

12-20-17

Judge Shaffer called the regular Gilliam County Court meeting to order at 9:30 a.m. The meeting was held at Gilliam County Courthouse in Condon, Oregon. Present were Judge Steve Shaffer, Commissioner Michael Weimar and Commissioner Leslie Wetherell.

IN THE MATTER OF EXECUTIVE SESSION

Judge Shaffer declared the meeting to be in Executive Session pursuant to ORS 192.660 (2) (d) to conduct deliberations with persons designated by the County Court to carry on labor negotiations. Separate minutes were taken and will be filed in the office of the County Clerk.

RECONVENED: The regular meeting was reconvened by Judge Shaffer at 10:00 a.m.

IN THE MATTER OF COMMUNITY DEVELOPMENT COORDINATOR REPORT

Community Development Coordinator Rachel Weinstein presented a staff report, including the following information:

Projects:

- The Oregon Solutions Attainable Housing Project drew committed participants from both ends of the County. Weinstein thanked the Court for supporting the project.
- Potential solutions to ongoing problems with substandard mobile homes at Columbia River RV and Mobile Home Park continue to be addressed.
- Various approaches to potential demolition of the warehouse building located behind the Library are being investigated. Weinstein has submitted necessary paperwork to State Historic Preservation Office (SHPO) and continues to work with the City of Condon on the matter. She is now on the City Planning Commission.
- John Day River Territory has moved to the top of the list for the next Americorps Resource Assistance for Rural Environments (RARE) funding cycle. Weinstein is investigating the possibility of various agricultural projects, including hemp and vertical farming.
- Support for Condon and Arlington Chambers of Commerce and local businesses continues.

Tourism and Livability:

- Tourism is the third largest economic driver in Eastern Oregon, responsible for over \$352 million and 7,000 jobs. Weinstein noted that various projects, including fiber and affordable housing, mesh well with tourism to improve quality of life for residents.

- Planning for the Solar Eclipse was successful and things went smoothly during that week.
- Weinstein discussed the effect of a 0.8% transient lodging tax increase on Eastern Oregon Visitors Association's (EOVA) budget.
- Promotion of cycling opportunities in the region continues. Bicycle fixit stations have been installed at Cottonwood State Park, Condon City Park. A third station is planned for Mitchell.
- Agritourism is a major focus for Travel Oregon. Plans include Taste of Oregon's Old West 2 at Cottonwood Canyon State Park. Other events are under consideration. An Arts Loop is also being discussed and may coincide with Taste of Oregon.
- Weinstein is working with ODOT on a feasibility study for a bike/pedestrian path from Condon to Cottonwood Canyon State Park, and is also helping with a FLAP (Federal Lands Access Program) application.
- A volunteer appreciation dinner will be scheduled for spring.
- Funds may be available from a Meyer Foundation Affordable Housing Grant earmarked for less wealthy rural counties. Weinstein also noted that the Foundation is very aware of the Oregon Solutions project.
- Weinstein requested direction regarding a Gilliam County Newsletter. The Court agreed with Judge Shaffer's suggestion that a newsletter should be published bi-yearly. There was brief discussion regarding the continuance of "Judge's Jottings" with Judge Shaffer suggesting the article be submitted by the County Court rather than the County Judge. No decisions were made.

Judge Shaffer inquired about availability of Energy Trust funds for removal of substandard mobile homes from Columbia River RV and Mobile Home in Arlington. Weinstein said that because it isn't possible to improve or upgrade pre-1976 mobile homes, funding may be available to assist with their removal. Energy Trust representatives plan to visit the park. She also noted that the RV aspect of the park is complicating matters, but District Attorney Marion Weatherford is working on solutions.

IN THE MATTER OF SWCD UPDATE ON NEW BUILDING AND LOAN REQUEST

Soil and Water Conservation board members Jordan Maley and Rich Harper and Financial Officer Christina Kirwin updated the Court on plans for a new SWCD building in Condon.

Maley told the Court that a second design for a new building was completed after the cost of the initial design was double the anticipated amount. A bid from Griffin Construction, LLC was accepted in a second RFP, although the bid is still higher than expected due to the current economic climate and a boom in construction projects in Central Oregon.

Due to the unexpected expense, the board faces a monthly shortfall of \$2,478.42 of the original payment plan agreed to by the Court and asked the Court to consider the following two options:

1. Defer all payments to year eleven, including accrued interest. This scenario would provide time for SWCD to pay off the Bank of Eastern Oregon loan, thus leaving Gilliam County with a first position of approximately \$560,000, including capitalized interest of 4 percent, thus reducing the monthly shortfall to \$84.42.
2. SWCD would make interest only payments on a \$400,000 principle at 4 percent until year eleven, which would minimize the shortfall to \$811.46 per month. In this case, SWCD would still be required to attain additional funding from an outside source. Gilliam County would be in first position with a principle of \$400,000 at year eleven and an income of \$87,245 over the preceding 10-year period. Other possible scenarios involved varying interest amounts.

Maley provided a brief history of the SWCD in Gilliam County and described the potential economic and job loss within the County, as well as significant hardships to local farmers if SWCD was to relocate. Kirwin described several successful projects and Harper reported that SWCD's new planner is currently working on grants that will benefit a large number of landowners.

Commissioner Weimar said that the new tax bill may have a huge impact on agricultural funding and stated that the County could shoulder some of the risk. Kirwin explained that SWCD isn't solely dependent on federal funding and that most support comes from the State, including a considerable amount of lottery dollars. Commissioner Weimar agreed that it's necessary to maintain balanced sources of revenue, but warned that more and more people are "chipping away" at available lottery funds. Maley commented that the Tribes have been willing to fund conservation projects, which helps diversity funding.

Maley said the new building will also house the USDA Ag Service Center. Judge Shaffer asked if there will be additional office space in the building, but Maley explained that due to cost constraints, the new design allows no extra space.

Regarding SWCD's funding request, Judge Shaffer said the Court needs additional time to consider the situation in light of several current loans, as well as recent issues that have arisen with the Grain Lab. All agreed to postpone a decision and the matter was placed on the agenda for the Jan. 17 Court meeting, 10:30 a.m.

In a separate matter, Judge Shaffer noted that testing of nine wells in Gilliam County indicate fairly high nitrate levels. Specific data isn't yet available, but a representative of the Domestic Well Safety Program will be invited to attend a meeting and provide a report to the Court. Maley asked if people have been notified of the high levels, especially households with children, and if testing kits have been provided. The matter will be addressed again at the Jan. 17 Court meeting.

IN THE MATTER OF COLUMBIA RIDGE CITIZENS ADVISORY COMMITTEE

Judge Shaffer asked Rich Harper if he is willing to continue serving on the Columbia Ridge Landfill Citizens Advisory Committee. Harper indicated he will serve another term. In response to a question by Judge Shaffer, Harper said Waste Management provides a place to meet and creates the agenda for meetings, but deliberations of the CAC are not weighted unfairly toward the company.

IN THE MATTER OF VIDEO RECORDING COUNTY COURT MEETINGS

IT Coordinator Kelly Smith and County Treasurer Nathan Hammer discussed the possibility of video recording County Court meetings, prompted by Marta Mikkalo's request at the Dec. 6 Court meeting. Smith provided possible two solutions:

1. A YouTube Channel with a link on the County's website. Smith said the Court would need to purchase a camcorder, which picks up sound better than an IPAD; and a tri-pod for a total cost of about \$400. The videos would be stored on the YouTube site for a year but the County would archive the videos for at least one year following approval of the minutes.
2. The videos could be posted directly to the County's website. Videos of only one or two of the most recent Court meetings would be available at any one time, but the videos would be archived for the one-year following minutes approval retention period as required by law. Editing software would bring the total cost to \$450 to \$500.

The Court briefly discussed cloud-based software that would manage minutes, agendas, Court packets, etc. The Court agreed to investigate management programs in the future.

Commissioner Wetherell asked who would be responsible for ensuring meetings were recording, and Sheriff Gary Bettencourt later posed a similar question. Court Administrator Leanne Durfey said she already sets up audio equipment and would do video equipment as well. She also said that a reduction in paperwork involved in meeting preparation would free up some time.

The Court agreed to proceed with YouTube for now, noting that the program appears to be working well for seven other counties in the state. Judge Shaffer asked about ownership and Smith said that the County would own the videos but YouTube would maintain the right to allow others to view them.

IN THE MATTER OF DEC. 6 COURT MEETING MINUTES

One misspelling was corrected in the Dec. 6 regular Court meeting minutes. A County road location project was clarified but wording was left as spoken.

MOTION by Commissioner Wetherell, second by Commissioner Weimar, to approve the Dec. 6 County Court minutes with a spelling correction. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

IN THE MATTER OF ECONOMIC ENHANCEMENT FUND ORDINANCE NO. 2017-05

MOTION by Commissioner Wetherell, second by Commissioner Weimar, to have the Second Reading of Ordinance No. 2017-05 by title only. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

Second reading by Judge Shaffer.

MOTION by Commissioner Wetherell, second by Commissioner Weimar, to accept the second reading of Ordinance No. 2017-05 by title only and adoption of Ordinance No. 2017-05. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

IN THE MATTER OF EMERGENCY PROCUREMENT FOR NEW BOILER

Judge Shaffer reported that the Courthouse boiler failed on Dec. 10. Reset was not an option and a temporary fix by Jamieson and Marshall worked for only a few hours. Auditor and county legal counsel advised that the circumstance qualifies as an emergency procurement. The Road Department and Jamieson and Marshall removed the old boiler. A new boiler is en route.

MOTION by Commissioner Weimar, second by Commissioner Wetherell, to accept Resolution No. 2017-12 declaring emergency circumstances exist requiring procurement of a new boiler at a cost of \$25,249 and any additional freight expenses. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

IN THE MATTER OF REAPPOINTMENTS OF COUNTY COMMITTEE POSITIONS

The Court discussed reappointment of committee members whose terms expire Dec. 31. Most members are willing to serve another term, although a few have declined reappointment or have failed to attend meetings.

MOTION by Commissioner Weimar,+ second by Commissioner Wetherell, to reappoint the following members to County Committees as listed below. Shaffer – Yes; Weimar – Yes; Wetherell – Yes; **Motion Carried.**

Budget Committee: Paul Barnett

Compensation Board: Gary Miller, Walter Powell, John Qualls

Fair Board: Leah Watkins, Marta Mikkalo, Gary Bettencourt

Cultural Coalition: Kari Keown

Special Transportation Fund Advisory: Mike Cronk, Crystal Holmes, Shirley Ludlow

Columbia Ridge Landfill CAC: Kelly Gronquist, Leslie Wetherell, Dewey Kennedy, Rich

Harper and employees Alan Anderson, Kip Eagles, Bob Moholland

CCO Community Advisory Committee: Katie Hams, Teri Thalofer

CCS Alcohol & Drug Planning Committee: Vicki Winters

Regarding the Fair Board's Dec. 6 request to appoint Daniel J. Perry to the Board, board member Gary Bettencourt clarified that the appointee would fill the remainder of the term recently vacated by Bill Wagenaar. Judge Shaffer said the Court decided to advertise to see if there is any interest in the position, and that it wouldn't be necessary to re-advertise the position when the term ends Dec. 31. Bettencourt said he sees no problem as long as the procedure is consistent and fair.

IN THE MATTER OF COUNTY JOB DESCRIPTIONS

The Court agreed to table a discussion of County job descriptions as drafted by Local Government Personnel Institute.

Sheriff Gary Bettencourt told the Court he thinks a job description for the Sheriff's Department is unnecessary because the Department is already mandated to the requirements and guidelines of state statutes. As a concession, he has whittled the description from four pages to two. He said he is frequently required to make split second decisions and that certain risks and liabilities facing the Department shouldn't be on paper.

Judge Shaffer said the description is necessary due to Workers' Comp requirements. Sheriff Bettencourt responded that he works for the County, not the insurance company, and Commissioner Weimar commented that in order to pay the Sheriff's Department, the County must comply with insurance requirements. Judge Shaffer said he doesn't disagree with Sheriff Bettencourt, and that the description should be more generic so both sides can be comfortable.

IN THE MATTER OF UPDATE OF EMPLOYEE HANDBOOK

The Court agreed to table a discussion on update of the employee handbook.

IN THE MATTER OF EDA RESPONSE TO GRAIN LAB APPRAISAL

The Court discussed the Economic Development Administration's request that Gilliam County obtain an expanded (or new) appraisal because the first appraisal doesn't meet the standards established by EDA in May. According to correspondence from EDA, if the County is opposed to revisiting the appraisal, the construction cost of \$786,520 times the EDA percentage share of 80 percent, for a total of \$629,216, is the amount the EDA would be willing to accept as the Federal Share.

Judge Shaffer noted that appraisal was done according to EDA requirements, and that the EDA continues to change the rules.

The Court agreed to ask Congressman Walden and Senators Wyden and Merkley to advocate for the County, and to ask EDA to adhere to 60 percent as originally requested.

IN THE MATTER OF COURT MEMBER REPORTS

Judge Shaffer:

- attended a recent emergency meeting at which NORCOR discussed Wasco County's decision to remove juveniles from the facility.
- reported that the NORCOR board received certification from the Prison Rape Elimination Act (PREA).
- provided Court members with AOC County Solution Program's recent assessment of Frontier Telenet's structure and mechanisms, performed at the request of Frontier Telenet's Board of Directors. The assessment is intended to improve coordination, partnering and public engagement, as well as Frontier's capacity to provide administrative, marketing and operations functions.
- learned at a recent Public Health Meeting that 21 is now the legal age for purchase of tobacco products, although people between the ages of 18 and 21 can still possess tobacco.
- noted that Herb Coffman has been hired to fill the maintenance position.
- said that he, as County Juvenile Judge, was recently asked by the Arlington Law Enforcement Committee to provide numbers on juvenile cases in the Arlington area. He reported a total of nine cases and urged the committee not to "cry wolf." He said that there are great kids in Arlington, the schools are doing a good job, and many of the committee's concerns have nothing to do with kids.

Commissioner Wetherell reported that:

- she recently participated on the interview committee of a new Sheriff's Deputy.

Commissioner Weimar reported that:

- MCCOG is winding down, and that AOC has been hired to help with asset liquidation. A conference call is scheduled next week, with a regular meeting Jan. 9.

IN THE MATTER OF CORRESPONDENCE

The Court received:

- Several Christmas cards
- A letter from Condon Chamber of Commerce Executive Director K'Lynn Lane thanking the Court for its continued support. Lane also invited Court members to attend Chamber meetings and networking events.

IN THE MATTER OF THE NEXT COURT MEETING

The next regular Gilliam County Court meeting will be held on Wednesday, Jan. 3, 2018, beginning at 10:00 a.m. at Gilliam County Courthouse in Condon, Oregon.

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 12:45 p.m.

GILLIAM COUNTY COURT

By _____

Steve Shaffer, Judge

By _____

Michael Weimar, Commissioner

By _____

Leslie Wetherell, Commissioner

Mary H. Dyer/Recorder _____