



**SHERMAN COUNTY COURT  
SPECIAL SESSION**

**OFFICE OF THE COUNTY COURT**

Court Agenda

**October 5, 2017**

**1.0 Appointment Schedule:**

- 1.1** 9:00 a.m. Executive Session in Accordance with ORS 192.660 (2) (i) Personnel (Administrative Assistant Interviews)
- 1.2** 2:30 p.m. Brad Baird – Anderson Perry & Associates – Biggs Service District Water System Improvements Project Update



**SHERMAN COUNTY COURT  
SPECIAL SESSION  
SHERMAN COUNTY CIRCUIT COURTROOM**

**MINUTES**

**October 5, 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.

**SUMMARY OF ACTIONS TAKEN**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to enter into executive session in accordance with ORS 192.660 (2) (i) Personnel.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to hire Kayla von Borstel as Sherman County Court Administrative Assistant and to offer Lisa D’Arcy the position if Kayla declines it.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Judge Thompson, second by Commissioner Dabulskis, to enter into Biggs Service District.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve the Sanderson Access and Utility Easement Agreement and authorize Judge Thompson to sign.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve the following engineering invoices for the Biggs Service District Water Improvements Project: invoice 59928 for \$1,217.50; invoice 59929 for \$943.75; invoice 60133 for \$5,000; and invoice 60134 for \$2,769.30.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**1.0 Discussion Items**

**1.1 9:00 a.m. Executive Session in Accordance with ORS 192.660 (2) (i) Personnel**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to enter into executive session in accordance with ORS 192.660 (2) (i) Personnel.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

The Court entered into executive session at 9:00 a.m. to conduct interviews for the Sherman County Court Administrative Assistant position.

The Court exited executive session at 2:30 p.m.

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to hire Kayla von Borstel as Sherman County Court Administrative Assistant and to offer Lisa D’Arcy the position if Kayla declines it.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**1.2 2:30 p.m. Brad Baird – Anderson Perry & Associates – Biggs Service District Water System Improvement Project Update**

Present: Brad Baird

**Motion by Judge Thompson, second by Commissioner Dabulskis, to enter into Biggs Service District.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

The Court entered into Biggs Service District Board of Directors at 2:37 p.m.

Brad Baird, Anderson Perry & Associates, gave an update on the Biggs Service District Water System Improvement Project. The United States Department of Agriculture (USDA) application and environmental report are submitted and under review. Brad provided additional information to USDA to continue the eligibility determination. Brad verified USDA will fund the project this fiscal year, and it is first on the docket. It is likely funding will be received by the end of the year. When funding arrives, the project is ready to go out for bid. Brad is unsure how much funding will be received, but Biggs Service District hopes for a \$500,000 grant and a \$1 million loan.

The Engineers Joint Contract Documents Committee engineering agreement is still under review.

The well permit and partition for the reservoir site are processing. The Oregon Water Resources Department asked for additional information. The partition is finished and is in draft form. Brad presented the draft plans of the well and partition. The access easement needs to be signed prior to submission of the partition. As soon as the easement is recorded, the plans will be ready to turn in.

Brad met with Teri and Terry Sanderson about the easement. Brad added language to the easement agreement that stated Biggs Service District will deliver free water up to 25,000 gallons to the lower bench area just south of the reservoir site and that the free water service is for a single residence. Brad presented a reservoir and well site access agreement signed by the Sandersons, though the agreement was the missing language stated above. The Sandersons will re-sign the agreement with the missing language added in. Judge Thompson will sign the updated agreement as well. Brad presented Exhibit B of the easement agreement, a map of the permanent access and utility easement tax lot.

Judge Thompson informed Brad that Oregon Department of Transportation (ODOT) will be reconstructing the Spanish Hollow bridge on Highway 97. Brad stated the water project won't be affected. Judge Thompson asked about the Sanderson's access. Brad stated if the right-of-way changes, the access may be affected. ODOT is paying the Biggs Service District \$500 for right-of-way. Brad stated if the right-of-way comes out, the easement will be shortened, but it would be worse if a gap were created. Judge Thompson will call ODOT to ask about how the project will affect the easement access. Brad reported the easement access road is well done and the Road Department is very skilled. The Sandersons were also pleased with it.

The results of the archaeological evaluation have been written into a report and submitted to the State Historical Preservation Office for concurrence.

Brad contacted Carol McCoog from Hawkins, Delafield, and Wood LLP concerning bonding attorney paperwork. The bonding paperwork should be ready by November. A mandatory connection ordinance is required by USDA. Brad will have one ready for consideration at the next meeting. USDA also requires an update to the water use of current businesses. Brad is currently in the process of contacting each well owner about this.

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve the Sanderson Access and Utility Easement Agreement and authorize Judge Thompson to sign.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve the following engineering invoices for the Biggs Service District Water Improvements Project: invoice 59928 for \$1,217.50; invoice 59929 for \$943.75; invoice 60133 for \$5,000; and invoice 60134 for \$2,769.30.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**


**No: 0**

**Abstain: 0**

The Court exited out of Biggs Service District Board of Directors at 3:00 p.m.

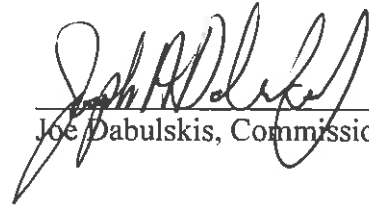
Being no further business before the Court, the special session was adjourned at 3:01 p.m.

**Sherman County Court**

  
\_\_\_\_\_  
Gary Thompson, Judge

Attest: Lauren Hernandez  
Lauren Hernandez  
Administrative Assistant

  
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Tom McCoy, Commissioner

  
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Joe Dabulskis, Commissioner