

1-18-2016

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 WEED CONTROL OFFICER STAFF REPORT

County Weed Control Officer Don Farrar provided a quarterly staff report that included the following:

- A grant to help with remediation of the fire-damaged Hay Creek area is pending.
- He has been working with the Union Pacific Railroad to renew security requirements and will be recertified so he can have access to the tracks. Farrar told the Court that extra security measures have been required since 9-11.
- Several patches of skeleton weed have been reported in the north end of the County, largely because of the Weed Department's inability to access railroad property for two years.
- Weed control is ongoing and has included Russian knapweed and other noxious weeds on Hay Creek, Tamarisk trees on BLM land, weed treatment at the Industrial Park, and hand weeding of County roads and gravel pits.
- He has presented several training sessions for cheatgrass control and has also attended OVMA training for credit hours.
- A chemical plan and 2017 contract with ODOT have been renewed.
- He is finishing up reports for BLM.
- Equipment is being repaired for next year. Snow removal is ongoing.
- The Court also noted that Public Hearings for the 2017-18 Weed Control Special Assessment will be held in conjunction with Court meetings held in Condon on March 1 and Arlington on March 15.

IN THE MATTER OF WHEATLAND INSURANCE PROPOSAL

John Anderson of Wheatland Insurance presented a proposal to serve as Agent of Record for Gilliam County's Workers Compensation insurance. Anderson discussed the benefits of having all coverage with one local agent, noting that he will help the Court throughout the process in the event of any claims and will be present to help with end-of-year audits. Judge Shaffer commented that the County's local insurance business has been split in order to support both agents in the area, but one agent has recently retired. Commissioner Weimar said that County Clerk Ellen Wagenaar should be part of the discussion. Wagenaar was present and said she had no objection and would

appreciate help on the annual audit report. The Court agreed to consider Anderson's proposal.

IN THE MATTER OF OREGON DEPARTMENT OF ENERGY

Due to road closures, the Court met with Oregon Department of Energy representatives via conference call. Present on the call were Katie Clifford and Sarah Esterson, DOE Energy Facility Siting Analysts. A representative of the applicant (PGE) and applicant's legal counsel were also on the call. The purpose of the conversation was to present overviews of the Boardman Solar Energy Project and the Proposed Site Certificate Amendment of an existing energy facility (Carty Generation Station), concerning portions of both projects lying within Gilliam County. The Energy Facility Siting Council must designate as a Special Advisory Group the governing body of any local government within whose jurisdiction the facility is proposed to be located. As the Special Advisory Group, the Court will be asked to perform several functions during the review process, including provision of a list of all applicable criteria from the local comprehensive plan and adherence to both state and local land use regulations. The Court has the option to submit a letter appointing County Planning Director Michelle Colby to submit comments on its behalf, but confirmed that the Court will first approve any comments submitted by Colby. Feb. 3 is the deadline for public comment. The Court subsequently discussed the matter and clarified that the Solar Project affects three acres within Gilliam County, and the Carty Project amendment includes 17 miles of transmission line in Gilliam County. The Court agreed to seek feedback from other affected entities, including SWCD, the City of Arlington and the Port of Arlington. Commissioner Weimar noted the importance of considering potential future impact of the projects on possible agricultural uses for the land, particularly regarding potential irrigation projects and the possibilities for economic development in the future. The Court agreed to appoint Colby to submit comments on its behalf, but all agreed that there will be times that the Court will submit its own comments.

IN THE MATTER OF VETERANS SERVICE OFFICER QUARTERLY REPORT

Veterans Service Officer Bryan Hunt presented a quarterly report, noting 25 interviews in Gilliam County during the second quarter of fiscal year 2017, including 20 in office and five out of office. Hunt also reported \$14,367.26 in recoveries during that time. Outreach, enhancement and expansion activities were outlined, along with related purchases and expenses for the quarter and a Tri-County Expansion/Enhancement Plan Expenditures Table for 2016-17.

IN THE MATTER OF AUGUST 2017 SOLAR ECLIPSE UPDATE

Community Development Coordinator Rachel Weinstein updated the Court on plans for activities surrounding the 2017 solar eclipse. A local committee has met twice and a

statewide meeting is scheduled in February. Elizabeth Farrar has been appointed East Side Coordinator for Eastern Oregon Visitor's Association (Travel Oregon). Weinstein discussed various options for E-Commerce and noted that Travel Oregon wants to know of the County's major offerings by February to allow visitors time to plan.

IN THE MATTER OF ROADMASTER STAFF REPORT

County Roadmaster Dewey Kennedy reported that:

- he has received notification that the Federal Lands Access Project on Lower Rock Creek Lane has been selected for programming.
- he attended a community meeting in Lonerock to hear and address concerns regarding the paving of Lonerock Grade and the potential impact created by construction of a new bridge. Main concerns regarded the width of the road and shoulders and continuation of regular upkeep and winter maintenance.
- he has been working with Alliance Engineering of Oregon on plans for remodel of the new shop in Arlington, including installation of two overhead doors. It was noted that purchase of the building will be finalized by the end of January.
- after finishing Lonerock Grade improvements, the crew moved to Heritage Lane to work on a realignment and removal of a blind corner. Work was nearly completed when winter weather interfered.
- Road Department employee Gerry Durfey injured his shoulder Dec. 15 while putting chains on a grader and has been out since that time. He will be scheduled for surgery soon and will be away from work for additional 16 weeks thereafter.
- Road Department Administrative Specialist Terri Carnine broke her leg in the parking lot during the recent snow and ice storms. Kennedy noted that paperwork has backed up in her absence, and the Court briefly discussed ways the problem might be alleviated.
- noted that crew has been busy since winter storms started December 8. He complimented the crew for doing a great job taking care of the public and maintaining equipment.
- in response to a question regarding overtime hours, said that although there is no direct budget hit, the crew is now accruing comp time, which may create scheduling problems later.

Susie Anderson was present and thanked Kennedy and his crew on an "amazing job" keeping roads open during the winter storms. Commissioner Weimar commented that he has heard dozens of similar comments.

IN THE MATTER OF ROAD DISTRICT NO.1

The Court briefly discussed the designation of county roads in the unincorporated areas of Gilliam County as Road District #1, as approved at the Jan. 4 Court meeting. Commissioner Weimar asked about the reasons for the initial designation, commenting that the County operates under a special statute that allows the Road Department to operate with property taxes, since the County is one of two counties in Oregon with no timber revenue. Nobody knew for sure when the designation was established, or when the County combined several road districts into a single district. Mac Stinchfield of the Times-Journal was unsure about the history of the taxing situation, but commented that before the County had a road department, farmers would hold community work days for residents to work on market roads. Dewey Kennedy offered to research the taxing history of the Road District and will report his findings to the Court.

IN THE MATTER OF LAND USE REGULATION IN UNINCORPORATED AREAS

The Court agreed, due to treacherous road conditions, to table a discussion regarding land use regulation in the unincorporated areas of Gilliam County as it relates to marijuana legalization. During a brief phone conversation with Judge Shaffer, County Legal Counsel Will Carey agreed to be present for a special work session to be held Thursday, Jan. 26 at 10 a.m. (The meeting was subsequently changed to 1 p.m.)

IN THE MATTER OF CHART OF ACCOUNTS

Road conditions prevented County Treasurer Nathan Hammer from traveling to Condon. Thus, a discussion regarding recommendations for creating a chart of accounts was postponed until the next meeting.

IN THE MATTER OF APPOINTMENTS: 2017 PRO TEM JUSTICE COURT JUDGES MOTION by Commissioner Weimar, second by Judge Shaffer, to appoint the following as pro tem Justice Court Judges for both the Arlington and Condon Courts for the 2017 calendar year: Ron McDermid (Sherman County Justice of the Peace), Robin Ordway (Wheeler County Justice of the Peace), and Ann Spicer (Morrow County Justice of the Peace). Weimar – Yes; Shaffer – Yes; **Motion Carried.**

IN THE MATTER OF TRANSPORTATION COORDINATOR REQUEST

MOTION by Commissioner Weimar, second by Judge Shaffer, to approve a Gilliam County Grant Submittal Form submitted by Transportation Coordinator Marla Davies, to apply to ODOT/Public Transit Division for a \$134,000 grant - STF biennial allocation for Operating Funds and a \$98,976 grant in 5310 Funds. Weimar – Yes; Shaffer – Yes; **Motion Carried.**

IN THE MATTER OF COUNTY TRANSPORTATION ISSUES

The Court discussed the following issues presented in a report submitted by Marla Davies:

- Many eligible clients aren't making transportation appointments through MCCOG's brokerage system. This is an ongoing problem.
- Shopping and other non-medical excursions must be designated as fees for service transports. A brief discussion ensued, and Judge Shaffer said he would like STF to recommend how the program could operate in regard to non-medical trips. Commissioner Weimar agreed.
- The Court discussed a concern regarding a shortcut on the west side of Richmond Road near the former Airbase. Commissioner Weimar and Judge Shaffer agreed that the Oregon Department of Transportation should be informed of the matter. Sheriff Gary Bettencourt confirmed that the shortcut creates a dangerous situation with oncoming traffic and advised that until the matter is resolved, concerned drivers should avoid the shortcut.
- The Court approved, via consensus, a vehicle loaner arrangement between Gilliam County and Coos County Transit for a nine-passenger rear ADA list 2003 Ford bus. The arrangement will benefit Gilliam County because the vehicle, which is rarely used due to problems with the rear wheelchair lift, must have 150,000 miles before it can be replaced according to ODOT useful life standards.

IN THE MATTER OF LETTER TO OREGON PUC REGARDING PROPOSED PLAN

The Court discussed a draft letter to Oregon Public Utilities Commission commenting on PGE's proposed Integrated Resource Plan. The letter, drafted by Energy Consultant David Van't Hof of Columbia Gorge Bi-State Renewable Energy Zone, encouraged support of homegrown wind energy over imported natural gas, given that both meet all legal and reliability requirements and score nearly even under PGE's weighting formula. After a short discussion, Commissioner Weimar said he isn't yet ready to sign the letter. Judge Shaffer commented that while he isn't necessarily against natural gas, other options might be as good and PGE should be asked to consider those alternate options. He also agreed with Commissioner Weimar's comment that the both forms of energy are needed. Commissioner Weimar reiterated that he isn't ready to sign the letter as written, and Judge Shaffer agreed that more information is needed.

IN THE MATTER OF LEASE AGREEMENT FOR CONCRETE BATCH PLANT

The Court discussed the possibility of opening the concrete batch plant lease to other entities in light of the possibility of upcoming wind projects. Commissioner Weimar and Judge Shaffer agreed that the current lease with American Rock may not be in the County's best interest and will begin the process in April, after discussing the situation with County legal counsel.

IN THE MATTER OF CIS ANNUAL CONFERENCE

The Court noted that the annual Citycounty Insurance Services conference is scheduled for February 22-24 in Salem. Judge Shaffer said he will attend, and others may be interested as well.

IN THE MATTER OF CORRESPONDENCE: 2016 POPULATION ESTIMATE

The Court acknowledged receipt of a preliminary 2016 Population Estimate provided by Portland State University College of Urban and Public Affairs. The preliminary estimate for Gilliam County, as of July 1, 2016, is 1,980, an increase of 15 residents since the previous year and 109 residents since April 1, 2010.

IN THE MATTER OF CORRESPONDENCE: DEQ SUMMARY

The Court acknowledged receipt of a 2015 Department of Environmental Quality Material Recovery and Waste Generation Summary for the County's watershed.

IN THE MATTER OF COURTHOUSE CARPET RUNNER

The Court agreed to proceed with installation of a carpet runner for the Courthouse hallways. The price has increased from \$2,700 to \$3,433.18, due to a change in price per linear foot and addition of the Courthouse entrance.

IN THE MATTER OF WAREHOUSE AND SIDEWALK BEHIND COUNTY LIBRARY

The Court continued a previous discussion regarding condition of the warehouse and sidewalk behind the Library. As noted previously, Dewey Kennedy assessed the condition of the warehouse and determined that nothing in the building is salvageable. The Court discussed the building's historical value and its location in the City's Historical District, and Condon City Administrator Kathryn Greiner agreed to contact the State Historic Preservation Office (SHPO) regarding legal requirements and status of the building. The Court agreed that the sidewalk is currently not safe, but no decisions will be made until the warehouse situation has been resolved.

IN THE MATTER OF COURT MEMBER REPORTS

Commissioner Weimar:

- reported that he attended the last AOC Transportation Steering Committee meeting by phone due to weather conditions. Discussion included organizational topics and upcoming legislative issues affecting small counties.
- expressed concern regarding the IBR blending facility, stating that he would like to hear more about the ongoing status of the facility since the County has a stake

in the operation. County Court Administrator Leanne Durfey suggested that company representatives be invited to a Court meeting.

Judge Shaffer:

- reported that he attended the last meeting of the AOC Community and Economic Development Steering Commission by phone, due to inclement weather. Discussion included topics related to emergency preparedness and the need for communities to develop their own energy sources, which is a larger issue in Western Oregon.
- noted that LGPI has hired a new attorney who will focus primarily on union negotiations and human resources.
- reported that he met via phone with the NORCOR Board regarding a proposed tax levy for ongoing support of the facility. The Court briefly discussed pros and cons of the tax, which would be permanent, and whether the County might save money by paying on a per use basis.

Commissioner Weimar asked Judge Shaffer about an elected officials luncheon, which Commissioner Weimar missed. Judge Shaffer responded that the luncheon was primarily a friendly get-together and nothing of significance was discussed, but expressed concern about transparency and the need to be careful about making decisions about issues that should be discussed in Court meetings. Sheriff Bettencourt commented that the staff sometimes feels slighted and suggested that the Court consider inviting all staff to attend a portion of Court meetings.

IN THE MATTER OF TRI-COUNTY COURT MEETING

The Court noted that a Tri-County Court meeting is scheduled for Wednesday, Jan. 25 at 10 a.m. However, due to recent weather-related damage to the Jeanne Burch building in Fossil, the location of the meeting is undecided.

IN THE MATTER OF CONSENT AGENDA

MOTION by Commissioner Weimar, second by Judge Shaffer, to approve the Consent Agenda, including the Jan. 4 Regular Court Meeting Minutes with Commissioner Weimar's revision regarding Sheriff's Department purchase of vehicle.

IN THE MATTER OF DRAFT MINUTES AVAILABILITY

In response to an inquiry by Condon City Administrator Kathryn Greiner, the Court noted that it has not made a decision to make draft minutes available to the public.

IN THE MATTER OF THE NEXT COURT MEETING

The next Gilliam County Court meeting will be held on Wednesday, Feb. 1, 2017 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 3:00 p.m.

GILLIAM COUNTY COURT

By _____

Steve Shaffer, Judge

By Absent _____

Dennis Gronquist, Commissioner

By _____

Michael Weimar, Commissioner

Mary H. Dyer/Recorder