

10-5-2016

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, Oregon. Present were Judge Steve Shaffer and Commissioner Michael Weimar. Commissioner Dennis Gronquist was absent.

IN THE MATTER OF ROAD DEPARTMENT STAFF REPORT

Gilliam County Roadmaster Dewey Kennedy presented a staff report, which included the following:

- Fall grading began October 4, with two blades in the Mayville area and two blades in the Condon area.
- Paving of Baseline road project is completed and looks good. More than 2.5 miles of road was paved using asphalt recycled from road improvement projects. About 500 cubic yards remains and can be used for patching or a future project.
- The Maley Corner project was completed using recycled asphalt from the Baseline Road project. The Fairgrounds water line was also patched.
- Recently, Columbia County brought three men and a paver to Gilliam County in exchange for use of Gilliam County's pug mill in Columbia County. The partnership is working well and is expected to continue. An intergovernmental agreement is not yet official, but will be discussed at the fall conference.
- Two employees left employment since the Roadmaster's last report. David Ireland and Brandon Fruits were replaced with Tim Reed and Trevor Waugh, who are working for the Road Department and the Crusher Department, respectively. Both are doing a good job.
- The Road Department assisted the Rural Fire Department with three fires this summer, on John Burns' property, Hay Creek and the Bert Snyder residence.
- BLM has requested assistance with repair of the grader and dozer lines built to fight the Hay Creek fire, needed so that reseeding the area can be completed. The road department will do the work this fall, when regular work has slowed and more moisture is available.
- New concrete was poured around the old shop and the new shop. Other tasks completed include a waste oil containment vault, replacement of steps on the

shop, a pad for the propane tank, an apron for the warehouse and waste water covers.

- Striping was completed by the Morrow County Road Department, including Baseline Road, Cedar Springs Road, Blalock Road, Rhea Road, Rattlesnake Road, Cottonwood Lane, Lonerock Road and Darling Canyon Road.
- Kennedy met with representatives of the Zayo Group, who are planning a fiber project from Portland to Pendleton. The group toured the intended route through Gilliam County and discussed associated permitting and right of way issues.
- Larry Hardie recently completed building a shoulder machine, which is working well with very minor adjustments. Kennedy reported that the machine, which is well-suited for the County's purposes, was built for less than \$15,000, compared to \$98,000 for a new, factory-built machine.
- Repair of Devils Butte Road, which was destroyed during the Hay Creek fire, has been completed, including pulling ditches, reshaping of the road surface, hauling rock and grading.
- Kennedy has applied for a Federal Lands Access Grant for improvements to Lower Rock Creek Road. The project is estimated to cost \$500,000 if completed by contractors, but if approved by Federal Lands Access Program, Gilliam County crews can complete the work for just over half that amount. Selected projects will be announced in November. The area was recently toured by a FLAP team consisting of representatives from Federal Lands, BLM, ODOT, Forest Service and AOC.
- Jeff Schott of Pillar Consulting looked at the north end shop to be purchased from MCP. Schott said there are issues with the doors, which may require modification to make the building more functional for equipment. Kennedy said another engineer will be asked about the project, including possible code issues involved in the modification.
- The Road Department received a firm offer of \$50,000, submitted by Earl Mortimore of Fossil, for purchase of the small jaw crusher. Kennedy said the equipment was declared surplus eight years ago and has been for sale since that time. The Court directed the Roadmaster to ensure that the proper procedures were used to surplus the equipment eight years ago.

- ODOT is planning a grind/paving project on I-84. Roadmaster hopes to bid for grindings that can be used for County projects.

IN THE MATTER OF SWCD REQUEST FOR DISBURSEMENT OF FUNDS

Motion by Commissioner Weimar, second by Judge Shaffer, to approve distribution of \$50,000 to Gilliam County Soil and Water Conservation District for funds budgeted, 2016-17 budget year. Shaffer – Yes; Weimar – Yes; **Motion Carried.**

IN THE MATTER OF ARLINGTON CHILD CARE CENTER REQUEST FOR FUNDS

Motion by Judge Shaffer, second by Commissioner Weimar, to approve distribution of \$65,000 to Arlington Child Care Center as budgeted for the 2016-17 budget year. Weimar – Yes; Shaffer – Yes; **Motion Carried.**

IN THE MATTER OF CONDON CHILD CARE REQUEST FOR FUNDS

Motion by Judge Shaffer, second by Commissioner Weimar, to approve distribution of \$80,000 to Condon Child Care for funds as budgeted for the 2016-17 budget year. Weimar – Yes; Shaffer – Yes; **Motion Carried.**

IN THE MATTER OF PUBLIC HEARING: PUBLIC CONTRACTING RULES & RESOLUTION NO. 2016-17

Judge Shaffer opened the public hearing at 10:30 a.m. to take comments on draft findings supporting the exemption of certain classes of special procurements and public improvement contracts from competitive bidding requirements.

Testimony was received from Kathryn Greiner of Mayville, who expressed concern about decision-making without the presence of the full Court, and that increasing the exemption to \$1 million is too high without seeking public bidding. At this level, Greiner said, the matter needs to be more fully advertised so the public can follow the issue.

With no further public comments, Judge Shaffer closed the Public Hearing at 10:45 a.m. and opened the matter to discussion by Court members. Commissioner Weimar agreed that a \$1 million exemption is too high, and also that the Court should discuss the proposed changes before making a decision. Judge Shaffer advised that the Attorney General's model is actually the result of action taken by the 2016 Legislature and that the 2005 rules are outdated and following them is ill advised. However, the Court agreed to table the matter until it can be addressed in more depth to ensure everybody understands.

At this time, the Court addressed Resolution No. 2016-17 of County Court and Local Contract Review Board opting out of the Attorney General's Model Public Contracting Rules and Amending Public Contracting Rules. The Court agreed to table the matter until the next meeting. Carolyn Connelly of the Local Government Law Group will be asked to attend and provide input.

IN THE MATTER OF RESOLUTION ESTABLISHING PURCHASING AUTHORITY

Regarding a Resolution establishing purchasing authority and spending limits, the Court agreed that the matter is tied to the Public Contracting issue described above and thus, should be tabled to a later date.

IN THE MATTER OF FLOOR JOINT CONDITIONS AT ARDENT MILLS

Jeff Schott of Pillar Consulting, along with Roadmaster Dewey Kennedy, recently visited Ardent Mills blending facility to do a brief assessment of floor joint conditions that have been a concern of the occupant, Ardent Mills. Schott noted several areas of concern in the actual blending room, cold storage rooms and warehouse, with repairs estimated at approximately \$8 per linear foot. The Court agreed to ask Jeff Schott of Pillar Consulting to prepare a proposal including a more accurate inventory of the facility, identification of problem areas, a cost opinion for repair procedures and materials, assistance with preparation of bid/RFP documents, and assistance in contractor selection and coordination of work. Judge Shaffer also noted that the lease isn't clear who is responsible, particularly if the occupant's activity is causing the problems.

IN THE MATTER OF CULTURAL COALITION BOARD RESIGNATION

Motion by Commissioner Weimar, second by Judge Shaffer, to accept the resignation of Jonna Rattray from the Gilliam County Cultural Coalition Board. It was noted that Rattray's term would have expired December 31, 2016. Weimar – Yes; Shaffer – Yes; **Motion Carried.**

IN THE MATTER OF CULTURAL COALITION BOARD APPOINTMENTS

Motion by Judge Shaffer, second by Commissioner Weimar, to appoint Mary Dyer to the Gilliam County Cultural Coalition Board to fill the position vacated by Jonna Rattray, term to expire 12-31-16; and to appoint Karen Jones to a vacant position on the Board, term to expire 12-31-17. Weimar – Yes; Shaffer – Yes; **Motion Carried.**

IN THE MATTER OF GEODC LOAN OFFICER REPORT

Rex Baker, GEODC Loan Officer, was present to provide an overview of services. Baker noted that new GEODC Director, Susan Christianson is currently "getting up to speed" on several areas. He noted that the organization is now fully staffed and ready to

serve the County with several available loan programs, either independently or in conjunction with other programs.

IN THE MATTER OF CAMPBELL CRANE REQUEST

Jim Wright of Arlington was present, serving as contact person for Campbell Crane. Wright noted that Campbell Crane has an immediate need for more space at Shutler Industrial Park. Wright asked if the current tenant is willing to move, and Judge Shaffer noted that the tenant, which has first right of refusal, is considering the issue and will make a decision by the following week. Wright said that in time, the company hopes to have a building for a shop, office space and employee training. Wright noted that the pay scale for jobs at Campbell Crane begin at \$17, and could provide opportunities for youth who wish to remain in the area.

IN THE MATTER OF COMMUNITY COUNSELING SOLUTIONS REPORT

Community Counseling Solutions Executive Director Kimberly Lindsay was present to provide a semi-annual report. Lindsay noted that Community Counseling Solutions received the 2016 Rural Health Hero of the Year Award. Lindsay also expressed concern about the State of Oregon's proposed changes in delivery of mental health in rural areas including consideration of eliminating community mental health providers, as well as the County's role as Mental Health Authority. Judge Shaffer thanked Lindsay for bringing the matter to the Court's attention. Lindsay will bring the matter before the AOC District 3 meeting in Condon October 17.

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

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

RECONVENED Gilliam County Court regular meeting was reconvened by Judge Shaffer at 1:30 p.m., bringing the Court members out of Executive Session and back into regular session.

IN THE MATTER OF AMERICAN ROCK PRODUCTS LEASE

Brent Chigbrow of American Rock Products, Inc. was present to discuss the proposed Lease of Business Property agreement. Chigbrow expressed concern about the lease payment increase to \$1,550. He also noted that three acres is more than the company needs, and that one to 1.5 acres is sufficient. After looking at a map, the Court agreed to draft a new lease agreement for \$750/month for approximately one acre. The map will be redrawn.

Motion was made by Commissioner Weimar, second by Judge Shaffer, to approve the Lease Agreement with American Rock Products, Inc., contingent on redraft of the Lease to one acre and a lease amount of \$750/month plus \$5 for each cubic yard of concrete produced with the County concrete batch plant. Weimar – Yes; Shaffer – Yes; **Motion Carried.**

IN THE MATTER OF PILLAR CONSULTING PROPOSAL: RAIL EXPANSION

The Court discussed a proposal provided by Jeff Schott of Pillar Consulting Group for preliminary or initial schematic design services for rail expansion at Shutler Station. Scope of services may include site plan sketch, preliminary cost opinion and additional design services as requested for a budget of \$2,500 plus reimbursable expenses. If the requested services exceed the budget fee or if the project develops further, an additional fee will be requested.

Motion by Commissioner Weimar, second by Judge Shaffer, to contract Pillar Consulting group, Inc. to provide preliminary, schematic design services for Shutler Station Rail Expansion at a cost not to exceed \$2,500. Weimar – Yes; Shaffer – Yes; **Motion Carried.**

IN THE MATTER OF PILLAR CONSULTING PROPOSAL: CRANE BUILDING

The Court discussed a proposal provided by Jeff Schott of Pillar Consulting Group for preliminary or initial schematic design services for the proposed Crane Building at Shutler Station. The scope of service may include site plan sketch, preliminary cost opinion, preliminary building sketches and additional design services as requested. Proposal includes a time and materials budget of \$2,500 plus reimbursable expenses. If the requested services exceed the budget fee or the project develops further, additional fee will be requested. The Court agreed to table the matter until more information is available regarding Campbell Crane's request for more space.

IN THE MATTER OF PURCHASE AND SALE AGREEMENT, ARLINGTON

Roadmaster Dewey Kennedy reported that he and Transportation Coordinator Marla Davies recently discussed the building in Arlington to be used by the Road Department and Weed Department for vehicle storage. According to Kennedy, it is Jeff Schott's opinion that placement of the large doors at the roofline may create a wind issue. Commissioner Weimar commented and Judge Shaffer agreed that it will be possible to look at alternative solutions if the building doesn't work for the intended purposes, but that Court will want to follow through with purchase of the property.

Motion made by Commissioner Weimar, second by Judge Shaffer to accept a Purchase and Sale Agreement for Mid-Columbia Producer property on Rattlesnake

Road in the amount of \$82,000, contingent on building inspection. Shaffer – Yes; Weimar – Yes; **Motion Carried.**

IN THE MATTER OF TRANSPORTATION COORDINATOR REPORT

Transportation Coordinator Marla Davis was present to provide 1) a staff report and 2), Davies reported the following:

- There is no access to water at the Arlington bus barn. Davies is looking at possible solutions.
- The vehicles are getting design wraps. A patriotic theme on one of the buses was briefly discussed.
- New employee Sabrina Wagenaar is doing a good job and is working on a variety of organizational tasks.
- There is no allowance for employee health care in the budget. Budget Officer Nathan Hammer will be requested to make necessary adjustments.
- Both bus barns now have motion-activated LED lighting, paid for by Risk Management grant funds and General Fund matching dollars.
- Trainings will be scheduled for CPR/First Aid training.
- Davies is now a certified trainer for the Passenger Assistance Safety and Sensitivity program.
- Defensive driving training will also be scheduled.
- Davies sent a contract to Jay LaRue, Workmen's Comp; John Anderson, CID/Wheatland; and Legal Counsel Will Carey for review and approval of language and coverage limits.
- The second year of the Highly Rural Transportation grant has just been completed and a grant application for the upcoming year has been submitted. Transportation numbers include 2,323.5 hours spent picking up and transporting veterans to appointments. A total of 59,648 miles were logged, with 1,121 trips to medical facilities.

IN THE MATTER OF MEDICAID TRANSPORTATION PROVIDER AGREEMENT

Davies presented Mid-Columbia Council of Governments Blanket Purchase Agreement between MCCOG and Gilliam County, effective October 1, 2016, to provide Medicaid Transportation Services.

Motion made by Judge Shaffer, second by Commissioner Weimar, to approve the Blanket Purchase Agreement designated No. "X", with MCCOG for Gilliam County to provide Medicaid Transportation Provider Services. Shaffer – Yes; Weimar – Yes; **Motion Carried.**

IN THE MATTER OF DISTRICT ATTORNEY DEPARTMENT STAFF RETIREMENT

District Attorney Marion T. Weatherford was present to discuss upcoming changes resulting from Legal Assistant Gretchen LaRue's retirement effective December 1, 2016. Weatherford described the current job-sharing arrangement between LaRue and Victim's Assistance Director April Aamodt. It will likely be necessary, according to Weatherford, to train a legal assistant, which is a paralegal job, a change that may require reclassification of both positions to better reflect responsibilities. Weatherford presented a Salary Proposal Budget Impact and asked that the budget be implemented until the next Union Contract Negotiation.

Motion by Judge Shaffer, second by Commissioner Weimar, to accept the District Attorney's proposal for adjustment of the Victim's Advocate position from 54% to 62% until the next collective bargaining agreement. Shaffer – Yes; Weimar – Yes; **Motion Carried.**

IN THE MATTER OF CONDON CHILD CARE UPDATE

The Court received correspondence from Jennifer Bold, Executive Director of Condon Child Care, Inc. Bold reported that the Capital Project is going well with \$300,000 in donations and in-kind services. The project will be discussed with the Planning Commission on October 18. Fundraising and grant writing continue. Contracts with Head Start programs have been negotiated and signed.

IN THE MATTER OF COURT MEMBER REPORTS

Commissioner Weimar reported that he:

- Attended a meeting of the Mid-Columbia Council of Governments, at which building codes and the number of marijuana growing facilities in Hood River and Wasco Counties was discussed. A discussion on the Organization's Bylaws and Code of Conduct was tabled.
- Attended a meeting of CAPECO, noting that attendance was down, barely reaching a quorum at the last several meetings.
- Attended a meeting of AOC Transportation Committee. Commissioner Weimar will also attend a workshop on development of a Legislative package.

Judge Shaffer reported that he:

- Attended a meeting of Frontier Telenet, noting that Sherman County is nearly finished with its fiber build project. Judge Shaffer also noted that Frontier Telenet is in the final stages of placing a radio communication tower in Cottonwood State Park.

- Met with Wheeler County Judge Lynn Morley, along with and Brant Wolfe, Executive VP at Oregon Telecommunications Association and representatives of Century Link, OrTelCo.
- Met with a Regional Solutions group. The group will meet again October 17 to discuss the fiber project.
- Continues to work on juvenile cases in Wheeler County.

IN THE MATTER OF GILLIAM COUNTY MOTOR POOL REPLACEMENT

Judge Shaffer reported that the Chevrolet Equinox is currently in the shop for repairs, and that it and one other vehicle may need to be updated. Terri Carnine has been asked to provide a list of possibilities and competitive prices for the Court’s consideration.

IN THE MATTER OF NOVEMBER COURT MEETINGS/AOC CONFERENCE

The Court agreed to cancel the Nov. 16 regular Court meeting due to a conflict with the AOC Annual Conference.

IN THE MATTER OF CONSENT AGENDA

Motion by Commissioner Weimar, second by Judge Shaffer to approve the Consent Agenda, including September 21 Regular Court Meeting Minutes, September 21 Executive Session Minutes, and September claims, pending review. Shaffer – Yes; Weimar – Yes; **Motion Carried.**

IN THE MATTER OF THE NEXT COURT MEETING

The next Gilliam County Court meeting will be held on Wednesday, October 19, 2016 beginning at 10:00 a.m. at the Gilliam County Courthouse in Condon.

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 at 3:45 p.m.

GILLIAM COUNTY COURT

By _____

Steve Shaffer, Judge

By Absent _____

Dennis Gronquist, Commissioner

By _____

Michael Weimar, Commissioner

Mary H. Dyer/Recorder