



Court Agenda

January 4, 2017

1.0 Appointment Schedule:

- 1.1 9:00 a.m. Shawn Payne – Emergency Services Director – Quarterly Report
- 1.2 9:15 a.m. Brad Lohrey – Sheriff – Quarterly Report
- 1.3 9:30 a.m. Dan Aldrich – Maintenance Technician – Quarterly Report
- 1.4 10:00 a.m. Brad Baird – Anderson Perry & Associates – Biggs Service District Update
- 1.5 11:00 a.m. Public Hearing: Ordinance Transferring Jurisdiction Over Establishment of Ways of Necessity to the Circuit Court of the State of Oregon for Sherman County, Repealing Ordinance No. 02-2014, and Declaring an Emergency
- 1.6 11:15 a.m. Public Hearing Continuation: Ordinance Repealing Ordinance No. 29-2005, Defining Procedure for Mass Gathering Permit Application, and Declaring an Emergency
- 1.7 1:00 p.m. Amber Degrange, Katie Paul, Claire Ranit – Juvenile Department – MARC Grant Sanctuary Model Presentation

Additions to Agenda:

2.0 Action Items:

- 2.1 Appointment – Budget Officer: Debbie Hayden
- 2.2 Appointment – Planning Commission: Forest Peters, Roger Whitley, Bryan Cranston
- 2.3 Appointment – Local Public Safety Coordinating Council
- 2.4 Appointment – Ambulance Service Area Plan Advisory Committee Liaison: Commissioner Dabulskis
- 2.5 Proposal to Transfer Ownership of the Wasco Annex to the City of Wasco
- 2.6 Wasco Annex Use Request – Heart To Sole Foot Care, LLC



**SHERMAN COUNTY COURT
REGULAR SESSION
SHERMAN COUNTY CIRCUIT COURTROOM**

MINUTES

January 4, 2017

Opened Court: 9:00 a.m.

Present: Judge Gary Thompson, Commissioner Tom McCoy, Commissioner Joe Dabulskis, Administrative Assistant Lauren Hernandez

A quorum was present. No news media was present.

Additions to Agenda

SUMMARY OF ACTIONS TAKEN

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to authorize Judge Thompson to sign the United States Department of Agriculture application for the Biggs Service District water improvement project.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to adopt the Ordinance Transferring Jurisdiction Over Establishment of Ways of Necessity to the Circuit Court of the State of Oregon for Sherman County, Repealing Ordinance No. 02-2014, and Declaring an Emergency.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to appoint Debbie Hayden as Budget Officer for a term of one year to expire December 31, 2017.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner Dabulskis, second by Commissioner McCoy, to appoint Forest Peters, Roger Whitley, and Bryan Cranston to the Planning Commission for a term of four years to expire December 31, 2020.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to appoint the following to the Sherman County Local Public Safety Coordinating Council (LPSCC) as recommended for a one year term to expire December 31, 2017: Amber DeGrange, Teri Thalhoffer, John Folliard, Alyssa Winslow, Barbara Seatter, Shawn Payne, Gary Thompson, Wes Owens, Wade McLeod, and Katie Paul.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Judge Thompson, to appoint Commissioner Joe Dabulskis to the Ambulance Service Area Plan Advisory Committee to serve as Sherman County Court liaison.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to offer to transfer ownership of the Wasco Annex and the surrounding property to the City of Wasco – with the transfer taking place June 30, 2017. If the City of Wasco agrees to take ownership of the Annex, the county will provide the city with payments of \$50,000 in each of the next six years to help operate the Annex. The payments would start in the 2017/2018 fiscal year and end in the 2022/2023 fiscal year. In addition, the county will provide the city with \$250,000 to be used to repair and restore the Annex. Before this transfer agreement with the city is signed, the Sherman County Budget Committee must approve a schedule showing how much of the \$250,000 will be available in each of the next six years.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve of Kari Peters, Heart To Sole Foot Care, LLC, using a room in the Wasco Annex to provide senior foot care one day per month for a six-month trial period to end June 30, 2017, for a cost of zero/month during the trial period.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the Helion Software Licensing Agreement, the Client Software Support Services Contract, and the Personal

Services Contract for Computer Services between Sherman County and Helion Software for the Clerk's Office Recording System and authorize Judge Thompson to sign pending approval by County Counsel.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

Motion by Judge Thompson, second by Commissioner Dabulskis, to appoint Commissioner McCoy as a Mid-Columbia Council of Governments Board member and Commissioner Dabulskis as an alternate board member.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the minutes of December 21, 2016, as presented.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the Claims for the month of December 2016 as presented.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

1.0 Appointment Schedule

1.1 9:00 a.m. Shawn Payne – Emergency Services Director – Quarterly Report

Present: Shawn Payne

Shawn Payne, Emergency Services Director, presented a quarterly report. There have been many automobile wrecks. As of January 3, Sherman County Ambulance received ten calls. The court reviewed the quarterly report submitted. Shawn is working on Life Flight media advertising and brochures. She is working with someone whose husband had to use Life Flight and may write a human-interest piece for the Sherman County Citizen Reporter and will submit information about the ambulance membership to the Reporter.

Everbridge Mass Notification is available through the county website. The logo says *Frontier Regional Alert*. Only the sheriff or emergency services director can approve sending alerts through the system.

The Scott Canyon closure notice was the first notice sent out for Sherman County, and some members did not receive notification. Shawn will double check the system.

The annual emergency services banquet went well. The Emergency Services Department received a grant from Avangrid for \$1,400. Another grant is pending through Sherman Development League. Two new members have joined the ambulance.

The Ambulance Service Area Plan Advisory Committee will meet soon. Shawn will send out the draft ASA Plan and will add to the Plan a Geographic Information Systems map showing drive times from the ambulance to every part of Sherman County.

Shawn stated Talik Eichinger, SHIFT Festival, reached out through email to ask if she had a chance to review the draft mass gathering ordinance. Shawn plans to attend the public hearing discussing the ordinance.

1.2 9:15 a.m. Brad Lohrey – Sheriff – Quarterly Report

Present: Brad Lohrey

Brad Lohrey, Sheriff, presented a quarterly report. Scott Canyon has been a problem, and many semi-trucks have stacked up on the road and in the ditch to block the road. The road has been straightened, and the *Road Closed* sign can only be seen once traffic is on it. There is no turn-around. It is posted that the road is not maintained in the winter, but GPS has added Scott Canyon, and more truck drivers are using it. Truck drivers are ticketed when they are caught using this road. This winter, at least ten semi-trucks have crashed or ended up in the ditch at Scott Canyon.

Brad presented an end-of-the-year report. Traffic crashes were the main reason for calls, totaling at 67. This does not include crashes handled by Oregon State Police. There were a total of 591 cases, and 3,367 citations were written. Frontier Regional 911 dispatch handled 46,664 calls during the year. The Sherman County Sheriff's Office fielded 5,797 calls to dispatch. Frontier Regional 911 received 183 911 calls for police in Sherman County. Sherman County is the third largest user of the Frontier Regional 911 system. The Sherman County Ambulance received 223 calls through the system. Central Oregon is growing quickly, and the number of calls received on the Frontier Regional 911 system will continue to grow, which is why maintaining and improving infrastructure of the system is important. Brad will no longer chair Frontier Regional 911.

Brad reported many calls received are situations that require at least two deputies. Dan DeHaven may run the marine boat in the summer. After he retires, he may work the boat part time. Brad would like to keep as many full-time deputies on the road during the summer as possible.

1.3 9:30 a.m. Dan Aldrich – Maintenance Technician – Quarterly Report

Present: Dan Aldrich

Dan Aldrich, Building Maintenance Technician, presented a quarterly report. Things are going well with the exception of a few minor problems like the drain and the water leak in the front of the courthouse. The leak is not an immediate problem, but does need to be fixed. Roots went through the clay sewer drain pipe leading from the sinks in the clerk's office. When they were removed, the pipe collapsed. It was dug up and replaced with PVC. The pipe will all eventually need to be changed to PVC, though this may happen during construction of the new courthouse facility.

Dan would like to ask the Budget Committee for finances to purchase equipment for the floors. He would like a carpet cleaner, a buffer, and a scrubber. The county pays Aramark approximately \$10,000 a year for the area carpets to be cleaned and the senior center floor to be waxed three times a year. Dan believes equipment for these services could be purchased for around \$7,000. Aramark also charges to clean rags used by Community Transit to clean vehicles. Dan would like a small washer and dryer so he can wash the rags himself. Judge Thompson suggested waiting to purchase the new equipment until the new facility is built.

1.4 10:00 a.m. Brad Baird – Anderson Perry & Associates – Biggs Service District Update

Present: Brad Baird

Brad Baird, Anderson Perry & Associates, presented a Biggs Service District water improvement project update. The United States Department of Agriculture (USDA) application and Environmental Report are finished and will be submitted sometime next week. Judge Thompson will need to sign the application.

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to authorize Judge Thompson to sign the United States Department of Agriculture application for the Biggs Service District water improvement project.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

Brad reviewed the funding breakdown. The district will apply for a \$1.1 million loan from USDA, a \$500,000 grant from USDA, and the county will contribute \$512,000.

The Conditional Use Permit for the reservoir site will be turned into the Sherman County Planning Department. Brad presented a tentative plan for the reservoir site. When the weather improves, test pits will be dug and access road earthwork will be started. Design is 85% complete and should be finished this month. The project will be bid in two parts. The well will be one bid and the drilling for the well will be a separate bid. Advertisement for bids will happen after funding is received. It is possible the project could be completed during 2017. The well depth will be almost 400 feet and will pump 250 gallons per minute through pipe line 12 inches in diameter. The tank will hold 400,000 gallons. The potential shape and size of the tank was discussed.

The USDA submitted funding-related questions to Brad. An order was passed to add water services to the Biggs Service District. The USDA agrees everything is now in order, and the district is eligible for funding. Brad asked if the county has a maximum loan term of 30 or 40 years. The USDA requires entities to use the maximum loan term. Brad asked if the county has a bond counsel. If it does not, USDA has one that can be used. Brad asked if the county prefers Revenue Bonds or General Obligation Bonds. A Revenue Bond would be repaid through water rates. A General Obligation Bond would require a vote and would be repaid through assessment or tax. Judge Thompson stated the county would like a Revenue Bond. A Revenue Bond approval can be approved through a bond election, or a resolution can be passed stating the county's intention to go out for bond. The resolution would be published in the county's paper of record for a 60 day remonstrance period. Brad asked if the district has the authority to require mandatory hookup for water users in the district. The USDA typically has mandatory hookup clauses. Currently, there is not one, but the court supports putting one in place for the water project. Both private well owners in Biggs have expressed to Brad they would be willing to sell their wells to the district to be used as back-up wells. This is something that will be looked into. Having at least one back-up well is ideal.

At the next court session, Brad will present bonding information and a Mandatory Connection Resolution. A new USDA-approved Engineering Agreement will need to be entered into between Sherman County and Anderson Perry & Associates. Funding related paperwork can be expected at most future court sessions. Brad discussed payment to Pat and Lori Beers for the reservoir site.

1.5 11:00 a.m. Public Hearing: Ordinance Transferring Jurisdiction Over Establishment of Ways of Necessity to the Circuit Court of the State of Oregon for Sherman County, Repealing Ordinance No. 02-2014, and Declaring an Emergency

Present: Will Carey, Georgia Macnab

Judge Thompson opened the hearing at 11:00 a.m. regarding the Ordinance Transferring Jurisdiction Over Establishment of Ways of Necessity to the Circuit Court of the State of Oregon for Sherman County, Repealing Ordinance No. 02-2014, and Declaring an Emergency.

Will Cary, County Counsel, explained in the past, the court received a Way of Necessity case. The case was contentious and would be time consuming. The court decided to pass an ordinance to transfer the case to the Circuit Court. A Way of Necessity is used in a situation where a piece of property has no access to it from public right-of-way. The Underhill family attended the last court session to give background on their Way of Necessity case. Will explained the Underhill trial lasted for a week, and at the end, the defendants moved to have the case dismissed on the grounds that the ordinance transferring Sherman County Court Way of Necessity cases to the Circuit Court wasn't proper. The original ordinance signed by the court only transferred jurisdiction of one Way of Necessity case, not all Way of Necessity cases. The judge determined if the county does not want to hear Way of Necessity cases, it can turn jurisdiction of all such cases to the Circuit Court, but it cannot do so on a case-by-case basis. Will explained if a case was brought up in the future the county felt it wanted to hear, another ordinance could be passed reclaiming jurisdiction of Way of Necessity cases. Will recommended the court turn jurisdiction of Way of Necessity cases to the Circuit Court, as the cases can be contentious and time consuming.

No further public comment was heard.

The public hearing was closed at 11:06 a.m.

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to adopt the Ordinance Transferring Jurisdiction Over Establishment of Ways of Necessity to the Circuit Court of the State of Oregon for Sherman County, Repealing Ordinance No. 02-2014, and Declaring an Emergency.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

1.6 11:15 a.m. Public Hearing Continuation: Ordinance Repealing Ordinance No. 29-2005, Defining Procedure for Mass Gathering Permit Application, and Declaring an Emergency

Present: Brad Lohrey, Jeremy Shull, Georgia Macnab, Tom Macnab, Shawn Payne, Talik Eichinger, Josh Monifi, Ashley Cuzzupe, Jim Payne, Fred Justesen, Joe Belshe

Judge Thompson opened the public hearing continuation at 11:15 a.m. for An Ordinance Repealing Ordinance No. 29-2005, Defining Procedure for Mass Gathering Permit Application, and Declaring an Emergency. Judge Thompson stated no final decision will be made during this court session, but the court will listen to feedback and use it to further revise the ordinance.

County Counsel Will Carey stated he heard comments that the ordinance was taken from the internet from a populated western county. He stated this is true. He was asked to develop a draft to begin the conversation, and the one chosen is a standard mass gathering ordinance. Will stated he heard comments that more populated counties should have more restrictions and rules than less populated counties. Will stated this may be true, but Sherman County is unique in that the primary productive entity is the growing of wheat, and because of this, if a fire happens during certain times of year, it could consume a good portion of the county. Will stated if a person

is not familiar with fire danger first hand, it doesn't sink in, but fires can rage across wheat fields due to wind. Major catastrophes like this have happened in the past. Commissioner McCoy gave background on the last two catastrophic fires in Sherman County. He stated if there is no wind, there is less danger, but a festival held on a windy day is open to a catastrophic event.

Will stated input will still be received from Georgia Macnab, Planning Director, and other references need to be considered in the ordinance. Georgia sent Will Oregon Revised Statute (ORS) 565.230, which discusses the use of the fairgrounds for gatherings without permits. Judge Thompson asked what the ORS meant. Will explained the ORS doesn't state the fairgrounds doesn't need a permit but that it can be utilized to the fullest extent. Will read from the ORS, "...fairgrounds and buildings may be utilized to the fullest extent for pleasure, recreation and public benefit, the board shall at all times have the authority to provide park facilities for the public or to issue licenses and grant permits for the holding of any exhibitions, shows, carnivals, circuses, dances, entertainments or public gatherings upon the fairgrounds." Will stated the ORS does not exempt the fairgrounds from county ordinances. Judge Thompson questioned this. Will explained the ORS states the Fair Board has the authority to provide facilities or to issue licenses and grant permits. Will read from the ORS, "...any such businesses so licensed by the board shall not be required to pay license to any city or county other than to the board." Georgia commented she interpreted this to mean events held during the fair would not have to pay a fee, but events held outside of fair would be subject to fees. Will read the entirety of the statute out loud and stated he feels the ORS is intending to state the exception to fees is during the fair only. The court would like to exempt the fairgrounds from the ordinance to allow them to hold fair-related and agricultural events. Discussion was held about who receives permit fees from an event held at the fairgrounds outside of the fair. Will stated the ORS exists to give fair boards the authority to hold events and receive income from those events. He explained the ordinance stated the Fair Board has the authority to provide park facilities *or* (not and) provide licenses.

Talik Eichinger, SHIFT Festival, stated he feels the intent of the ordinance is to target the SHIFT Festival and other similar festivals, exempting any event already in place. He asked if the fairgrounds are any less of a fire risk than events in place, like the race track. The race track is a significantly higher fire risk. Talik presented a letter from Glen Fluhr, South Sherman Fire & Rescue (SSFR), which the court had already received, stating events already in place in Sherman County present significantly more fire risk than the SHIFT Festival.

Shawn Payne, Emergency Services Director, reviewed the letter from SSFR. She stated it is true the race track will cause fires, and this has happened before. However, the race track has crews on standby during events to put out fires. If crews are not on standby, SSFR has three or four people at most available who can fight fire. This means other agencies would be depended on to cover personnel. Shawn stated she is fine with the Emergency Services aspect of the ordinance and has spoken to Talik about that portion, but fire risk is still an issue. Shawn read an email from the fire chief of North Sherman Fire District, Jeff Holliday, stating his concern with mass gatherings in Sherman County during summer months is that "any emergency created from this event will likely deplete our already limited EMS personnel. Due to our vast geographic location and the amount of recreation that already takes place at our many tourist parks, I feel it is in the best interest of Sherman County to limit mass gatherings during the summer months."

Talik stated he has been through the mass gathering process with other counties, and the process is to get permission from the head of every department involved. Instead of putting the rules for each department in the ordinance, the ordinance directs each department leader to be in charge of reviewing the plan and determining if appropriate measures are being taken to ensure the event will be safe and worthwhile. The draft ordinance lists procedures specifically instead of directing applicants to departments. Talik stated the ordinance makes a wedding of more than 250 people impossible to have during the months of June-October. Will stated weddings don't last long enough to qualify as mass gatherings. Georgia explained weddings fall under a different category than mass gatherings.

Commissioner McCoy explained prohibiting festivals during the months of June-October was decided upon because wheat is dry in those months. Josh Monifi, SHIFT Festival, asked what requirements the race track meets that allow it to hold events that have fire risk. He asked what precautions are taken and if other events can meet that level of safety to ensure fire does not break out. The draft ordinance states, "Except in cases for which this ordinance provides a different standard, procedure, or definition..." Josh stated he has not seen what that definition is for the fairgrounds or race track. An event wanting to pursue a permit with Sherman County would want to meet these standards and definitions if they are already in place with the county.

Will explained the race track went through a land use procedure and obtained land use permits to receive the right to build. Georgia explained the race track purchased land and created a motorsports park. They have a master plan that outlines the activities allowed (mainly race related), emergency services, fire, and other precautions. The race track contracts with SSFR to provide emergency and fire services. It is required to have those things on site. Talik stated this is something many counties require. Georgia stated the requirement is built into the master plan and the land use process.

Brad Lohrey, Sheriff, stated when he reviewed the ordinance, he was looking at it as a whole, not just as SHIFT Festival. Mass gatherings are good for the community and bring in potential revenue and exposure. Brad explained the ordinance requires one security personnel per every 50 people, and the security personnel must be Department of Public Safety Standards and Training (DPSST) certified. The sheriff has the right to determine if an event's plan is safe enough and can adjust the number of security personnel as he feels is necessary. If one incident happens at a mass gathering, only one or two Sherman County deputies are on shift at a time. For each arrest, a deputy must leave the county to drive 40 miles to Northern Oregon Regional Corrections, sit for processing, return to the county, and file reports. If only one deputy is on duty, this can leave the county unprotected for hours at a time. DPSST certified security personnel must report all violations, including drugs and alcohol, and if they do not, they can lose their certification. Certified personnel will help prevent events from depending on the county's limited emergency services. Brad stated he does not believe the ordinance targets only SHIFT Festival, and gave an example of a festival that tried to come into the county a few years ago that included a rattlesnake pit. The county's limited emergency services cannot handle that kind of event. Brad would like to work with event organizers, but he believes the ordinance needs to be strict on the law enforcement piece because it can always be adjusted depending on the security and safety plan presented. Talik stated the number of security personnel in the ordinance is higher than expected but is not unreasonable.

Talik stated there are two issues with the ordinance that affect the SHIFT Festival. One issue is the prohibition of festivals between June and October. Talik stated the weather in Sherman County in May is in the high 50s to low 60s. This is not feasible weather in which to hold an outdoor festival. Blocking out five months of the year with no room for discussion seems harsh. Judge Thompson stated instead of blocking out a time frame, the issue is fire, so the discussion should be narrowed down to fire and containment. Shawn stated fire danger is not dependent only on weather, but on wind and moisture as well. Burn bans have been extended to June in the past. Talik stated from a functional standpoint, it makes sense for the fire chief to make decisions about fire risk on a case-by-case basis, and on windy days, open flames could be banned. Commissioner McCoy stated festival participants contribute to fire danger through cigarettes, cars on grass, and other things a festival does not have control over. Talik stated much of that risk can be controlled, and last year, the SHIFT Festival had water trucks on standby at the event. The event was between two lakes, and the ground was watered down. There are precautions that can be taken, and the decision about precautions necessary can be made on a case-by-case basis depending on risk. Commissioner McCoy asked if the festival would be canceled if it was scheduled for a windy day. Talik asked if the race track cancels events on windy days. Shawn stated the race track has fire personnel on standby. She emphasized the ordinance does not only pertain to the SHIFT Festival. If the SHIFT Festival proactively takes fire precautions, that is great, but not everyone is so responsible. Because of this, is it sometimes necessary to regulate people into responsibility. Talik stated each festival should be regulated on a case-by-case basis, but the ordinance is a great idea. Last year there was no process for mass gathering

applications, and event organizers need to know what is expected. However, Talik suggested some events may need to be more strictly regulated than others depending on the event and the time of year.

Will asked Georgia if she envisioned mass gatherings would apply to the Planning Commission. Georgia answered this would only happen if a mass gathering was over the threshold the county sets. Will suggested adding a sentence to the ordinance stating ORS 433 applies. The sentence would say something like, "If a gathering is more than 250 people and expected to continue for more than 120 hours in any 3 month period, it will go to the Planning Department pursuant to ORS 433.763." The property owner hosting the festival would have to apply to the Planning Department each year. Talik asked the difference between a mass gathering and a Conditional Use Permit (CUP) and when an event would only have a mass gathering as opposed to both permits. Georgia explained the CUP would be for a mass gathering larger than what the county ordinance permits. A CUP applies to one specific property for a set time period. Commissioner McCoy suggested the SHIFT Festival could get a CUP for the property it is hosted on in which all issues of fire safety are addressed. Georgia stated a CUP does not trump the county ordinance, and the ordinance will still have to be followed to obtain the mass gathering permit.

Commissioner McCoy stated if there is a public process to declare the lake property safe for the SHIFT Festival ensuring all necessary precautions are taken through the CUP process, then it may be ok to hold it in the summer. This is similar to what the race track has done. Talik stated this is a reasonable request. The mass gathering is not property specific, but a CUP is. Commissioner McCoy suggested precautions can be taken at the lake property where SHIFT Festival is held that would make it safer to hold in July. Georgia stated if the ordinance prohibits festivals between June and October, she cannot approve a CUP for a festival during those months. Commissioner McCoy suggested perhaps a fire prohibition time period does not need to be set if the CUP process addresses fire precautions. Section (2) d. of the ordinance will be changed to include language outlining no mass gatherings shall be allowed during the months of June through October of each calendar year unless the gathering will be held on property that has gone through the Conditional Use Permit process and has been declared fire safe. Josh pointed out the mass gathering ordinance already specifies no permit shall be granted unless the organizer has a fire protection plan approved by the fire protection district for the location of the event. Fire concerns will be addressed through the CUP as well as through the ordinance.

Talik stated the requirement for the mass gathering application to be submitted at least 120 days prior to the event seems longer than other counties. Georgia explained other counties vary from 60-120 days. She added if the mass gathering application gets bumped up to the Planning Department, more time is needed for processing and allowing for public notifications. Talik stated if it takes the county 120 days to process an application with the resources it has available, that timeframe is reasonable.

Commissioner Dabulskis asked how long the SHIFT Festival intends to run. Talik replied there is no end date planned. He would like to hold the festival around the same July date each year, and if that is not possible in Sherman County, there are options on other properties. Talik stated he likes the Sherman County property and he would like to do what it takes to make sure all fire concerns are met.

Talik stated his second concern with the ordinance is Section 18 Intoxicating Liquor Prohibited. He explained SHIFT Festival does not run a beer garden because it is a camping festival, so participants bring in their own food and alcohol. Will asked if drugs are brought in. Talik stated drugs are against the law and are prohibited. Talik explained Section 18 allows a beer garden with an Oregon Liquor Control Commission (OLCC) license but does not allow any other alcohol. SHIFT Festival is a decommmodified event, which means nothing is sold at the event. Commissioner McCoy asked if the alcohol clause should be redrafted. Will suggested it be deleted. Josh suggested the section only apply to the sale of alcohol. Any sale of alcohol requires an OLCC license.

Josh and Talik will draft their comments and get them to Will as he revises on the ordinance.

Discussion was held about the precautions SHIFT Festival took last year to prevent fire. Talik stated the concern a wedding will fall under the definition of a small gathering and be subject to the ordinance. Georgia stated weddings are not subject to the ordinance.

Shawn asked if there were any medical issues at SHIFT Festival. There were no major issues. Shawn suggested setting up a designated landing zone for Life Flight near the festival. Shawn offered to look at the festival's first aid supplies.

Josh and Talik explained how the fire displays and performances work. Fred Justesen, Grass Valley, stated the SHIFT Festival took many precautions last year to make sure nothing got out of hand. Fire danger will not be eliminated, but Fred stated he felt comfortable with the equipment and precautions taken. Discussion was held about ways to make the property safer regarding fire danger.

No further public comment was heard.

The public hearing closed at 12:51 p.m.

1.7 1:00 p.m. Amber DeGrange, Katie Paul, Claire Ranit – Juvenile Department – Mobilizing Action for Resilient Communities Grant Sanctuary Model Presentation

Present: Amber DeGrange, Katie Paul, Claire Ranit, Brad Lohrey

Amber Degrange, Juvenile Director, explained she met Claire Ranit, Mobilizing Action for Resilient Communities (MARC) Grant Project Director, through her work with Wasco and Hood River County. Five or six years ago, both counties came together to research models for trauma informed care. The counties received the MARC Grant, which provides help from Claire as well as the opportunity to reach out to Sherman County. County employees work closely with Wasco and Hood River County on a regular basis.

The Adverse Childhood Experiences (ACE) Study asks ten questions about events between the ages of 0-18. Questions address the topics of abuse, neglect, and household dysfunction but do not touch on safe and secure housing or food security. A 0-10 score is determined. Two thirds of the population has one or more ACE. People who live in poverty in Oregon typically experience at least one more ACE than those not living poverty. ACEs increase the risk of negative health outcomes. Those with more ACEs experience a decreased life expectancy and an economic toll.

Healthy stress is a brief to moderate increase in the body's stress response system. Tolerable stress is a moderate to severe increased response to the body's stress system. Toxic stress is a severe increase to the body's stress system and internal and external coping mechanisms cannot help an individual get back to baseline. People experience trauma in situations of toxic stress, and this is especially harmful to children because of brain development. Claire presented a short video about child brain development.

Resiliency is the ability to bounce back from trauma and stress and counteracts the effects of ACEs. The MARC Grant helps spread knowledge about ACEs, trauma theory, and resilience. It supports teaching trauma informed ways of interacting. The MARC Grant is active in the Columbia River Gorge. The group that applied for the grant applied for Hood River, Wasco, and Sherman counties. The grant supports work such as the Trauma and Resiliency Summit, a Justice sector event, and trainings in models of trauma informed practice.

The sanctuary model is a trauma informed operating system that shifts thinking from 'what's wrong' to 'what happened?' The sanctuary model teaches how trauma organized symptoms and behaviors affect individuals and organizations, and it helps to build community and resiliency skills.

Claire reviewed the relationship between ACEs and work performance as well as the relationship between ACEs and problems related to health and well-being. Trauma informed interaction addresses how policies, procedures, room structures, and cultural norms affect staff and clients.

Support for Sherman County was written into the MARC Grant. The grant can offer sanctuary model trainings, organization assessment and assistance, implementation guidance, coaching support, connection to other training opportunities, access to monthly learning collaboratives, and other hosted events.

The sanctuary model was built to be implemented at an organizational level and is geared mainly towards adults. Amber explained prevention is important to prevent ACEs in kids, and kids and families can be engaged with in a trauma informed way, but the sanctuary model targets those who interact with individuals in the public who already have ACEs. Amber suggested law enforcement and victim's services staff could be trained using the sanctuary model, as well as teachers, other school staff, and staff at the clinic. Claire will help assess Sherman County to determine the extent and type of training needed and will return to court with a recommendation. Brad Lohrey, Sheriff, expressed support for the training and stated law enforcement and emergency services staff would be good groups to involve in the model.

2.0 Action Items

2.1 Appointment – Budget Officer: Debbie Hayden

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to appoint Debbie Hayden as Budget Officer for a term of one year to expire December 31, 2017.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

2.2 Appointment – Planning Commission: Forest Peters, Roger Whitley, Bryan Cranston

Motion by Commissioner Dabulskis, second by Commissioner McCoy, to appoint Forest Peters, Roger Whitley, and Bryan Cranston to the Planning Commission for a term of four years to expire December 31, 2020.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

2.3 Appointment – Local Public Safety Coordinating Council

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to appoint the following to the Sherman County Local Public Safety Coordinating Council (LPSCC) as recommended for a one year term to expire December 31, 2017: Amber DeGrange, Teri Thalsofer, John Folliard, Alyssa Winslow, Barbara Seatter, Shawn Payne, Gary Thompson, Wes Owens, Wade McLeod, and Katie Paul.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

2.4 Appointment – Ambulance Service Area Plan Advisory Committee Liaison: Commissioner

Dabulskis

Motion by Commissioner McCoy, second by Judge Thompson, to appoint Commissioner Joe Dabulskis to the Ambulance Service Area Plan Advisory Committee to serve as Sherman County Court liaison.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

2.5 Proposal to Transfer Ownership of the Wasco Annex to the City of Wasco

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to offer to transfer ownership of the Wasco Annex and the surrounding property to the City of Wasco – with the transfer taking place June 30, 2017. If the City of Wasco agrees to take ownership of the Annex, the county will provide the city with payments of \$50,000 in each of the next six years to help operate the Annex. The payments would start in the 2017/2018 fiscal year and end in the 2022/2023 fiscal year. In addition, the county will provide the city with \$250,000 to be used to repair and restore the Annex. Before this transfer agreement with the city is signed, the Sherman County Budget Committee must approve a schedule showing how much of the \$250,000 will be available in each of the next six years.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

2.6 Wasco Annex Use Request – Heart To Sole Foot Care, LLC

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve of Kari Peters, Heart To Sole Foot Care, LLC, using a room in the Wasco Annex to provide senior foot care one day per month for a six-month trial period to end June 30, 2017, for a cost of zero/month during the trial period.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

2.7 Clerk's Recording System Contracts: Helion Software Licensing Agreement; Client Software Support Services Contract; Personal Services Contract for Computer Services

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the Helion Software Licensing Agreement, the Client Software Support Services Contract, and the Personal Services Contract for Computer Services between Sherman County and Helion Software for the Clerk's Office Recording System and authorize Judge Thompson to sign pending approval by County Counsel.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

3.0 Discussion Items

3.1 County Court Boards and Committee Assignments

The court reviewed County Court boards and committee assignments. Judge Thompson added Mid-Columbia Economic Development District, Columbia Gorge Bi-State Renewable Energy Zone, and the Energy Facility Siting Council to his list of boards. Commissioner Dabulskis will be attending County College for much of 2017. Mid-Columbia Council of Governments changed its bylaws and reduced the number of commissioners from each county from two to one. The MCCOG Board requires one appointed representative and one alternate representative.

Motion by Judge Thompson, second by Commissioner Dabulskis, to appoint Commissioner McCoy as a Mid-Columbia Council of Governments Board member and Commissioner Dabulskis as an alternate board member.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

Commissioner McCoy will no longer serve on the Senior Advisory Committee, as the meeting schedule changed and now conflicts with other meetings. Commissioner Dabulskis will act as County Court liaison for the Sherman County School Board.

3.2 Prevention Coordinator Advertisement Wording

Only one application was received for the Prevention Coordinator position. Amber Degrange, Juvenile Director, suggested the language in the advertising be revised to showcase the responsibilities of the position and the flexibility of the hours. The position will be re-advertised to expand the applicant pool.

3.3 Commissioner Reports

Commissioner Dabulskis – Was sworn in as an elected official.

Judge Thompson – Officiated the swearing in of elected officials.

Commissioner McCoy – No report this session.

4.0 Consent Agenda

4.1 Minutes of December 21, 2016

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the minutes of December 21, 2016, as presented.

Vote: 3-0

Yes: Dabulskis, McCoy, Thompson

No: 0

Abstain: 0

4.2 Claims – December 2016

Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the Claims for the month of December 2016 as presented.

Vote: 3-0

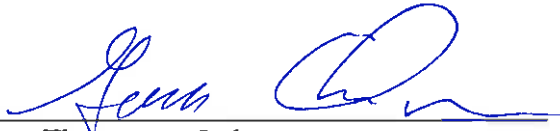
Yes: Dabulskis, McCoy, Thompson

No: 0

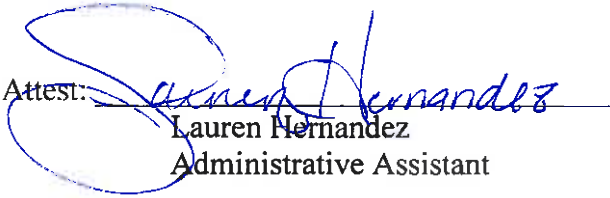
Abstain: 0

Being no further business before the Court, the meeting was adjourned at 1:52 p.m.

Sherman County Court

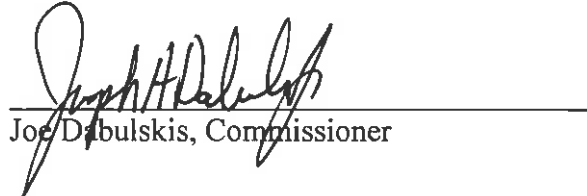


Gary Thompson, Judge

Attest: 
Lauren Hernandez
Administrative Assistant



Tom McCoy, Commissioner



Joe Dabulskis, Commissioner