



Court Agenda

January 20, 2016

1.0 Appointment Schedule:

- 1.1** 9:00 a.m. Wes Owens – Sherman County School District – Quarterly Report
- 1.2** 9:15 a.m. Jan Byram – Senior Center – Quarterly Report
- 1.3** 9:30 a.m. Brad Lohrey – Sheriff – Quarterly Report
- 1.4** 9:45 a.m. Sandy Macnab – Extension Services – Quarterly Report
- 1.5** 10:00 a.m. Chris Diloreto - Di Loreto Architecture - Wasco Annex Update
- 1.6** 11:00 a.m. Ron McDermid – Justice of the Peace – Association of Oregon Counties Court Facilities Task Force Questionnaire
- 1.7** 11:45 a.m. Amber DeGrange – Juvenile Director – Preschool Funding
- 1.8** 1:00 p.m. Shandie Johnson – Prevention Coordinator – Oregon Youth Conservation Corps
- 1.9** 1:30 p.m. David Slaght, Tom Peterson – Oregon State Parks; Mark Coles – Road Master – Starvation Lane Access
- 1.10** 2:00 p.m. Executive Session in accordance with ORS 192.660 (2) (h) Legal Rights

Additions to Agenda:

2.0 Action Items:

- 2.1 Appointment – Fair Board: Shandie Johnson
- 2.2 Appointment – Mid-Columbia Housing Authority Sherman County Representative: Randy Hilderbrand
- 2.3 Appointment – Special Transportation Committee: Bonne Whitley
- 2.4 Pacific Solar Investments – Payment-in-Lieu-of-Tax Agreement
- 2.5 Everbridge Mass Notification System – Annual Fee

3.0 Discussion Items:

- 3.1 Fair Board Performance Improvement Plan Evaluation
- 3.2 Library Roof
- 3.3 Pump Station Damage
- 3.4 Commissioner Reports

4.0 Consent Agenda:

- 4.1 Minutes of January 6, 2016
- 4.2 Revenue/Expenditure Summary – December 2015
- 4.3 Treasurer's Report – December 2015

5.0 Future Agenda Items:

***If necessary, an Executive Session may be held in accordance with: ORS 192.660 (2) (d) Labor Negotiations ORS 192.660 (2) (h) Legal Rights
ORS 192.660 (2) (e) Property ORS 192.660 (2) (i) Personnel*



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

MINUTES

**January 20, 2016
Opened Court: 9:03**

Present: Judge Gary Thompson, Commissioner Mike Smith, Commissioner Tom McCoy, 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 Smith, to allocate up to \$31,900 to pay Hennebery Eddy Architects for additional programming services and authorize Judge Thompson to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to authorize Judge Thompson to sign the Association of Oregon Counties Court Facilities Questionnaire Response Letter upon completion.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to go into Executive Session in accordance with ORS 192.660 (2) (h) Legal Rights.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to go into Executive Session in accordance with ORS 192.660 (2) (h) Legal Rights.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Memorandum of Agreement between Frontier TeleNet and Sherman County pending Frontier TeleNet executing the agreement with Inland and no protests are received after the seven-day notice period.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to appoint Shandie Johnson to the Sherman County Fair Board as recommended for a four-year term to expire December 31st, 2019.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to appoint Randy Hilderbrand as the Mid-Columbia Housing Authority Sherman County Representative for a 4 term to expire December 31, 2019.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to re-appoint Bonne Whitley to the Special Transportation Committee as recommended for a four-year term to expire December 31st, 2019.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Payment-in-Lieu-of-Tax Agreement between Sherman county and Pacific Solar Investments, Inc. for the construction of a solar photovoltaic electricity generation facility generating up to 20 MWac that shall be exempt from property taxes for fifteen consecutive property tax years beginning July 1 2017, with a possible five-year extension pending written notification of intent to extend the period, for which the county will be compensated on or before March 1 during the tax-exempt period a fee in lieu of property taxes for the Tax year equal to \$7,000 per megawatt.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to authorize payment of the annual fee for the Everbridge Mass Notification System and to take the expenditure from the Emergency Services Budget from the line item Contractual Services.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to approve the Minutes of January 6, 2016, Revenue/Expenditure Summary for December, and the Treasurer's Report for December as presented.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

1.0 Appointment Schedule:

1.1 9:00 a.m. Wes Owens – Sherman County School District – Quarterly Report

Present: Wes Owens, Jan Byram

Wes Owens, Superintendent of Sherman County School District, presented a quarterly report. First semester has ended, and students and staff have accomplished a great deal. Wes thanked the Court for providing SIP dollars that help fund a science/technology teacher and support students. Judge Thompson stated in the future he would like to figure out a way to boost the teacher payment.

The new building is now occupied, and students and staff are pleased with the new space. The kitchen is almost complete, and equipment will be delivered and installed soon. The hope is the new kitchen can be occupied by the first week of February. The existing shop is scheduled to be demolished on February 1st so Phase II can begin.

Commissioner McCoy mentioned the construction has coincided with problems at the library. Wes explained when issues at the library were discovered, Kirby Nagelhout Construction Co. used different methods for impaction to accommodate the concerns with the building. The library roof has a leak in it, and Wes stated this is something being looked into, though he noticed pooling due to ice on the roof and areas with no available drainage.

Wes reported the construction process has created the opportunity to surplus items. Through following district policy, the district was able to donate some of the items, including a refrigerator and convection oven to the Grass Valley Pavilion, a freezer to the Wasco Annex, and a refrigerator to the Rufus Community Center. Discussion was held about the Wasco Annex possibly needing a new oven if the school district has one available for surplus.

Regarding the Grass Valley school facility, Wes spoke with Kate Sinner, Regional Solutions Coordinator, and Clark Jackson, Business Development Officer with Business Oregon, about scheduling a walkthrough of the facility. Brief discussion was held about possibilities for the facility once it is empty.

Safety Committee meetings have been very prosperous and helpful in opening communication about maintaining student and staff safety.

Wes informed the Court about Oregon Revised Statute 334.015 regarding Education Service Districts. There are now more consumer-driven opportunities for school districts within an education service district. Sherman County School District is now looking at options for contracting services for its

students. The main goal is to do what is best for students and to provide quality services. One example of this is technology services provided. The district currently has bandwidth constraints. Under the new statute, the district has the opportunity to opt out of some services and to contract for some services. The district will make a decision about any changes to be made by March 1, 2016. Commissioner Smith mentioned the fiber project allows Sherman Jr/Sr High School to become a gigabyte school.

We thanked Commissioner Smith for helping make mental health care services available to students.

1.2 9:15 a.m. Jan Byram – Senior Center – Quarterly Report

Present: Jan Byram, Brad Lohrey

Jan Byram, Senior Center Manager, presented a quarterly report. After Thanksgiving, it was discovered the freezer was not operating properly and all Meals on Wheels meals were lost. This issue has been resolved.

There will be another Pizza Night fundraiser. All pizzas were generously donated by Papa Murphy's in The Dalles. The second Valentine's Day Silent Auction fundraiser will be February 10, 2016, at the Senior Center.

1.3 9:30 a.m. Brad Lohrey – Sheriff – Quarterly Report

Present: Brad Lohrey, Sandy Macnab

Brad Lohrey, Sheriff, presented a quarterly report. The 2015 report is from the new E-Force system and provides statistical information about the Sherman County Sheriff's Department previously unable to be tracked. It does not include any statistical information about anything the Oregon State Police may have done in the county. The biggest number of incidents was due to traffic accidents, most of which happened in November and December. There were seventeen mental health incidents. Brad did not notice a specific pattern in the data showing when specific incidents happen, though Monday's log more calls because citizens have to wait over the weekend to call in.

All citation and incident information is entered at the office. E-Force has never done e-ticketing in Oregon and would like money up front before providing a system that works. Brad is unwilling to spend budget funds on a system not yet created and with no guarantee of working. Still, the E-Force system has saved the Sheriff's Department around \$100,000. It cost \$20,000 to purchase. The system does not require servers because it is web based. Brad reported he is no longer paper-based because he uses a secure web-based system. E-Force saves time as well, as once information is logged in the system, all information is saved. It also logs information like calls and complaints.

The Sheriff's Department has stable employees with no injuries and no citizen complaints. Brad reported the department is looking into purchasing body cameras, though confidentiality issues with the cameras are an issue. He also reported he is considering moving over to the Lexipole system, which is a policy manual that is automatically updated with each new law or mandate.

1.4 9:45 a.m. Sandy Macnab – Extension Services – Quarterly Report

Present: Sandy Macnab, Chris Dilorreto

Sandy Macnab, OSU Extension, presented a quarterly report. The door at the extension office will be sanded and painted when the weather warms up. In the driveway, the dirt covering the waterline from

the connection down to the house has collapsed and turned into a mud trench. The trench needs to be packed with gravel.

The first round of interviews was held to fill the station manager position. One candidate had a family emergency and withdrew, and the alternate was hired elsewhere, so the position will be re-advertised.

Since retiring, Sandy has been attempting to work half time. Sue Mabe has offered to come in and help on Friday's. Sandy doesn't plan on recruiting for his position until mid-year. Cindy Brown has a full schedule of programs.

Sandy explained when he completes his budget he accounts for a full time agent so when one is hired, there are funds available. His recommendation is to hire two people to fill his position: one for Wasco County and one for Sherman County. He recommends the Sherman County employee focus on cereal crops and economic community development and the Wasco County employee focus on dryland/cereal crops and livestock.

Mary Corp has changed positions and is now Superintendent of the Columbia Basin Agricultural Research Center in Pendleton. Her district was downsized, and Sherman County was moved to the Mid-Columbia's regional administration. Sandy has petitioned to get Sherman County moved back into Mary's district.

Judge Thompson explained he is working on a China issue with soft white wheat. In September, there could be the possibility for an economic development mission in which each Association of Oregon Counties county is able to send commissioners and two business delegates per commissioner to China. The judge asked if Sandy would be interested in being a delegate. Sandy will consider it.

Sandy informed the Court he is happy to continue representing Sherman County on the Tri-County Hazardous Waste Board until a replacement can be found, but the Court should start advertising for a replacement.

1.5 10:00 a.m. Chris Diloreto - Di Loreto Architecture - Wasco Annex Update

Present: Chris Diloreto, Sandy Macnab, Roger Whitley

Chris Diloreto of Di Loreto Architecture gave an update on the Wasco Annex. Chris explained the program shows storage spaces, two bathrooms, a potential office space, a new kitchen, and a multipurpose space that could potentially work for a preschool or a library. The idea of the program is to take the addition to the newer gym and renovate where the bathrooms and locker rooms are. The program fits into this space. Chris suggested putting a hallway between the gym and the kitchen/bathroom to make restrooms more accessible. A total of 1800 square feet would be renovated under this plan.

Chris showed a photo of gym curtains used to separate large spaces into smaller areas. They could separate the gym into halves or thirds, which would make the space as multifunctional as possible.

The total project cost estimate is \$377,313, which includes an estimate of hard and soft costs and could be modified to some degree. The kitchen is a big expense. The estimate budgets for heating, ventilation, and air conditioning (HVAC) systems. Currently, space heaters run from the boiler are being used. To lower operating cost, Chris suggests putting three HVAC units on the roof of the multipurpose room to better control heating and cooling in that section of the building. It was emphasized the main goal is to lower the operating cost while still accommodating existing services. With the gym curtains, HVAC

may be needed in the gym because each space may call for its own heating and cooling needs. It would cost an estimated additional \$50,000 to install HVAC in the newer gym, but this investment would create even more efficiency. Chris suggested talking to manufacturer representatives, describing the county's needs, and looking at different proposals.

Discussion was held about flooring products to help protect the gym floor. Chris suggested keeping tabs on the floor and addressing any issues if they come up.

Chris explained the multipurpose room could be used for preschool or something else. The room could be split using movable partitions or fixed partitions and could become quite functional. Preschool and the library could fit in this room if space is used efficiently.

\$250,000 was the original budget goal for this project. On the cost projection sheet presented, Chris estimates operating costs using industry standards. He estimated \$2,800 a month should run the renovated facility. If more money is invested in energy sufficiency up front, the operating cost figure could be reduced. Chris budgeted \$13,000 for painting the exterior of the building and for site work, mentioning it should be landscaping and not asphalt against the side of the building because landscaping will keep water from sitting against wood siding. It is important to make the building presentable. The Court asked for draft sketches of landscaping.

Brief discussion was held about adding windows for natural light. This was not included in the budget provided by Chris. Discussion was held about the placement of the library and the possible placement of the preschool.

The estimated cost of operation for this plan is \$30,000 a year. To lower this cost, Chris explained money will need to be spent up front for things like insulation in the walls of the gym. The budget presented by Chris is an estimate that could possibly be lowered, but the best way to do this is to make the building a low-energy consuming building. Electrical and system controls like timers, motions sensors, and LED light fixtures were not included in the budget. If this plan is carried out, operating costs for the older part of the building and the newer part of the building will be separated.

Chris believes this plan makes sense as it delivers the most benefit for the lowest budget. The newer part of the school is the easiest to modify, it is in good shape, and it has utilities already running to it. This plan reduces operating costs while including already-existing programs. Community Action is going to do an energy audit on the building to show efficiencies that could be gained.

The budget numbers need to be confirmed before any more drawings are created. Chris would like to share the preliminary budget and the plan with a contractor to confirm that the plan is reasonable. Discussion was held about upgrades that need to be made to the kitchen as well as fire code requirements. Chris believes the old part of the school has the possibility to become viable if enough money can be invested into it.

**1.6 11:00 a.m. Ron McDermid – Justice of the Peace – Association of Oregon Counties
Court Facilities Task Force Questionnaire**

Present: Brad Lohrey, Debbie Hayden, Ron McDermid, Roger Whitley

Ron McDermid, Justice of the Peace and member of the Facilities Advisory Committee, presented an amended Scope of Services from Hennebery Eddy Architects at a cost of \$31,900. The three options presented included exploring a reduced square footage of the program to reduce cost, developing a program option where the Circuit Courtroom remains in the existing courtroom and the Justice Court

Hearings Room is located in the new building, and developing a program option where the Justice Court remains in the existing courtroom and the Circuit Courtroom is located in the new building with other program needs filling the remaining existing courtroom space. Ron stated that Heath Gardner, Wenaha Group, explained much of the work in the Scope of Services will need to be completed anyway. The Court would not like to see finished and detailed sketches at this point, just a program with enough detail that the cost and efficient use of space is made clear.

The Court discussed some aspects of the draft program, including if all of the functions diagrammed need to be placed in the new building and if space is being used efficiently. Debbie Hayden, Financial Advisor and member of the Facilities Advisory Committee, explained the original goal of the project was to bring all County entities together onto one campus, but that that vision may not be feasible. Ron added the committee would like to see the program square footage a little smaller and that a balance must be found between shrinking the square footage and giving up so much square footage that few goals of the project are accomplished. The facility also needs to be capable of accommodating any future growth within the county. The committee and the Court agree that there needs to be other program options to compare to make sure the best decision is made. Another work session will be scheduled to give the Court and the committee another opportunity to review and compare draft programs.

Motion by Commissioner McCoy, second by Commissioner Smith, to allocate up to \$31,900 to pay Hennebery Eddy Architects for additional programming services and authorize Judge Thompson to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Ron explained one benefit of the Contract Manager/General Contractor process is more accurate budget estimates. Funding scenarios were discussed. There is no need for the county to take on debt for this project, as the money is already allocated.

The Association of Oregon Counties Court Facilities Task Force requested further information about the project to help evaluate and prioritize counties' requests for funding. Although there is not a high probability the county will receive funding assistance, Ron will begin gathering the information requested so it is ready to submit by February 1st.

Motion by Commissioner McCoy, second by Commissioner Smith, to authorize Judge Thompson to sign the Association of Oregon Counties Court Facilities Questionnaire Response Letter upon completion.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

1.7 11:45 a.m. Amber DeGrange – Juvenile Director – Preschool Funding

Present: Amber DeGrange, Roger Whitley

Amber DeGrange, Juvenile Director and Chair of Sherman Preschool, explained Sherman Preschool and North Sherman Preschool are in the process of discussing merging. She presented draft documents that estimate a budget for the 2016-2017 year. The county currently gives each preschool \$20,000 a year for

funding. Amber explained she believes the preschools will need the same amount of funding as is currently being provided. If the \$80,000 total allotted for early learning programs is split three ways (if Sherman Preschool/North Sherman Preschool merging is considered one entity), the preschool will not be able to function. The merge is not to save money financially. Amber asked if the preschool needed to start anticipating a reduction of budget funds. The Court expressed it has no intent to change the amount of funding provided, especially during a time of such great change. The benefits of moving the preschool to the high school include a more modern facility. There are many issues that arise when discussing a merger, including transportation. Possible solutions to the transportation obstacle were discussed.

1.8 1:00 p.m. Shandie Johnson – Prevention Coordinator – Oregon Youth Conservation Corps

Present: Shandie Johnson, Will Carey, David Slaght, Tom Peterson, Mark Coles, Roger Whitley

Shandie Johnson, Prevention Coordinator, explained that last year, the Oregon Youth Conservation Corps (OYCC) grant received was for \$10,000. This year, up to \$12,000 can be received depending on how many hours can be provided to Corp members. Corp hours have been increased, but not much. This year, enrichment activities will be provided that are educational but also provide insight to work experience. This year, Corp members will be working with South Sherman Fire & Rescue. They will also work with Cindy Brown, OSU Extension, to participate in a healthy meal class so they can learn about nutrition for packing lunches and staying hydrated as they work outdoors in the heat. Although enrichment will take extra days, it is a requirement of the grant.

The grant requires collaboration with the school district to provide credit in a work related experience. Sherman County offers career related experience credit in the amount of .5 credit for every 90 hours of work. With the amount of work hours OYCC is providing Corp members, they qualify for 1.5 credits.

Shandie presented a budget estimate. The total wage amount needed for this year is \$16,500. The grant only covers \$12,000. The grant amount is not enough to cover wages, transportation, or the training required of the crew leader. The OYCC program will need significant financial help from the county. Depending on funding, Shandie is anticipating a six person crew. Last year, Shandie estimated the county funded around \$15,000 for wages, transportation, tools, materials, training, and more. The Court asked Shandie to put together a more detailed budget for this year's funds, and it has committed to supporting OYCC to make the program a success.

This year, the plan is for Corp members to work with South Sherman Fire & Rescue, with the Soil and Water Conservation District, at Cottonwood Canyon, in Deschutes Canyon State Park, for the City of Moro, the City of Wasco, and at the fairgrounds. Corp members will also participate in public outreach, such as presenting at County Court, running a booth at the fair, and submitting reports to eNews. The OYCC program helps to support at risk youth gain work experience and expand their knowledge of different kinds of work opportunities.

1.9 1:30 p.m. David Slaght, Tom Peterson – Oregon State Parks; Mark Coles – Road Master – Starvation Lane Access

Present: David Slaght, Tom Peterson, Mark Coles, Roger Whitley, Aaron Lafky, Linda Thompson

David Slaght, Oregon State Parks and Recreation District Manager, explained Oregon State Parks has been receiving complaints about concerns about camping and day use at the end of Starvation Lane where it meets the John Day River. Tom Peterson, Oregon State Parks, explained after the park opened

in 2013, it is slowly being discovered. Usage has slowly increased. Aaron Lafky, who owns property near the park, has noticed a large increase in usage. Oregon State Parks has been communicating with Aaron about this issue. Aaron reported during the last two years he has seen a dramatic increase of the number of people visiting this particular spot, and the traffic reaches a pinnacle during October due to hunting and fishing.

When the park was created, there was no intention to develop it. Photographs of the park were presented, along with a Google map of an aerial view of the road leading to the park. The park is surrounded by land owned by Oregon State Parks, Bureau of Land Management (BLM), and private owners. Oregon State Parks has posted *no camping* and *safety zone* signs, as well as *no unauthorized vehicles* signs in addition to patrolling the park at peak times. Aaron reported people have been trespassing on his land by foot to get to the park.

The road leading to the park is a county-owned road, but the property it leads to is public property. Aaron stated this is a land use issue in part because Oregon State Parks never applied for a parking lot, a boater access point, or overnight camping, and regardless of the intention of the park, these activities are happening. Aaron urged the Court to hold Oregon State Parks to the standards which were originally agreed upon at the onset of creating the park.

Photos were shown of Starvation Lane River Access.

Aaron emphasized the current use of the park is a land compliance issue, and he urges the Court to uphold the agreement in place. If Oregon State Parks would like to apply for permission for the uses the park is encouraging, there is a procedure to follow which would allow the county to make findings about infrastructure improvements needed to support the park. Currently, people are parking and camping with no access to garbage receptacles or public restrooms. Aaron stated the county maintains the road for citizens, which it does by grading it twice a year, but that it does not have the obligation to maintain the road for tourism purposes. Uncontrolled access to the road makes it unsafe and torn up, which creates a liability for the county.

Suggestions were given to fix the traffic problem, including locked gates and cattle guards. Typical Oregon State Parks protocol for a situation like this is to look at the overall plan. This case is unique because public land is on both sides of the river. One side has a public road that leads directly to it, and the other side has a road that cuts through Oregon State Park land.

Will Carey, County Counsel, asked if the county was being asked to enforce land use on state owned property. David stated Oregon State Parks is not asking the county manage its land, but the county road access State Park land, which then accesses Aaron's land.

Before the park, the land was a take-out point for the river and was mostly used among locals. Judge Thompson suggested the possibility of fencing off the road and giving enough room at the end of it for a turn-around. The road is one of the only accesses to the John Day River and Judge Thompson is not in favor of closing it.

David explained one issue with the park is the division of state lands. He suggested the BLM and Oregon State Parks have rules that mirror one another, which will make public education and enforcement easier. He suggested using natural resources like boulders to block access to the river where there should not be access from Starvation Lane. Some discussion was held about developing Haycreek with a small gravel turn around and a river access point. The Department of State Lands is opposed to building a ramp here, but is agreeable to cleaning up the bank and allowing bank access. Although this would not entirely solve the problem of trespassing, bouldering off a lot of the areas and reducing

driving access will help. Additional signage and better fencing will also help. This signage will give Oregon State Parks staff the legal ability to issue citations for violations on Oregon State Parks land, which would send them to Sherman County Justice Court.

Aaron is concerned that inviting day use of the park invites over-use of the road. He is in favor of levels of road closure to allow county residents in but to block out unwanted travelers. This idea would be difficult to orchestrate and execute. Aaron believes approving day use of the park gives the county liability. Mark Coles, Road Master, explained Starvation Lane is labeled *hazardous travel*.

David proposed fixing and protecting the resource of the park. He does not want to advertise for use of the park, but to do what is within Oregon State Park means to protect it. David spoke to his region director and learned there was a potential opportunity to draw Facility Improvement Dollars to improve Haycreek to start the process of solving this problem. The first step should be to control the parking and to cut off the road that leads to the gravel pit encouraging illegal parking. Mark explained even if Starvation Lane was widened to accommodate traffic, it is very steep and will disintegrate in bad weather. He would like to see the road fenced and bouldered off with some kind of gate leading to the river.

Judge Thompson explained to Aaron that he will need to call the Sheriff's Department when people trespass on his land so a record can be formed of the scope of the problem. David added once Oregon State Parks controls the issue with gates, fences, and boulders, the park is a controlled site, and it will be easier to work with the sheriff to enforce the rules. He suggested conducting a saturation patrol to educate the public about appropriate use of the park and its resources. Aaron suggested having a sign clearly visible displaying the rules of park usage. Another meeting will be scheduled to discuss this issue further, but for now, signage will be improved.

1.10 2:00 p.m. Executive Session in accordance with ORS 192.660 (2) (h) Legal Rights

Present: Roger Whitley, Linda Thompson

Motion by Commissioner Smith, second by Commissioner McCoy, to go into Executive Session in accordance with ORS 192.660 (2) (h) Legal Rights.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

The Court discussed proposed changes to the Public Health Board.

Executive Session closed at 3:01 p.m.

Motion by Commissioner McCoy, second by Commissioner Smith, to go into Executive Session in accordance with ORS 192.660 (2) (h) Legal Rights.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

The Court discussed the Memorandum of Agreement between Frontier TeleNet and Sherman County.

Executive Session closed at 3:13 p.m.

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Memorandum of Agreement between Frontier TeleNet and Sherman County pending Frontier TeleNet executing the agreement with Inland and no protests are received after the seven-day notice period.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

2.0 Action Items:

2.1 Appointment – Fair Board: Shandie Johnson

Motion by Commissioner Smith, second by Commissioner McCoy, to appoint Shandie Johnson to the Sherman County Fair Board as recommended for a four-year term to expire December 31st, 2019.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

2.2 Appointment – Mid-Columbia Housing Authority Sherman County Representative: Randy Hilderbrand

Motion by Commissioner McCoy, second by Commissioner Smith, to appoint Randy Hilderbrand as the Mid-Columbia Housing Authority Sherman County Representative for a 4 term to expire December 31, 2019.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

2.3 Appointment – Special Transportation Committee: Bonne Whitley

Motion by Commissioner Smith, second by Commissioner McCoy, to re-appoint Bonne Whitley to the Special Transportation Committee as recommended for a four-year term to expire December 31st, 2019.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

2.4 Pacific Solar Investments – Payment-in-Lieu-of-Tax Agreement

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Payment-in-Lieu-of-Tax Agreement between Sherman county and Pacific Solar Investments, Inc. for the construction of a solar photovoltaic electricity generation facility generating up to 20 MWac that shall be exempt from property taxes for fifteen consecutive property tax years beginning July 1 2017, with a possible five-year extension pending written notification of intent to extend the period, for which the county will be compensated on or before March 1 during the tax-exempt period a fee in lieu of property taxes for the Tax year equal to \$7,000 per megawatt.

Vote: 3-0
Yes: Smith, McCoy, Thompson
No: 0
Abstain: 0

2.5 Everbridge Mass Notification System – Annual Fee

Motion by Commissioner Smith, second by Commissioner McCoy, to authorize payment of the annual fee for the Everbridge Mass Notification System and to take the expenditure from the Emergency Services Budget from the line item Contractual Services.

Vote: 3-0
Yes: Smith, McCoy, Thompson
No: 0
Abstain: 0

3.0 Discussion Items:

3.1 Fair Board Performance Improvement Plan Evaluation

Last February, Sherman County Court implemented a Performance Improvement Plan for the Sherman County Fair Board. A timeline of one year was given for this plan, and a performance review was to be scheduled in February of 2016. The Court feels the Fair Board has made great improvement over the last year. After receiving board member feedback about the training offered by Rural Development Initiatives, the majority of board members seemed interested in additional training. If the Fair Board would like to request additional training, the performance review will be postponed until the Fair Board's quarterly review in April of 2016 to allow time for the board as a group to decide on the topics of the trainings. If no training is requested, the performance review will be scheduled for later in February.

3.2 Library Roof

The library roof was discussed during Wes Owens' quarterly report.

3.3 Pump Station Damage

The bollard protecting the pump station in Biggs was driven over and damaged. The Court would like Rene' Moore, Biggs Service Administrator, to have this repaired.

3.4 Commissioner Reports

Commissioner Smith - Attended meeting with Greg Smith, head of Department of Administrative services, head of Oregon Department of Transportation to talk about grant failure; went on tour of facilities for Mid-Columbia Center for Living; Public Health discussion; weatherization on Annex; next Tuesday mental health public meeting at library; will get the Community Action Council grant and will have dollars available - contingencies about tracking; citizen complaint about wind farm trucks speeding and tearing up the road - will discuss with road master.

Judge Thompson - Attended Association of Oregon Counties (AOC) meetings in Salem; working on the 50 percent Renewable Portfolio Standard through Community Renewable Energy Association; March 24th in Clackamas is Clackamas venue - joint investment infrastructure through AOC; pump storage is on hold for now; AOC is doing an economic development mission to China in September - tentative -

will visit the 3 Gorge Dam area; each commissioner will have 2 business delegate slots available; working with Kate Sinner on the Mid-Columbia Economic Development District housing dollars; trying to figure out how to make the loan funds more attractive so they are used before they have to be returned.

Present: Amber DeGrange, Debbie Hayden, Will Carey

The proposed HUB agreement between Sherman County and the Early Learning Division was discussed. Will Carey, County Counsel, reviewed confusing language and language he disagreed with. Amber DeGrange, Juvenile Director, explained the contract puts sole liability for all outcomes within the strategic plan on Sherman County, not just the fiscal outcomes. This was not the intent of anyone involved, so Amber has been having conversations with the state about putting language in the contract so that Sherman County is acting through the 4 Rivers Early Learning Governance Board. She also suggested a Memorandum of Understanding with the Governance Board might make the county more comfortable with the agreement.

Will discussed specific areas of the contract where wording was disagreeable or confusing. Sherman County originally agreed to be the fiscal agent for the HUB for neutral and auditing purposes. This contract makes Sherman County responsible for outcomes outside of its control. County Counsel believes all counties comprising the HUB should be liable should liability occur. Amber will speak with the state on Friday and make it clear the county is not comfortable being liable for uncontrollable outcomes. She will look into resolutions to this matter and explore next steps.

Commissioner McCoy - Acted as go-between for Bryan Brandenburg and Northern Oregon Regional Corrections (NORCOR); Attended NORCOR taskforce meetings.

4.0 Consent Agenda:

4.1 Minutes of January 6, 2016

4.2 Revenue/Expenditure Summary – December 2015

4.3 Treasurer's Report – December 2015

Motion by Commissioner McCoy, second by Commissioner Smith, to approve the Minutes of January 6, 2016, Revenue/Expenditure Summary for December, and the Treasurer's Report for December as presented.

Vote: 3-0

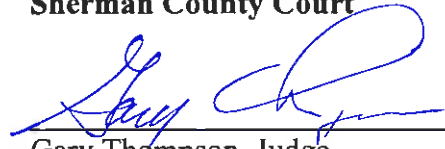
Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

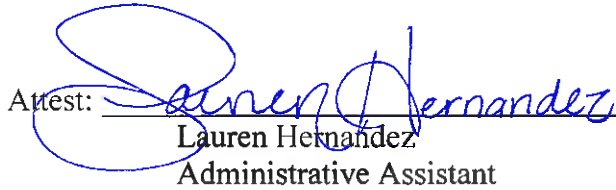
Being no further business before the Court, the meeting was adjourned at 5:00 p.m.

Sherman County Court

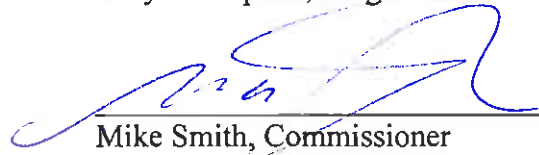
A blue ink signature of Gary Thompson, written in a cursive style, positioned above a horizontal line.

Gary Thompson, Judge

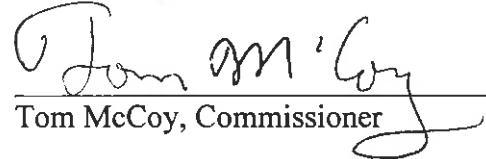
Attest:

A blue ink signature of Lauren Hernandez, written in a cursive style, positioned above a horizontal line.

Lauren Hernandez
Administrative Assistant

A blue ink signature of Mike Smith, written in a cursive style, positioned above a horizontal line.

Mike Smith, Commissioner

A blue ink signature of Tom McCoy, written in a cursive style, positioned above a horizontal line.

Tom McCoy, Commissioner