

**2-1-2017**

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.

**THE MATTER OF TRIBUTE TO COMMISSIONER GRONQUIST**

Judge Shaffer opened the meeting with a brief tribute to Commissioner Dennis Gronquist, who died Jan. 23. Judge Shaffer lauded Commissioner for his many contributions to Gilliam County. After a moment of silence, Judge Shaffer asked Mac Stinchfield of the Times-Journal to comment. Stinchfield noted that Commissioner Gronquist was always honest, fair and knowledgeable and that his integrity was unapproachable.

**IN THE MATTER OF WATERSHED COUNCIL ANNUAL REPORT**

Norie Winters-Wright, Gilliam East John Day Watershed Council Coordinator, provided an annual report for 2015-2016. She explained that the Board of Directors consists of seven directors and that the program is completely grant-funded. She also noted that there are five active watersheds within the County. The Council's contribution to the County include project revenues of \$125,841. Current ongoing projects include Large Scale Conservation Projects, \$515,884; Landowner Assistance Projects, \$66,667; Educational Projects, \$31,359; and Capacity Projects/Grants, \$142,719, for a total of \$759,629. Winters-Wright explained that funding comes from various sources, including the Oregon Watershed Enhancement Board and Confederated Tribes of Warm Springs, among others. The total also includes in-kind matches.

**IN THE MATTER OF OPAL FOUNDATION REQUEST FOR FUNDING**

The Court continued a discussion regarding Opal Foundation's request for funding of Philippi Park. Previously, the Court notified Opal Foundation that any funding should be project-specific, and the Foundation responded via a letter that the Court could provide assistance for a Kubota Tractor or picnic tables. The Court noted that previous discussions also included Sheriff's Bettencourt's concern regarding lack of a suitable emergency plan, which was also discussed at a Tri-County Court meeting held Jan. 25. The Court is waiting for more information from Sherman County regarding a plan for emergency services and agreed that the situation should be resolved before any level of funding is determined.

**IN THE MATTER OF APPOINTMENT OF COUNTY COMMISSIONER**

Gilliam County Clerk Ellen Wagenaar explained the process for filling a vacant seat on the County Commission, created by the death of Commissioner Gronquist. The State Democratic Central Committee has appointed Les Ruark as temporary chairperson of

the Gilliam County Democratic Committee. Ruark will form a temporary six-member committee consisting of one male and one female from each of the County's three precincts. An organizational meeting will be held Saturday, Feb. 4 at the Anderson Building in Condon. Once organized, the committee will hold a nominating convention in Arlington on Saturday, Feb. 11. At this time, at least three and no more than five residents will be nominated to fill the empty position. Those names will be provided to the Court for selection within 10 days.

### **IN THE MATTER OF ORTELCO FUNDING REQUEST**

Ken Gross of Oregon Telephone Corporation presented a Grant Proposal for Home Telephone in the amount of \$1.5 million. Scope of work is to build a fiber network from Condon to Cedar Springs Road. Gross noted that advantages of approving the grant would keep money local, provide service at a reasonable price, increase connectivity to rural residents and provide a unique selling position as one of the few counties with a direct connection to a digital switch. If grant money is awarded as requested, the project would be completed by the end of the year. In response to a question by Judge Shaffer, Gross noted that any unused wires could be leased by other entities. Gross also explained that as an incumbent carrier, the company must be sure that phone and Internet remain up and running according to FCC requirements. Further discussion regarding details of the project took place, but no decisions were made.

### **IN THE MATTER OF CITY OF CONDON REQUEST FOR RELEASE OF FUNDS**

Condon City Administrator Kathryn Greiner, along with Fiber Committee members Jan Stinchfield, Elizabeth Farrar and Rita Rattray, met with the Court to request release of \$387,562 previously approved for the City of Condon's fiber project in fiscal 2016-17. Stinchfield explained that the visit was primarily a "heads up" to let the Court know that the funds are still needed, and Greiner noted that the City's goal is a competitive, open line. Farrar explained that the City would provide infrastructure and could lease lines, but wouldn't provide service directly to customers. She also commented that the City is discussing a partnership with Columbia Basin Electric Coop.

Judge Shaffer said he thinks that Committee members aren't yet ready, and that the Court needs to look at all projects before making a decision to grant the funds. Greiner asked if the money might go away, and Commissioner Weimar responded that it doesn't make sense to spend the money if the "picture has changed." Judge Shaffer said that the money isn't completely off the table, but the Court wouldn't give out money without a plan. Farrar said that the City hasn't been welcome at the table, and that the only pushback is coming from Judge Shaffer. Commissioner Weimar commented that the discussion is "getting bogged down," and that it may be time to call in a mediator.

Stinchfield again asked if the money is still viable or if it's being taken off the table, to which Judge Shaffer responded that the money is still on the table, but things must be structured to be a win/win situation for everybody. Stinchfield asked if the money would be available by the next meeting, and Judge Shaffer responded that it's necessary to see how all the pieces fit before granting the request. He also commented that it isn't clear how the City's plan will provide affordable Internet to the rest of the County. Greiner stressed that the City just wants a place at the table, and that the project would provide competition and affordability. She also said that the money should be considered a capital investment, unlike plans in which nothing would be owned at the end of ten years. Greiner then asked if there will be an extension to request the funds if the money isn't spent by June 30.

Mac Stinchfield requested an opportunity to speak, then noted that the Committee has a plan that will provide competition that drives prices, and that hiring a consensus builder would be a waste of time. He advised the Court to let the Committee proceed with the plan, and not to "keep throwing on the brakes every time someone comes to the table." Commissioner Weimar said he doesn't see a lot of depth to the ideas and that the target plan keeps moving. Greiner responded that the Committee has worked hard to make the idea work, but has only received a resounding no from the Court, and that "Frontier Telenet has been the "biggest monkey wrench in the whole thing." She said that the bottom line is that the City wants to provide affordable, open access, reiterating that the Committee just wants a seat at the table. No decisions were made.

### **IN THE MATTER OF CHART OF ACCOUNTS**

County Treasurer Nathan Hammer discussed his recommendation for creation of a Chart of Accounts. Hammer explained that a chart would simplify the County's accounting process, noting that the County's budget includes more than 1,500 line items that require a considerable amount of time-consuming manual work. Commissioner Weimar asked if other County departments must agree, and Hammer responded that each department could make an individual decision to participate or not. The Court agreed with Hammer's recommendation and directed him to proceed.

In a related discussion, Judge Shaffer commented that it may be time to consider replacement of the County's outdated accounting software. Hammer and Ellen Wagenaar agreed to research various programs.

### **IN THE MATTER OF SHERIFF'S DEPARTMENT, EMERGENCY PURCHASE**

Sheriff Gary Bettencourt and Emergency Management Coordinator Chris Fitzsimmons requested emergency purchase of an ID card printer to replace a printer that failed earlier in the week. Fitzsimmons said that attempts to repair the printer were unsuccessful, replacement parts are unavailable, and the company no longer services

the printer. Sheriff Bettencourt said Fitzsimmons contacted the company and got four bids from \$7,000 to \$4211.52 for the same printer, with varying options. After considering four bids, Bettencourt and Fitzsimmons selected the least expensive bid. The total cost, which includes hardware, software, installation, training, warranty, accessories and trade-in, is \$4,211.52.

**MOTION** by Commissioner Weimar, second by Judge Shaffer, to approve purchase of the ID card printer as presented, to be funded from the County's Computer Equipment line item. Weimar – Yes; Shaffer – Yes; **Motion Carried.**

#### **IN THE MATTER OF WORKERS COMPENSATION AGENT OF RECORD PROPOSAL**

The Court briefly discussed a Workers Compensation Agent of Record proposal previously presented by John Anderson of Wheatland Insurance, noting the importance of talking with the current provider, Jay LaRue of LaRue Insurance. The Court agreed to table the matter, which will be placed on the agenda for the Feb. 15 Court meeting.

#### **IN THE MATTER OF EMPLOYEE REQUEST TO CARRY OVER VACATION TIME**

The Court discussed a written request submitted by Road Department employee Gerry Durfey. Durfey, who injured his shoulder on the job on December 15, recently underwent surgery to repair the damage. He explained that he was unable to take planned vacation time on December due to Workers Comp regulations, and requested that the Court allow him to carry over the time until later this year.

**MOTION** made by Commissioner Weimar, second by Judge Shaffer, to approve carryover of 69.84 hours of vacation time for Gerry Durfey, to be used within three months of his return to work in 2017. Weimar – Yes; Shaffer – Yes; **Motion Carried.**

#### **IN THE MATTER OF CONSENT AGENDA**

**MOTION** by Judge Shaffer, second by Commissioner Weimar, to approve the Consent Agenda, including January 18 Regular Court Meeting Minutes and January Claims pending review. Weimar – Yes; Shaffer – Yes; **Motion Carried.**

Approval of January 26 special work session minutes were tabled until the next meeting.

#### **IN THE MATTER OF WAREHOUSE BEHIND COUNTY LIBRARY**

The Court continued an ongoing discussion regarding possible demolition of the warehouse building located behind the County Library. Information provided by City Administrator Kathryn Greiner included an Oregon SHPO (Oregon State Historic Preservation Office) Clearance Form, which must be completed before demolition takes

place due to the building's location within the City's Historic District. The City is required to hold a Public Hearing, and the Court discussed whether it is necessary for the County to hold a separate Public Hearing to ensure citizens are well-informed. County Court Administrator Leanne Durfey suggested that the form should be completed first, and that Greiner should be informed if the Court is ready for the City to begin the process with the City Planning Commission. The Court directed Durfey to proceed with the SHPO form, and to talk to Greiner about hearings and other details involved in the process. The Court also agreed that the adjacent sidewalk is a safety concern that must be addressed after warehouse building issues are resolved.

### **IN THE MATTER OF CORRESPONDENCE**

Correspondence included cards sent by Morrow County and Columbia County Boards of Commissioners, expressing sympathy after the death of Commissioner Gronquist.

Judge Shaffer also discussed information received from METRO regarding upcoming negotiations that may likely change a requirement to send 90 percent of METRO's waste to Columbia Ridge Landfill. Changes in the requirement, which expires at the end of 2019, may mean a loss of income to the County. Commissioner Weimar commented that it's important for the Court to assist and be involved in the process.

### **IN THE MATTER OF COURT MEMBER REPORTS**

Judge Shaffer:

- reported that the Oregon Business Development Commission unanimously agreed, with one abstention, to approve a SIP to Avangrid for the Montague windmill project. Shaffer also said that a letter submitted by Rock Creek resident Les Ruark regarding issues of confidentiality was read into the record.
- noted that a meeting of Frontier Regional 9-1-1 included election of new officers and a discussion regarding financing of infrastructure in the event revenue is lost, especially for counties that are struggling to keep 9-1-1 up and running. He also reported that an update to a digital switch that allows use by State Police, DOT and other entities is being installed.
- informed those present that he will be away from Feb. 16 to 21.

Commissioner Weimar:

- reported on events at the last Tri-County Court meeting held in Fossil. Discussion included loss of federal funds for local trapping programs, Opal Foundation request for funding and related issues regarding emergency services at Philippi Park.
- noted that he attended the last meeting of Mid-Columbia Council of Governments. The Board held an election of officers and discussed new audit procedures. Regarding children riding on public transportation, the Board opted to require a waiver signed by parents.
- 
- discussed CAPECO's annual meeting, at which a new chairperson was elected. The board is still looking for a Board member, preferably a private sector person from the Milton-Freewater area.
- 
- discussed a meeting of ACT, (Lower John Day Area Commission on Transportation). Discussions included "active transportation," which Commissioner Weimar explained refers to pedestrians and bicycles; effects of weather this winter, and a statewide freight plan.
- noted that an agreement between Mid-Columbia Producers regarding the Rattlesnake Road warehouse is moving forward and on track.

### **IN THE MATTER OF WORK SESSION REGARDING LAND USE PLANNING**

The Court entered a brief discussion regarding a Jan. 26 special work session to consider land use ordinances regarding marijuana growing, processing and retail sales in unincorporated areas of the County. Judge Shaffer explained that County Planner Michelle Colby and Legal Counsel Will Carey are in the process of putting together ordinances with direction provided by the County Planning Commission. Regarding Carey's comments about the County's lack of a zoning map, Judge Shaffer noted that although the SWCD offered to create the maps, they are unable to do so because the job is more complex than initially expected. Colby is researching other options and costs. Carey also commented that the County's Ordinance Book is in bad shape, and Colby is addressing the problem.

### **IN THE MATTER OF THE NEXT COURT MEETING**

The next Gilliam County Court meeting will be held on Wednesday, Feb. 15, 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 \_\_\_\_\_

Michael Weimar, Commissioner

Mary H. Dyer/Recorder