

3-1-2017

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

IN THE MATTER OF CHANGES TO THE AGENDA

Gilliam County Fire Services Coordinator Shannon Coppock's Semiannual Report has been postponed until a later date due to lack of time.

IN THE MATTER OF NORCOR BOARD DECISION

Judge Shaffer reported that at a meeting the previous day, NORCOR decided to move forward with a ballot measure seeking voter approval of a permanent tax base for NORCOR operations. The ballot measure will be included on the ballot for the May, 2017 election. Gilliam County Sheriff Gary Bettencourt, Treasurer Nathan Hammer and Assessor Chet Wilkins were present to discuss potential impacts and options, including possible withdrawal of Gilliam County as a NORCOR member.

Sherriff Bettencourt reported that opting out would save the County approximately \$102,000, which would be offset somewhat by the loss of income provided by work crews and the added expense of alternate arrangements for juvenile offenders.

Commissioner Weimar asked how the County would opt out, and Sheriff Bettencourt said it is his understanding that the County would just notify NORCOR of the decision. However, any decision to opt out must be made by March 16, after which time the County would be bound to a permanent tax if the measure passes. Bettencourt stated that he would actively campaign against the measure. He also said that it may be better to close NORCOR's juvenile facility and instead, use it for another purpose such as a correction facility for women. Possible alternatives for housing juveniles include Deschutes County's facility in Bend.

In response to a question from Commissioner Wetherell, Judge Shaffer noted that even if Gilliam County voters vote no, the County could easily be outvoted by Hood River and Wasco Counties, and thus would still be required to pay the tax levy if voters in those counties approve the measure. Court members expressed uncertainty about this, but it was later confirmed to be correct.

The Court will make a decision at the March 15 County Court meeting whether to move forward and present the tax levy to voters, or to opt out of NORCOR.

IN THE MATTER OF GRAIN LAB

Port of Arlington Manager/Economic Development Officer Peter Mitchell and Port of Arlington Board President Ron Wilson were present to discuss expiration of Intergovernmental Agreement between Gilliam County and the Port of Arlington for operation of the Gilliam County Grain Quality Lab. Mitchell stated that the lab has

acquired seven new clients in the past year. He reported they brought on a consultant and added two new pieces of equipment; a spectrometer and flame photometer. Waste Management, as promised, has given the lab a gas chromatograph mass spectrometer (GC mass spec), which would allow the lab to expand testing capabilities. Mitchell then stated that due to lack of a substantial client base, the Port is unable to absorb a deficit of \$136,500, and has chosen not to renew the contract with the County for the coming year unless a new funding source is found. Rachel Weinstein was present and asked if the deficit for the current year includes employee costs, and Mitchell answered that it does not.

Judge Shaffer stated that closing the lab is the prudent thing to do, and Commissioner Weimar agreed that it is time for the Court to work on an exit plan. Mac Stinchfield of the Times-Journal asked about the County's debt to EDA (Economic Development Administration), a 20-year loan in the amount of \$920,000. Judge Shaffer said that he doesn't yet know the buyout amount, but hopes it won't be necessary to pay the entire amount since the lab has been operating for 12 years.

MOTION by Commissioner Weimar, second by Judge Shaffer, to extend the agreement by no more than two months to allow adequate time for closure, including notification of employee. Weimar – Yes; Shaffer – Yes; Wetherell – Yes; **Motion Carried.**

The Court thanked the Port for their efforts and expressed regret that the endeavor didn't succeed as hoped.

Les Ruark of Rock Creek subsequently inquired whether the motion authorized Judge Shaffer to agree on an amount when negotiating with EDA. The motion did not provide that authorization.

IN THE MATTER OF PILLAR CONSULTING GROUP PROPOSAL

The Court discussed Pillar Consulting Group's proposal for schematic design services for Shutler Station Industrial Park projects, including railroad siding crossover and extension, industrial repair facility with rail spur, and industrial storage and repair facility.

MOTION by Commissioner Weimar, second by Judge Shaffer, to accept schematic and design services for Shutler Station projects for 2017 in the amount of up to \$9,500 plus reimbursable expenses as stated in the proposal. Weimar – Yes; Shaffer – Yes; Wetherell – Yes; **Motion Carried.**

IN THE MATTER OF PUBLIC HEARING: WEED CONTROL ASSESSMENT

At 10:30 a.m., Judge Shaffer opened the Public Hearing on the Gilliam County Weed Control Special Assessment. Rich Harper commented on the increased growth of skeleton weed in the last 15 years, especially in the Shutler Flat area. Weed Control Officer Don Farrar explained that the Department was unable to spray in the area for two years due to restrictions imposed by the Railroad. Harper also mentioned the need for distribution of a mapping system and Farrar stated that there is a map on the ODA Noxious Weed website.

At this point, Judge Shaffer commented that the discussion regarding specific weed problems is beyond the scope of the Hearing, which is intended to hear comments in favor of or against the weed control assessment. No other comments were offered and Judge Shaffer recessed the Hearing, which will continue March 15 in Arlington.

IN THE MATTER OF PLANNING DIRECTOR UPDATE

Gilliam County Planning Director Michelle Colby updated the Court on the process of adopting marijuana land use regulations. Judge Shaffer explained that the Court and Planning Commission are in the process of looking at specific zones within the County, and that there has been a difference in opinion regarding the Condon Airport, which is state property but under local jurisdiction for zoning. Colby said that some uses may be conditional and that legal counsel recommends starting with tighter restrictions that can later be loosened, which is easier than tightening restrictions later. Sheriff Bettencourt noted that he is opposed to marijuana operations at the airport, and that he recommends a buffer zone between city limits and any growing operations. Colby presented a proposed adoption timeline in alignment with statewide planning program goal and said that barring major opposition, a proposed ordinance will be ready for a May 3, 2017 Public Hearing. No decisions were made at this time.

IN THE MATTER OF INTERGOVERNMENTAL AGREEMENT FOR 2003 FORD BUS

Although Special Transportation Coordinator Marla Davies was unable to be present, the Court proceeded with a discussion regarding an Intergovernmental Agreement between Gilliam County and Coos County Transit for loan of the County's 2003 Ford Bus. Coos County will lease the vehicle until 150,000 miles are reached, at which time Gilliam County will sell the vehicle as surplus with revenue deposited in the County's Transportation Fund. According to Department of Transportation Public Transit Division, a vehicle reaches useful life standards when it is five years old and has reached 150,000 miles. Although the vehicle is more than five years old, the vehicle has only 81,360 miles. Gilliam County Court Administrator Leanne Durfey noted that John Anderson of Wheatland Insurance advised Marla Davies that because the agreement is more than 60 days, City County Insurance Services requires both parties to carry insurance.

MOTION by Commissioner Weimar, second by Judge Shaffer, to approve a Gilliam County Transportation Vehicle Use Agreement with Coos County for the County's 2003 Ford cutaway van. Weimar – Yes; Shaffer – Yes; Wetherell – Yes; **Motion Carried.**

IN THE MATTER OF UPDATE ON AUGUST 2017 SOLAR ECLIPSE

Community Development Coordinator Rachel Weinstein, Emergency Management Coordinator Chris Fitzsimmons and Elizabeth Farrar of the Eastern Oregon Visitors

Association updated the Court on planning for the August 2017 solar eclipse. Information included the following:

- An estimated 250,000 people are expected to view the eclipse in Jefferson County, including a group of approximately 30,000 people camping in the Ochocos.
- Firmer numbers regarding visitors to Gilliam County should be available by early summer.
- It is uncertain how many will be traveling through the area, and numbers of visitors may increase substantially if weather is cloudy to the west and/or east.
- Public Safety officials have advised that certain County Roads be closed to the public, including Lonerock and Trailfork Roads. Signs have been ordered.
- The City is opening 200 dry camping spots at Condon Golf Course, and the Fair Board plans to open at least 100 to 120 dry campsites at the Fairgrounds. Some land owners may also provide sites for dry camping.
- Fifty port-a-potties are on reserve. Some may be placed at Dyer Park and Mayville. Portable showers have also been reserved.
- Emergency management is a major concern throughout the County. There is also concern that Wheeler County personnel may be pulled further south, which means Gilliam County may be asked to assist with potential problems in Wheeler County.
- An Emergency Management committee may be formed to respond to breakdowns, out-of-gas and other potential problems on the highways, thus freeing other personnel for more critical matters.
- Forestry and BLM are also involved in strategic planning for the area. The potential of fire was briefly addressed, and fire personnel plans to restrict burning within the County.
- The County will pursue State funding to help with costs for emergency management.
- A park-and-ride in Condon was briefly discussed as a way to relieve traffic pressure.
- Availability of water and fuel for travelers may be issues.
- The Fair Board and City of Condon are not looking at the event as a money-maker, but both are hoping to devise ways of offsetting costs. Cost of cleanup will be considerable, including expense of emptying large trash dumpsters.
- Communication issues may be relieved with portable repeaters available within the State. Home Telephone also has extra repeaters.
- Local organizations may be asked to help with food at various locations, including booths at the Fairgrounds.

- Eastern Oregon Visitors Association will provide 50,000 special eclipse guides. By encouraging people to arrive early, stay late and be prepared. EOVA is hoping to mitigate traffic problems.

IN THE MATTER OF MUTUAL AID AGREEMENT

Emergency Management Coordinator Chris Fitzsimmons presented an updated Mutual Aid Agreement, effective April 1, 2017 through June 30, 2022, between Gilliam County and Sherman County, which includes joint use of Emergency Management personnel, communications systems, facilities, and equipment within the laws governing each agency, and to provide assistance as requested when an emergency or disaster exists.

MOTION by Commissioner Weimar, second by Commissioner Wetherell, to approve the Memorandum of Understanding between Gilliam County Emergency Management and Sherman County Emergency Management. Weimar – Yes; Shaffer – Yes; Wetherell – Yes; **Motion Carried.**

IN THE MATTER OF POTENTIAL BUILDING DEMOLITION AT FAIRGROUNDS

Gilliam County Fair Board Chair Chris Fitzsimmons informed the Court on the status of a dilapidated house at the Fairgrounds. Costs of repairs, at \$45,000, are prohibitive, and the house presents a safety hazard. Judge Shaffer said that the County is considering demolition of another building at 211 N. Potter in Condon, and it may be more cost effective to do both at the same time. However, the Road Department is short-handed and probably won't be able to take on the task. No decisions were made.

IN THE MATTER TAX FORECLOSED PROPERTY IN CONDON

The Court once again discussed a tax foreclosed house on 211 N. Potter in Condon. Chet Wilkins reported that he was finally able to look at the building, and although the house was "full of stuff," the condition wasn't as bad as originally thought. The Court agreed with Judge Shaffer's suggestion to allow the Housing Committee to go through the process and formulate a plan regarding demolition or sale of the property. Oregon Solutions will help prioritize. The Court also agreed with Wilkins' recommendation that a contractor should be asked to look at the property and offer an opinion before a decision is made.

IN THE MATTER OF COTTONWOOD CANYON STATE PARK REQUEST

Oregon State Parks Foundation Executive Director Seth Miller and NE and Greater Eastern Regional Solutions Center/DEQ Representative Randy Jones updated the Court on fundraising and construction schedule for Cottonwood Canyon State Park Experience Center. The update included information on Cottonwood Crossing Summer Institute, a week-long program that provides natural resource education for 20 to 25 area high school students. This is the third summer for the Institute, coordinated by the

Parks Foundation, Oregon Parks and Recreation Department, Eastern Oregon State University, DEQ, Regional Solutions and Eastern Oregon GO-STEM.

IN THE MATTER OF APPOINTMENT TO CULTURAL COALITION BOARD

MOTION by Commissioner Weimar, second by Commissioner Wetherell, to appoint SeunJin Bae of Arlington to a three-year term on the Gilliam County Cultural Coalition Board. Weimar – Yes; Shaffer – Yes; Wetherell – Yes; **Motion Carried.**

IN THE MATTER OF CONDON SCHOOL DISTRICT REQUEST

MOTION by Commissioner Weimar, second by Judge Shaffer, to approve Condon School District’s request for \$375,000 awarded during the 2016-17 budgeting process. Weimar – Yes; Shaffer – Yes; Wetherell – Yes; **Motion Carried.**

IN THE MATTER OF RESOLUTION NO. 2017-02

The Court briefly discussed Resolution No. 2017-02, supporting a transportation package by the 2017 Legislature to maintain and preserve Oregon’s statewide transportation system.

MOTION by Judge Shaffer, second by Commissioner Weimar, to approve Resolution No. 2017-02 to express support for a 2017 transportation funding package. Weimar – Yes; Shaffer – Yes; Wetherell – Yes; **Motion Carried.**

IN THE MATTER OF CONTINUED DISCUSSION ON FIBER PROJECT INVESTMENT

The Court continued a discussion regarding the fiber project. Judge Shaffer explained that the project will provide a connection between the digital switch and the call center, and that the primary purpose has been to allow communication for schools, emergency management and public safety. He also said that he has taken a firm stance for a buried system as opposed to aerial, due to weather and other factors.

Judge Shaffer noted that the City would like to provide access to residents and businesses. Other involved entities include Home Telephone, Frontier Telenet and Columbia Basin Electric. Commissioner Wetherell asked if the digital switch has a limited lifespan. Mike Smith, Frontier Telenet Director of Marketing was present and responded that the switch will last forever if it is upgraded yearly. Commissioner Weimar said that because there is no Federal or State money for the project, the County must accept responsibility to step up and work with other entities, and should maintain control. He commented that although he previously felt the County shouldn’t be involved in the fiber project, he now sees fiber as another public works project, much like rail or water.

Commissioner Wetherell asked for clarification regarding meaning of the term, “Mission Critical,” and Judge Shaffer explained that the term describes a system that is safe and secure from factors such as terrorism, vandalism, car accidents, etc. She also asked

about the price difference between buried and aerial fiber, and Mike Smith responded that the price is similar, although it could be considerably higher in rocky areas. Tom Fatland was in the audience and asked about potential redundancies, and the Court responded that there would be certain redundancies (such as Century Link), which can be beneficial.

After continued discussion, Judge Shaffer said that the project should be started right away, beginning with consideration of wants and needs of each entity. He suggested that Jeff Schott of Pillar Consulting be contracted to provide preliminary assistance with the engineering process. City Administrator Kathryn Greiner was present and said that the engineering process for fiber is highly technical and specialized, and that the City has hired telecommunication engineers. Judge Shaffer responded that Schott's role would be merely to provide guidance for the beginning of the process.

IN THE MATTER OF REQUEST FOR CONTRIBUTION, DESCHUTES COUNTY

The Court discussed a letter from Tammy Baney, Chair of the Deschutes County Board of Commissioners, requesting financial assistance for the Western Interstate Regional Annual Meeting to be held in Deschutes County in May. Judge Shaffer commented that most Eastern Oregon counties will provide assistance, but he isn't sure of the expectation. Commissioner Weimar said he is in favor of providing financial support, as the meeting is good for Eastern Oregon. The Court agreed to table the matter until more information is available regarding requested contributions.

IN THE MATTER OF REVISED 2017-18 BUDGET CALENDAR

The Court agreed by consensus to accept the 2017 Gilliam County Budget Calendar for fiscal year 2017-18.

IN THE MATTER OF CORRESPONDENCE

Judge Shaffer displayed an award presented to the County by CIS Property and Casualty Trust for Gilliam County's 35-years of continuous coverage through CIS.

The Court also received notification from Governor Kate Brown that Gilliam County Attainable Housing has been designated an Oregon Solutions project. K'Lynn Lane, Executive Director of the Condon Chamber of Commerce; and Julius Courtney, Pioneer Community Development Corporation board member, have been appointed as co-conveners.

IN THE MATTER OF COURT MEMBER APPOINTMENTS/ASSIGNMENTS

The Court agreed to revisit potential Court Member committee appointments and assignments after Commissioner Wetherell has completed AOC County College and has had opportunities to attend various meetings.

IN THE MATTER OF COURT MEMBER REPORTS

Commissioner Weimar:

- attended a recent CAPECO meeting.
- reported that a meeting of MCCOG was canceled due to lack of a quorum.
- was present at a recent Town Hall meeting hosted by Representative Greg Walden.

Judge Shaffer:

- attended a NORCOR meeting. The primary topic of conversation was the proposed permanent tax rates for member counties.
- attended CIS (CityCounty Insurance Services) Annual Conference.
- was present at a recent Town Hall meeting hosted by Representative Greg Walden.

Commissioner Wetherell:

- attended a meeting of the Arlington City Council.
- was present at a recent Town Hall meeting hosted by Representative Greg Walden.
- is scheduled to attend AOC County College.

IN THE MATTER OF CONSENT AGENDA

MOTION by Commissioner Weimar, second by Commissioner Wetherell, to accept February 15 Regular Court Meeting Minutes, Special Meeting Minutes with corrections, and February claims pending review. Weimar – Yes; Shaffer – Yes; Wetherell – Yes;
Motion Carried.

IN THE MATTER OF CITIZEN REQUEST

A request to have a citizen comment read into the record was tabled by the Court until clarification is provided.

IN THE MATTER OF WORK SESSION: SIP FUNDS PLANNING

At 2:58 p.m., Judge Shaffer convened a Work Session for SIP (Strategic Investment Program) funds planning. The Court noted upcoming projects for discussion in the near future and budget consideration are : County roads, Shutler Industrial Park and the Fiber Project. Two other items noted were the upcoming Gilliam County Attainable Housing and Community Development Project, and the possibility of payment to the Economic Development Administration for the Grain Lab which was budgeted for in the current budget. Roadmaster Dewey Kennedy said that there isn't currently enough

money to maintain deteriorating roads, culverts, and aging equipment. Community Development Coordinator Rachel Weinstein spoke about housing as an ongoing issue for the entire County.

Judge Shaffer presented graphs outlining use of the County's SIP discretionary funds since 2015-16, and projected uses for the next 20 years. Currently, the funds are divided between general fund balancing, livability and quality of life, infrastructure, economic development and strategic reserve fund, with a large portion of discretionary funds saved for the future and reinvested back into the community.

The Court also discussed potential decreases in solid waste host fees due to a change in a previous requirement that 90 percent of solid waste in Portland's metropolitan area must come to the Columbia Ridge Landfill. That requirement is ending with the 2019 expiration of the current contract and must be renegotiated.

After discussion, the Court agreed to continue its current practice of sending letters to community organizations and other entities within the County reminding them of the deadline for submission before the County enters the budget process.

IN THE MATTER OF THE NEXT COURT MEETING

The next Gilliam County Court meeting will be held on Wednesday, March 15, 2017 beginning at 10:00 a.m. at Arlington City Hall in Arlington, 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 4:20 p.m.

GILLIAM COUNTY COURT

By _____

Steve Shaffer, Judge

By _____

Michael Weimar, Commissioner

By _____

Leslie Wetherell, Commissioner

Mary H. Dyer/Recorder