyota Sienna. The other vehicles were not close enough to the end of their useful life, so the grant was reduced to one third. ODOT Agreement 31368 for \$187,250 will pay for a new bus barn, new communication system for the Special Transportation vehicles, new graphics to assist with her transportation re-branding, a part time dispatcher and provide grant match funds. Agreement No. 31368 between ODOT and Gilliam County for the dispersal of grant funds was reviewed by the Court. Davies noted Insurance Agent John Anderson and Legal Counsel Will Carey have both reviewed the agreement and recommended the Court approve the agreement.

Motion by Commissioner Gronquist, second by Commissioner Weimar to approve the contract between Oregon Department of Transportation and Gilliam County, Agreement No. 31368 through June of 2018 in the amount of \$187,250: Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

After the vote Judge Shaffer informed Davies that he had received an email from Rich Eberle, Transportation Director for MCCOG, expressing his appreciation for the work that Davies does. He has a great deal of experience dealing with transportation entities and appreciated the incredible job Davies does for Gilliam County and that MCCOG depends on the work Davies does. He advocated for additional help for her department.

IN THE MATTER OF COLUMBIA HILLS MANOR REQUEST FOR ADDITIONAL FUNDS

Columbia Hills Manor (CHM) Board members Alcenia Wright, Jeff Wilkins and Board Chair Nancy Proctor were present to request additional funds for the Arlington Community Center project. Also present in support of the project were City of Arlington Mayor Jeff Bufton and Port of Arlington Manager Peter Mitchell. Wilkins reported the project is moving quickly and framing should begin the week of July 11th. CHM board requested an additional \$250,000 to complete the project. Wilkins wanted the Court to know CHM had cut their budget as much as possible. In the years since the grant was awarded there have been additional expenses that have caused the project to go over budget. The cost of the bond, the new property purchase, associated legal and professional fees, the water line extension, demolition and site preparation all contributed. CHM decision to add solar power to the building will produce energy cost savings over time, but has added to the cost overrun. CHM will be applying for a \$70,000 solar grant from Pacific Power and Light that would offset the cost of installation. There are 35 grant applicants this year, so the process will be highly competitive. Wilkins said the City of Arlington and Port of Arlington had been very helpful. Mayor Bufton voiced his support for the project and said he considered the Community Center, and additional office space, community enhancement and a vehicle for growth in Arlington and in greater Gilliam County. Commissioner Gronquist asked if CHM received the solar grant, if they would refund \$70,000 back to Gilliam County. The Board assured the Court they would. Commissioner Gronquist noted that CHM had not made any fundraising efforts within the community and encouraged them to do so, whether the Court grants them \$250,000 or not. Wright said they would continue to look for grant funds, but fund raising efforts by another group in Arlington had already tapped out local residents. Commissioner Gronquist asked Mayor Bufton if he would be willing to ask the Arlington City Council for \$8,000 to pay for the additional rock. Mayor Bufton said he would take the request to the City Council. Commissioner Gronquist said if the County Court could find an additional \$250,000 in the budget he would support the expenditure.

Motion by Commissioner Gronquist, seconded by Commissioner Weimar to approve granting Columbia Hills Manor up to \$250,000, of which \$8500 has already been awarded out of Special Projects grant funds, for construction of the Community Center in Arlington; with \$70,000 returned to Gilliam County if Columbia Hills Manor receives the solar grant from Pacific Power and Light; Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

IN THE MATTER OF DISCUSSION OF SENATE BILL 1513

Gilliam County Assessor Chet Wilkins was present for a discussion of Senate Bill (SB) 1513. The bill give Counties the option to provide a property tax exemption up to \$250,000 of assessed value of each homestead located in a county for surviving spouses of fire service professionals, police officers or reserve officers killed in the line of duty. The bill took effect June 2nd. Wilkins explained the exemption is similar to that provided to spouses of military veterans. At this time there are no homesteads in Gilliam County that qualify for SB 1513. Wilkins recommended adopting a resolution that would mirror the veteran's exemption of starting with a \$24,191 exemption and providing a three percent annual increase until reaching the cap of \$250,000. Spousal remarriage would nullify the exemption. It was the consensus of the Court to have Wilkins draft a resolution and bring it back to the Court.

IN THE MATTER OF EXECUTIVE SESSION ORS 192.660 (2) (g)

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

IN THE MATTER OF SOIL AND WATER CONSERVATION WATER DISTRICT

Gilliam County Soil and Water Conservation District (SWCD) Director Sandy McKay and Gilliam County Treasurer Nathan Hammer were present to resume discussion of a County Business Loan to the SWCD for construction of their new building on Main Street in Condon. McKay worked with Hammer to create potential loan options for the Court to review. The first option is a \$200,000 loan to the SWCD that would not incur interest or require payments for the first ten years after construction, but would be paid back in years 11 through 14. The second option would be to extend a \$200,000 loan to the SWCD, with interest only payments during the first 10 years and then principal payments years 11 through 14. A third option would be a \$400,000 loan with the first \$200,000 paid off in the first 10 years and the final \$200,000 paid in years 11 through 14. The SWCD would prefer to have the Bank of EO and Gilliam County as their two lenders. Hammer preferred option three, consolidating to two lenders, eliminating the County being placed in third position on their loan and the first \$200,000 being paid in the first ten years. In option three the SWCD would also be making interest payments on the final \$200,000. In that scenario 72% of the loan would be paid by the end of year ten. There was a general Court discussion of the three scenarios and of the risks and benefits to the County in each.

Motion by Commissioner Weimar, seconded by Commissioner Gronquist to approve Gilliam County extending a loan to the Gilliam County Soil and Water Conservation District in the amount of \$400,000 under option number three of the payback plan.

Discussion: Judge Shaffer and Treasurer Hammer will bring back budget line item options to the Court at the July 20, 2016 County Court meeting; Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

IN THE MATTER OF THE ARLINGTON TV CO-OP REQUEST FOR BUDGETED FUNDS

Arlington TV Co-op Board member Alan Cunningham and Port of Arlington Manager Peter Mitchell were present to request release of the first one third of budgeted funds for their fiber optic upgrade project in Arlington. Cunningham informed the Co-op had secured the required matching funds for release of the \$776,000 the County granted in September of 2015. Community Bank has committed loaning the Co-op \$572,000. The remaining \$300,000 will be secured in equipment financing from equipment manufacturer Ritalia. Cunningham said that if the Co-op couldn't come up with \$52,500 they were at risk of losing their equipment site. Commissioner Gronquist asked if the Co-op had received signed agreements from Community Bank and Ritalia. Cunningham said the final letter form Community Bank was in process. Commissioner Weimar thought it inappropriate to release County funds without a signed letter from Community Bank. Commissioner Gronquist said he would be comfortable releasing \$52,500 to secure the building site, noting however, the \$52,500 will be deducted from the \$776,000 already approved by the Court. Cunningham requested \$53,500 to cover up to \$1,000 in closing costs. Commissioner Gronquist asked when the Co-op would have their signed letter from Community Bank. Cunningham responded, as soon as the person who will be signing the letter returned next week from vacation. Commissioner Weimar asked Mitchell if the Port could extend a bridge loan to the Co-op. Mitchell informed that would not be an option.

Motion by Commissioner Gronquist, seconded by Commissioner Weimar to release \$53,500 to purchase the property at 1300 Cottonwood Street in Arlington. Discussion: Judge Shaffer questioned how the Ritalia equipment lease and the \$570,000 Community Bank loan would work without conflict. Cunningham said the law would require Ritalia to be in first position on the equipment lease. Cunningham noted that Community Bank is aware of the law and is accepting that on the equipment they would be in second position. Cunningham had consulted with Business Oregon and was told the arrangement would not have an effect on their guarantee. Judge Shaffer said he would still prefer to have the Port of Arlington lend the Co-op the funds. It was agreed to add language stating in the case of default Gilliam County would own the parcel at 1300 Cottonwood Street in Arlington. Vote: Shaffer – No; Gronquist – Yes; Weimar – Yes; **Motion carried.**

After the vote, Cunningham asked the Court when the funds would be available, so he could inform the seller. Treasurer Hammer said the funds would be available by July 25th.

IN THE MATTER OF LGPI EXECUTIVE DIRECTOR OVERVIEW OF HR SERVICES

Robb Van Cleave, Executive Director of the Local Government Personnel Institute (LGPI), gave an overview of services offered for labor relations and human resources consulting. Van Cleave thanked the County for being an LGPI member. LGPI was formed in 1971 by Association of Oregon Counties (AOC) and the League of Oregon Cities (LOC). LGPI membership includes technical advice at no cost. Members receive discounted rates for other services. LGPI has attorneys, consultants to assist with hiring decisions, matters requiring arbitration, unemployment hearings, wage claims, etc. They have two retired law enforcement on staff to conduct background checks, etc. LGPI works closely with City County Insurance Services so insurance issues are well integrated into their platform. Van Cleave said LGPI represents members with as few as 5 employees and members with 500 employees and has staff who specialize in both. He noted that as the economy has improved governments have been more interested in reviewing job descriptions and hiring practices. In conclusion Van Cleave said LGPI has a lengthy menu of services to pick and choose from depending on needs and budget. Members of the Court thanked Van Cleave for his presentation and expressed interest in working with LGPI.

IN THE MATTER OF NORCOR CALL TO ACTION

Oregon Judicial District 7 Presiding Judge John Olson requested Judge Shaffer sign a Call to Action letter designed to further NORCOR Regional Criminal Justice System Reform Efforts. The project is being spearheaded by Hood River County Commissioner, Karen Joplin. It was the consensus of the Court to have Judge Shaffer sign the letter.

IN THE MATTER OF DIRECTORPOINT SOFTWARE SERVICE AGREEMENT

Judge Shaffer informed that legal counsel Will Carey had recommended a couple of changes to the agreement. Gilliam County Court Administrator Leanne Durfey informed she had requested the two changes Legal Counsel Will Carey had recommended; one on page seven under miscellaneous, he would like the language changed to read, in the event of legal action the rules from Oregon, not Alabama, would be binding. The other change recommended by Carey was on pg. 3 under term and termination (b) (1). Durfey informed she had requested the two changes Carey had asked for but has not heard yet if they are accepted by Directorpoint. While Carey had some reservation, given the scope of the contract he thought it would fine to approve the Directorpoint service agreement as presented.

Motion by Commissioner Gronquist, seconded by Commissioner Weimar to approve the Directorpoint LLC Terms of Service Agreement in the amount of \$2000 from June 1, 2016 to May 31, 2017 either as is, or with one or both requested changes if accepted by Directorpoint; Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

IN THE MATTER OF 2016-17 GILLIAM COUNTY SALARY SCHEDULE

Members of the Court reviewed the final salary schedule for fiscal 2016-17. Judge Shaffer informed that the salary schedule showed an overall savings of \$20,000 over fiscal 2015-16. After a brief general Court discussion, Members of the Court decided to put the workforce discussion ahead of the vote.

IN THE MATTER OF CITY OF CONDON REQUEST FOR STAFF TIME

As discussed on June 15th, the City of Condon had requested some dedicated staff time from Community Development Coordinator Rachel Weinstein to assist the City with various community and economic development projects. Judge Shaffer informed that when Weinstein's position was created it was designed for Community Development to provide assistance to the City Chambers and Pioneer Community Development Corporation, etc. Commissioner Gronquist thought if entities in the County needed help, Weinstein should be able to do that. After a general Court discussion it was decided use of Weinstein's staff time should be decided by the City of Condon and Weinstein as time permitted.

IN THE MATTER OF DEVELOPMENT POSITION JOB DESCRIPTION

The Court resumed discussion of job description changes to Gilliam County Community Development should Administrative Assistant be removed and Weinstein became full time Community Development. Commissioner Weimar said that if Administrative Assistant is taken off Weinstein's job description and she became full time development the job description needed to reflect that. Commissioner Weimar suggested the County hire LGPI to assist in revising the Community Development job description. Commissioner Weimar questioned if a change of job description should be accompanied by an adjustment in compensation. Judge Shaffer said that could be a possibility. Commissioner Gronquist asked Weinstein if she knew she would be losing \$10,000, and if so, would she want to retain her current job. Weinstein said she would not want to lose \$10,000 in compensation. Judge Shaffer informed that Weinstein's salary would not be reduced by \$10,000. If Community Development became a salaried, overtime exempt position, there would need to be a change in compensation. The last time Gilliam County did that was for Planning and the Juvenile Department. Those position changes were accompanied by a \$10,000 increase in compensation to cover the additional hours staff would be working. Commissioner Gronquist asked if the Court were to increase Weinstein's compensation, where in the budget those funds would be drawn from. Judge Shaffer said he didn't know, but that Weinstein is already the highest paid non-elected Union hourly Courthouse employee now at 55% of the Judge's base salary. The others are at 54% of the Judge's base salary. Judge Shaffer said the Union limits employees to 37.5 hours per week. Commissioner Weimar pointed out that once Administrative

Assistant is removed from Community Development, the current salary schedule would no longer be correct. There was a general Court discussion of that fact. The Court discussed contracting with LGPI to review Weinstein's job description and compensation. County Court Administrator Leanne Durfey noted that a job description review may consist of reviewing more than one job description. Members of the Court decided to leave Weinstein at her current compensation level and transition her to full time development.

IN THE MATTER OF 2016-17 GILLIAM COUNTY SALARY SCHEDULE CONTINUED

Motion by Commissioner Gronquist, seconded by Commissioner Weimar to approve the 2016-17 salary schedule. Discussion: Commissioner Weimar noted that once Administrative Assistant comes off Weinstein's job description the salary schedule would be incorrect and would need to be reviewed; Vote: Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

IN THE MATTER OF DRAFT ORDINANCE LOCAL TAX ORDINANCE ORS 475B.345

The Court resumed discussion of the local tax option for an additional three percent County tax on recreational marijuana. ORS 475B.345 would be a tax on sales of marijuana outside of the municipal boundaries in Gilliam County. In order to place the measure on the November ballot the County would need to hold a public hearing by the middle of August 19, 2016. The Court agreed to make a decision on Tax Ordinance ORS 475B.345 at the next County Court meeting.

IN THE MATTER OF THE COUNTY MOTOR POOL

Judge Shaffer consulted with Wright Chevrolet a second time and they once again recommended the Chevy Traverse. Commissioner Gronquist said the Traverse is a large vehicle for one or two people and his Traverse got about 18 miles per gallon. Judge Shaffer said he preferred to shop locally if possible, but had not looked into other vehicles. The Commissioners agreed when possible, the County tries to shop locally. Commissioner Weimar said his new Chevy Impala is very different than the Impalas in the County Motor Pool. Although it is not four wheel drive, when needed, the County has four wheel drive vehicles available in the Motor Pool. Judge Shaffer said he remained open to considering other vehicles. No decisions were made.

IN THE MATTER OF THE CONSENT AGENDA

Motion by Commissioner Gronquist, seconded by Commissioner Weimar to approve the Consent Agenda. Discussion: Judge Shaffer noted that he had not read the June 15

regular session minutes and would have to abstain from that vote. Vote: Gronquist – Yes; Weimar – Yes; Shaffer – Yes, on all of but the June 15 Regular Court minutes, from which he abstained; **Motion carried.**

IN THE MATTER OF MID-COLUMBIA PRODUCERS BUILDING IN ARLINGTON

Motion by Commissioner Gronquist, seconded by Judge Shaffer to approve having Commissioner Weimar enter into negotiations on the Mid-Columbia Producers building in Arlington; Shaffer – Yes; Gronquist – Yes; Weimar – Yes; **Motion carried.**

IN THE MATTER OF COURT MEMBER REPORTS

Commissioner Weimar attended the Oregon Legislature Joint Committee on Transportation Preservation and Modernization meeting in Hermiston, where he gave three minutes of testimony on regional transportation issues. He informed the panel they would be seeing more of him since he is Co-Chair of the Association of Oregon Counties Steering Committee on Transportation.

Commissioner Weimar informed CAPECO is still looking for a new Executive Director.

IN THE MATTER OF THE NEXT COURT MEETING

The next Gilliam County Court meeting will be held on July 20, 2016 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 4:00 p.m.

GILLIAM COUNTY COURT

By _____

Steve Shaffer, Judge

By _____

Dennis Gronquist, Commissioner

By _____

Michael Weimar, Commissioner

R. Weinstein/Recorder

