

11-02-2016

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 2016-17 HOMESTEAD REBATE PROGRAM CERTIFICATION

Gilliam County Assessor Chet Wilkins was present to certify the 2016-17 Homestead Rebate. Wilkins reported that refunds for the fiscal year consisted of \$251,333.63 distributed to 517 applicants. Total taxes for the County are \$748,205.95, with an average tax of \$1,447.20. Wilkins also noted that although the program is mostly accurate, there is currently no way to know with certainty how many people are actually living in the residences, since some checks were returned from the post office as undeliverable. The Court agreed that the matter should be discussed at some point in the future.

IN THE MATTER OF COURT ORDER NO. 2016-01 SALE OF COUNTY PROPERTY

The Court discussed Court Order No. 2016-01, in the matter of an Order directing the Gilliam County Sheriff to conduct sale of County property. The property has been foreclosed with no response to notices. Assessor Chet Wilkins noted that the property is water damaged and may potentially be considered a total tear-down. He also reported that the house is currently assessed at \$28,980, although he hasn't yet had an opportunity to assess the interior. Condon City Administrator Kathryn Greiner was in the audience and commented that selling the house may encourage somebody to live in (or rent) a substandard building. Instead, the County may want to consider removal of the building as an investment in the community, much as the City did recently with a building on Main Street. Sandy McKay was also in the audience and stated that getting rid of a dangerous eyesore opens opportunities for a buyer to purchase and develop the property. The Court agreed to table the matter until the next meeting, at which time it will be placed on the agenda as a discussion item.

IN THE MATTER OF ARLINGTON PUBLIC LIBRARY REQUEST FOR FUNDS

Motion by Commissioner Weimar, second by Judge Shaffer, to approve disbursement to Arlington Public Library in the amount of \$20,000, as allocated for the 2016-17 Fiscal Year. Weimar – Yes; Shaffer – Yes; **Motion Carried.**

IN THE MATTER OF MID-COLUMBIA COUNCIL OF GOVERNMENTS REQUEST

The Court discussed an invoice received from Mid-Columbia Council of Governments increasing the County's per capita fee by \$.50, thus bringing the County's total

contribution to \$1.50 per capita and increasing the County's fees by \$935.50. The funds will be used for the Area Agency on Aging Program, with emphasis on Oregon Project Independence. Judge Shaffer said he thinks the increase is legitimate and helps create solutions for problems that exist within the County. Commissioner Weimar agreed that the money comes back to the County's seniors at a time when federal funding is decreasing.

Motion by Commissioner Weimar, second by Judge Shaffer, to approve an invoice for a special dues assessment increase of \$.50 per capita, increasing the County's total to \$935.50, payable to MCCOG for support of the AAA program. Weimar – Yes; Shaffer – Yes; **Motion Carried.**

IN THE MATTER OF COMMUNITY COUNSELING SOLUTIONS PRESENTATION

Katy Stinchfield of Community Counseling Solutions was present to provide information about CCS' Summer 2016 Prevention Programs. She noted that the Prevention, Education and Outreach program, which is tied into existing programs in each community, has expanded greatly in the past two years, largely due to the summer programs. Judge Shaffer commended Stinchfield for doing a phenomenal job.

IN THE MATTER OF SCHEDULING OF PUBLIC HEARING ON OACES ORDINANCE

The Court discussed Yamhill County Ordinance #897 creating a governmental entity by intergovernmental agreement, known as the Oregon Association of County Engineers and Surveyors, or "OACES". The ordinance states that OACES has existed informally as an affiliate of AOC since 1906 by an intergovernmental agreement, but it is now desirable for OACES to have its own legal identity. Judge Shaffer commented that the issue has slipped through the cracks, and Commissioner Weimar said the matter never came before AOC's Transportation Steering Committee. However, County Roadmaster Dewey Kennedy commented that the matter came up at a meeting nearly a year ago. He also reported that OACES is funded by annual dues and fees. The Court agreed to schedule a public hearing for the next Court meeting on December 7. More information is expected at the AOC Annual Conference in Eugene Nov. 17-19.

IN THE MATTER OF BLM UPDATE

BLM Prineville District Manager Carol Benkowsky was present to provide a BLM update that included an invasive plant environmental assessment, Cottonwood Canyon State Park update, information regarding the Spring Basin land exchange, a report on John Day River usage and trip fees for the 2016 season, and an update on progress of the Rattray property acquisition. Benkowsky also advised that the County should prepare for increased traffic and lack of accommodations during the solar eclipse in August, 2017. Judge Shaffer commented that the Community Development Department is actively involved in planning for the event. Judge Shaffer also expressed concern about

the amount of Oregon land owned by the Federal government. Benkowsky responded that the area is open to more people and provides a great opportunity for tourism, although she isn't sure if the benefits are enough to offset lost taxes. Gilliam County Fire Services Coordinator Shannon Coppock was in the audience and asked if the BLM is the fire suppression agent for Cottonwood Canyon State Park. Benkowsky responded that due to its Wild and Scenic Rivers designation, the park is high priority.

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

The Court discussed 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. Judge Shaffer noted that the limit for the Request for Proposal alternative was originally for contracts estimated to cost over \$100,000 up to \$1 million. In the meantime the Local Government Law Group sent a revised Exhibit A (Findings in Support of the Resolution) which omitted the \$1,000,000 reference altogether. Judge Shaffer noted Kathryn Greiner suggested there be an upper limit of \$500,000 on the Request for Proposal alternative. Resolution No. 2016-17, as presented, approves the use of Request for Proposal alternative contracting method for public improvement contracts estimated to cost over \$100,000. Judge Shaffer explained the Request for Proposal alternative contracting method for public improvement contracts allows decisions to be made based on factors other than the lowest bid. Reiterating comments at a previous meeting, Kathryn Greiner expressed her opposition to no upper limit on Request for Proposals contracting method and said she is still concerned about important decisions being made without the presence of the full Court. Judge Shaffer responded that the Public Contracting Rules, which are already out of date, currently don't meet the Attorney General's recommendations. Commissioner Weimar said that he is comfortable with the bidding level, which allows flexibility to spend the taxpayer's money wisely.

Motion by Commissioner Weimar, second by Judge Shaffer, to accept Resolution No. 2016-17, a Joint Resolution of the County Court and Local Contract Review Board opting out of the Attorney General's Public Contracting Rules and amending Public Contracting Rules for Gilliam County. Shaffer – Yes; Weimar – Yes; **Motion Carried.**

IN THE MATTER OF PURCHASING AUTHORITY AND SPENDING LIMITS

The Court discussed the need to adopt policy establishing purchasing authority and spending limits. Judge Shaffer noted that it is necessary to establish different limits as various departments, the Road Department and Weed Control Department in particular, have different spending levels. Judge Shaffer said he asked for input from the Elected Officials. Roadmaster Dewey Kennedy was in the audience and commented that it isn't always possible for the Road Department to wait two weeks to ask for Court approval to make purchases, particularly when equipment repairs need to be made. Commissioner

Weimar said it will be necessary to have more conversations before establishing a written policy. Judge Shaffer asked for Kennedy's input. Kennedy agreed to develop reasonable estimates, and will ask Don Farrar to do the same, to bring before the Court.

IN THE MATTER OF CORRESPONDENCE

The Court received:

- A Special Project Funds Grant Report from South Gilliam County Cemetery District.
- A note of thank you from Pioneer Community Development Corporation for the recent grant award.
- A Notice of Public Hearing from City of Condon scheduled for Nov. 15 at 6 pm. The Hearing is regarding consideration of a site plan review.

IN THE MATTER OF SIP NEGOTIATING TEAM APPOINTMENTS

Motion by Judge Shaffer, second by Commissioner Weimar, to appoint Will Carey, legal counsel; Brian Skeahan, Executive Director of the Community Renewable Energy Association; Judge Shaffer, and Leanne Durfey, County Court Administrator, to the Strategic Investment Program Negotiating Team for an indeterminate term. Weimar – Yes; Shaffer – Yes; **Motion Carried.**

IN THE MATTER OF CONSENT AGENDA

Motion by Commissioner Weimar, second by Judge Shaffer to approve the Consent Agenda, including October 5 Regular Court Meeting Minutes, October 5 Executive Session Minutes, October 19 Regular Court Meeting Minutes, October 19 Executive Session Minutes, and October claims pending review. Shaffer – Yes; Weimar – Yes; **Motion Carried.**

IN THE MATTER OF COURT MEMBER REPORTS

Judge Shaffer:

- Asked Leanne Durfey to place Tom Peterson of Cottonwood Canyon State Park on the agenda for the next Court meeting.
- Reported that several topics were discussed at the recent Tri-County Court meeting held in Moro, including a request to help with funding of Philippi Park. The matter will be placed on the agenda for further discussion at the next Court meeting.
- Reported that he has been involved in developing a process to hire a legal assistant for the District Attorney's office. The new legal assistant will replace Gretchen Larue, who is retiring in December.
- Noted that the Court received a bill from Todd Catterson of Armstrong Surveying for survey of Shutler Industrial Park, but that he hasn't yet seen the report.

- Reported that the State needs more space for the women's prison population, and is looking at utilizing facilities at NORCOR.
- Reminded that the AOC Annual Conference is coming up in Eugene on Nov. 17-19, and that the regularly scheduled Court meeting Nov. 16 has been cancelled.

Commissioner Weimar:

Reported that he attended a CAPECO Community Action Program meeting held recently in Pendleton. A training session for the CAPECO Board is coming up.

IN THE MATTER OF QUESTION BY SANDY MCKAY

Sandy McKay expressed his deepest respect for Commissioner Gronquist, but asked Court members if they are being realistic about how long Commissioner Gronquist's absence will be and how long the Court will continue operating as a two-person Court. Judge Shaffer noted that there are only three ways an elected official can leave office: death, resignation or recall. Commissioner Weimar said he doesn't feel it is the Court's responsibility to ask Commissioner Gronquist to resign. Judge Shaffer also commented that while the situation is difficult, it's important to remember that Commissioner Gronquist has served for 20 years, and that he has been absent for a relatively short time in comparison. All are hopeful that Commissioner Gronquist will eventually be well enough to resume his role as commissioner.

IN THE MATTER OF THE NEXT COURT MEETING

The next Gilliam County Court meeting will be held on Wednesday, Dec. 7, 2016 beginning at 10:00 a.m. at the Gilliam County Courthouse in Condon. The Nov. 16 meeting has been cancelled.

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 12:30 p.m.

GILLIAM COUNTY COURT

By _____

Steve Shaffer, Judge

By Absent _____

Dennis Gronquist, Commissioner

By _____

Michael Weimar, Commissioner

Mary H. Dyer/Recorder