



## Court Agenda

**February 15, 2017**

### **1.0 Appointment Schedule:**

- 1.1** 9:00 a.m. Jenine McDermid – Clerk – Quarterly Report
- 1.2** 9:15 a.m. Brad Lohrey – Sheriff – Philippi Park Emergency Services
- 1.3** 9:45 a.m. Christa Rude, Amber DeGrange – Four River’s Early Learning Hub – Fiscal Contracting
- 1.4** 10:30 a.m. Public Hearing Continuation: Ordinance Repealing Ordinance No. 29-2005, Defining Procedure for Mass Gathering Permit Application, and Declaring an Emergency
- 1.5** 11:45 a.m. Kayla von Borstel – Sherman County Area Watershed Council Coordinator – Sherman County Area Watershed Council Annual Report
- 1.6** 1:00 p.m. Jennifer Zimmerlee – RV Park Host – RV Park Roof and Receptacles Quote
- 1.7** 1:30 p.m. Cindy Brown – Tri-County Hazardous Waste – Review of Hazardous Waste Collections in Sherman County 2006-2016
- 1.8** 2:00 p.m. Nate Stice – Regional Solutions – Quarterly Report
- 1.9** 2:30 p.m. Rod Asher – Weed District Director – Weed Ordinance Violation Draft Letter
- 1.10** 3:00 p.m. Brad Baird – Anderson Perry & Associates – Biggs Service District Water System Improvement Project Update

### **Additions to Agenda:**

2.5 Regular Monthly Bills

### **2.0 Action Items:**

- 2.1 Appointment – Sherman County Ambulance Board: Julia Hubbard, Dana Haner
- 2.2 Amendment No. 1 to Portland State University Agreement #398573 to Extend Scope of Work for South Sherman Fire & Rescue
- 2.3 Budget Transfers/Payments

- 2.4 Community Transit - Special Transportation/5310 Grant Application for Biennial Grant Period 2017-2019
- 2.5 Regular Monthly Bills

**3.0 Discussion Items:**

- 3.1 Giles French Park
- 3.2 Potlatch Food Service Inspection Report
- 3.3 Thank You Letter – Richard and Nancy Simpson
- 3.4 Sherman County Website Updates
- 3.5 Commissioner Reports

**4.0 Consent Agenda:**

- 4.1 Minutes of February 1, 2017
- 4.2 Revenue/Expenditure Summary – January 2017
- 4.3 Treasurer's Report – January 2017

**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**

**February 15, 2017**

**Opened Court: 9:06 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**

2.5 Regular Monthly Bills Updates

**SUMMARY OF ACTIONS TAKEN**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve using up to \$500 of Prevention funds to provide transportation to the Healthy Teen Relationship Summit if needed.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the recommendation that authority be given to the Four River's Early Learning Hub Regional Coordinator (employed by Columbia Gorge Education Service District) to, with Four River Early Learning Hub Board approval, sign agreements on behalf of the Hub for which Sherman County serves as backbone organization. A summary of the agreements will be submitted to Sherman County Court outlining the type of agreement, the amount and time frame of the agreement, and a brief description of related activities in the agreement.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve Sherman County pursuing a subcontract with Columbia Gorge Education Service District for allocation of Preschool Infrastructure Grants and Responsive and Innovative Funds.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the proposal from Seven Peaks Electric in the amount of \$650.20 to replace five 30amp RV receptacles with five 50amp receptacles, including breakers, wire, and receptacles.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to have the roof repaired on the restroom/laundry building at the RV Park with composition roofing and subroof repair.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to appoint Julia Hubbard and Dana Haner to the Sherman County Ambulance Board for a term of two years to expire December 31, 2018.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve Amendment No. 1 to PSU Agreement #398573 between Portland State University and Sherman County to extend work on the South Sherman Fire & Rescue District income survey to June 30, 2017, to allow for the completion of scope and services.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to authorize budget transfers/payments, including \$60,500 to the County General Fund, \$404,000 from the County General Fund, \$16,000 from the Ambulance Fund, \$10,570.52 from the Prevention Fund, \$2,500 from Court Security, and \$35,000 from the General Road Fund and authorize Judge Thompson to sign.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the grant submittal form for the Special Transportation/5310 Grant Application for Biennial Grant Period 2017-2019 and authorize Judge Thompson to sign.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

No: 0  
Abstain: 0

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to authorize payment of the regularly monthly bills to the listed line items within the appropriate funds.**

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

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve the minutes of February 1, 2017, as corrected.**

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

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the Revenue/Expenditure Summary for the month of January 2017, as presented.**

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

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the Treasurer's Report for the month of January 2017, as presented.**

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

## **1.0 Appointment Schedule**

### **1.1 9:00 a.m. Jenine McDermid – Clerk – Quarterly Report**

Present: Jenine McDermid, Jeremy Shull, Brad Lohrey, Will Carey

Jenine McDermid, Clerk, presented a quarterly report. The 2016 General Election had 83.7% voter turnout. The filing deadline for Board of Property Tax Appeals (BOPTA) has passed, and no appeals were filed. A brief hearing will be held to go through basic BOPTA procedures. Jenine submitted annual passport acceptance program recertification papers, and the annual facility inspection will be in the spring. Each election year, the clerk's office submits a security plan document not subject to public approval. This document was submitted and approved by the Secretary of State. Jenine is preparing for the May 16 Special District Election. Notices have been posted. The first day to file is February 4 and the last day is March 16. The process to transition to the Helion recording system has begun, and training will take place the first week of March. In addition, e-recording will begin in March. Jenine received an update regarding the annual Government Ethics Commission questionnaire, which elected officials can complete online. She attended the Oregon Association of County Clerks winter conference in Bend, which was addressed by the new Secretary of State. Later this month, the County Assessment Function Funding Assistance Program grant will open up. This grant looks at the funds used to support assessment and tax function, including collection, distribution, BOPTA, assessment and evaluation, expenses, and wages. Each county receives a portion of the total funds calculated using a formula.

Last year, Sherman County received approximately \$55,000. Jenine asked for an update on the Northern Oregon Regional Corrections (NORCOR) levy. Commissioner McCoy explained NORCOR is still discussing the levy, and he is unsure if it will move forward at this time.

**1.2 9:15 a.m. Brad Lohrey – Sheriff – Philippi Park Emergency Services**

Present: Brad Lohrey, Will Carey, Amber DeGrange

Judge Thompson explained the topic of Philippi Park emergency services was brought up at Tri-County Court. Gilliam County has trouble reaching the park, as it does not have a boat. Brad Lohrey, Sheriff, explained Sherman County has historically covered emergency services at the park for Gilliam County during summer months, as the marine patrol officer is in the area on Fridays, Saturdays, and Sundays. Brad stated he does not want to enter into a contract to perform emergency services because if a major crime happens, it will take resources away from Sherman County, and Gilliam County should be responsible for covering those kinds of crimes. Brad is willing to handle smaller day-to-day problems. If a major crime happens, he will make sure Gilliam County deputies can get to Philippi Park and will assist them but will not take on the responsibility of the investigation. In the past, Sherman County had a contract with Gilliam County in which Gilliam County paid Sherman County approximately \$2,000 to provide emergency services. Brad feels the contract was too much potential liability for Sherman County. Judge Thompson stated the park is on Army Corps of Engineers property, so emergency services are partially their responsibility. Philippi Park is a benefit to Sherman County. Sherman County will continue to support Gilliam County in offering day-to-day emergency services at the park but will not enter into a contract to do so.

Amber DeGrange, Juvenile Director, explained HAVEN is holding a fourth annual Healthy Teen Relationship Summit. HAVEN conducts a healthy relationship class at the high school, and seventeen students signed up to attend the summit. Last year, Prevention funds were used to cover transportation to the summit. Amber asked if the bus the county purchased to use for the preschool would work. The emergency break was fixed, but the bus needs work because it will not start. If the bus will not work, Amber would like to work with Mid-Columbia Bus to provide transportation. Amber asked for permission to use Prevention funds if the county bus will not work.

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve using up to \$500 of Prevention funds to provide transportation to the Healthy Teen Relationship Summit if needed.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

Commissioner McCoy asked if the county bus will be used for preschool transportation. Amber explained there is no driver available at this point. The preschool is in the planning stages for next year to address transportation, and Amber will let the court know what is decided.

**1.3 9:45 a.m. Christa Rude, Amber DeGrange – Four River's Early Learning Hub – Fiscal Contracting**

Present: Amber DeGrange, Christa Rude, Will Carey

Christa Rude, Four River's Early Learning Hub, presented a summary of fiscal documents outlining how the Hub operates and allocates money from Sherman County to the different organizations involved in the Hub. Christa asked for there to be a specific plan for signing agreements that supports sufficient implementation.

During the last discussion, the court expressed it does not want to manage the Governance Board in a detailed way and would prefer a summary overview of the board's activity. Christa asked the court to give her a level of authority to sign agreements as approved by the Governance Board. Christa will provide summaries so the court has an overview of funds being allocated and how they attach to the budget. The alternative to this arrangement is for Amber Degrange, Juvenile Director, or Debbie Hayden, Finance Director, to have the authority to sign agreements. Amber explained there is no set amount specified that requires contracts to be reviewed by County Counsel Will Carey. Will reviewed the original three-part agreement that Amber has been signing contracts for.

Amber reported Debbie feels the court should be reviewing the contracts, though the court has expressed it does not wish to do so. Commissioner McCoy stated he supports authorizing Christa or Amber to sign the agreements and provide a summary explanation to the court afterwards. The court does not want to manage the Four Rivers Early Learning Hub Board of Directors. Sherman County was designated as the back bone of the Hub to better represent the smaller counties in the Hub, and the court would like to keep the arrangement as simple as possible. The court would like to hear complaints from the other counties if the Hub is not functioning properly. Christa recommended the court give her the authority to sign contracts and to keep Amber in the loop. If there is any amendment to the agreement between Sherman County and the State of Oregon, Christa will bring it to the court for review. Christa will continue to manage implementation of the strategic plan with all entities in the five-county region with the guidance of the Governance Board and Amber. Amber stated there are many layers of safeguards regarding signing contracts, and if the court has questions, there are specific written bylaws addressing the process to go through.

Will suggested if there is any large increase in cost or if a contract is over a court-determined threshold, it should go through County Court. Christa stated one contract is for approximately \$132,000 and deals with delivery of programmatic services. This contract is larger and blends a number of funding streams together. Discussion was held about setting a threshold amount for contract review. Commissioner McCoy stated the court does not have the expertise to review contracts. Will stated reviewing contracts would be good because the Hub would have to explain where the funds are going and why. Amber showed Will the summary sheet that already does so. Christa emphasized there are several existing safeguards around the funds.

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the recommendation that authority be given to the Four River's Early Learning Hub Regional Coordinator (employed by Columbia Gorge Education Service District) to, with Four River Early Learning Hub Board approval, sign agreements on behalf of the Hub for which Sherman County serves as backbone organization. A summary of the agreements will be submitted to Sherman County Court outlining the type of agreement, the amount and time frame of the agreement, and a brief description of related activities in the agreement.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

Christa reported the Governor's budget kept the Hub at a continuous existing level of funding. Changes in funding that come out of the legislative session will most likely not impact the Hub, though more flexible funding streams could be slightly impacted.

Christa explained two funding streams represent approximately \$80,000 of funding. These dollars are allocated as Preschool Infrastructure Grants and Responsive and Innovative funds designed to support funding of specific but small needs or ideas recognized by county Early Childhood Committees. The state's contract with Sherman County requires entities that are not government entities to carry liability insurance, which for many organizations, is not feasible. The Hub issued complaint about this, and the state is in the process of developing a waiver system for insurance. After consulting with the state, the state recommended the Hub go forward with



its own process to allocate funds before the waver process is complete. Christa recommended following the state's advice and recommended for this specific amount of money, the money be sent directly to Columbia Gorge Education Service District (CGESD). CGESD will serve as a second-tier contractor and will allocate the money to the preschools. This will relieve Sherman County, as backbone organization, of the requirement to maintain compliance with the state contract to ensure the required level of liability insurance. CGESD is a government entity and is relieved of the requirement, but Sherman County acting as backbone fiscal agent to the Hub is not.

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve Sherman County pursuing a subcontract with Columbia Gorge Education Service District for allocation of Preschool Infrastructure Grants and Responsive and Innovative Funds.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

Christa suggested the court could also indicate that a contract with CGESD is unnecessary and simply amend the existing Intergovernmental Agreement to include the oversight of these specific fund amounts.

**1.4 10:30 a.m. Public Hearing Continuation: Ordinance Repealing Ordinance No. 29-2005, Defining Procedure for Mass Gathering Permit Application, and Declaring an Emergency**

Present: Fred Justesen, Talik Eichinger, Josh Monifi, Georgia Macnab, Will Carey

At 10:30 a.m., Judge Thompson opened the public hearing continuance regarding An Ordinance Repealing Ordinance No. 29-2005, Defining Procedure for Mass Gathering Permit Application, and Declaring an Emergency.

Will Carey, County Counsel, stated he appreciates the collaboration with the county and the work SHIFT festival representatives Talik Eichinger and Josh Monifi have put into the ordinance. Draft three of the ordinance was reviewed. On page two, section b, "large gathering" was change to "mass gathering." Section e regarding small gatherings was deleted. Some typos and misspelled words were corrected. After consulting with the Planning Director, in section four, item six, the requirement to submit the mass gathering application has been changed from 60 days to 90 days. This will allow staff time to process paperwork, especially in the event of a hearing. This change was also reflected in section seven.

Page six, item six, states "The County Court may impose a permit condition requiring compliance with all or portions of the Sherman County Noise Ordinance as set forth \_\_\_\_." If the county does not have a noise ordinance, one can be developed. Josh suggested using a noise requirement similar to what other counties require, which is included in the draft of revisions previously provided to the court under section fifteen. This requirement would be a set decibel level measured at the property line of any neighboring residence.

Josh stated there are many sections in the ordinance and mass gathering permit that take responsibility away from the Planning Department. It is written into the ordinance that the organizers of an event will need a land use permit, but outlining the fire requirements, sound requirements, and more, places too much responsibility on some departments. The mass gathering ordinance requirements are a redundancy when compared to land use requirements. Talik suggested the requirements be a part of the land use permit or the mass gathering permit, but not both. Georgia Macnab, Planner, explained the only aspect of the ordinance addressing land use is if the organizer is required to get a Conditional Use Permit (CUP), which would only happen if the event is to take place during the fire season specified in the ordinance.



Talik suggested mass gathering applications be handled through the Planning Department. Fred Justesen, Grass Valley, stated Wasco County does not require CUPs for mass gatherings. Will clarified Sherman County will only require them during fire season. Talik suggested the requirements of the CUP be added to the mass gathering application so entities only have to apply for one permit. Georgia stated the best-case scenario is to keep mass gathering applications out of land use unless necessary. She clarified a CUP is not the same thing as a zone change, and the permit would be temporary, going away after the mass gathering was held.

Will explained although it was suggested to remove mention of ‘unincorporated areas of Sherman County,’ he kept the language in the ordinance because the county has jurisdiction of everything within county boundaries but outside of city boundaries, and the mass gathering ordinance is not intended to control the cities.

Georgia stated although section e regarding small gatherings was deleted, language including hour limitations for mass gatherings still needs to be included. This is a requirement of the Oregon Revised Statutes (ORS). Georgia recommended including the language from ORS 433.735, which states that an event is a mass gathering if it can “reasonably be expected to continue for more than 24 consecutive hours but less than 120 hours within any three-month period...” Discussion was held about limiting the time period to no more than 72 hours. Talik stated 72 hours seems limiting to some events. The county has the ability to decline mass gathering permits if it feels 120 hours is too long for a particular event. Judge Thompson stated he believes the hour requirement should stay at 120 hours. Commissioner McCoy and Commissioner Dabulskis supported the hour requirement being 72 hours in a three-month period or such additional time as the county permits. Talik stated many festivals are held over five days. The court agreed on a 120 hour time limit. Georgia stated an event over 250 people and continuing for more than 120 hours in a three-month period, no matter the season, will be required to apply for a CUP in addition to the mass gathering permit. If an event is over 250 people but will extend less than 120 hours and is not held during fire season, no CUP will be required, but a mass gathering permit will be required. The CUP will provide additional fire protection during high fire season.

Will asked if the county should set a maximum limit of people at mass gatherings. Talik stated the application process should be a case-by-case basis. Commissioner McCoy stated it is not necessary to set a limit, and if it becomes a problem, the process can be amended. Josh stated the issuing of the permit is like setting a maximum, as the application will specify the maximum number of people expected at the event. The court can choose to deny applications if the maximum number is not appropriate for the county.

In section six, Will suggested clarifying the Planning Director will develop a policy for notifying neighboring property owners within 500 feet of the event.

Section fifteen mentions the Sherman County Noise Ordinance. Judge Thompson stated a noise ordinance was written for the wind farms. Will suggested using the noise limit of 70 decibels at the property line between the hours of 11:00 p.m. and 9:00 a.m. Will suggested stating, “The County Court may impose a permit condition requiring compliance with section 15 of this ordinance.”

Section seven states the County Court can elect to consider applications for the mass gathering and the CUP at the same time. Georgia clarified the CUP is a process run through the Planning Department and the mass gathering hearing would be held through the County Court. Hearings for the mass gathering permit and the CUP would need to be held separately. The language indicating the hearings can be held at the same time will be removed. In the case a mass gathering is required to obtain a CUP, the CUP will need to be obtained before the mass gathering permit is processed.

Many changes were suggested to section eleven, Public Safety. The requirement that security personnel not be convicted of a misdemeanor involving moral turpitude was removed. The requirement for 1 security personnel for each 50 persons expected at the event was changed to reflect the new requirement of 1 security personnel for

each 100 persons expected. Lauren Hernandez, Administrative Assistant, stated Brad Lohrey, Sheriff, recommended 1 security personnel for each 50 persons. Talik stated he thought this ratio to be extreme, and the type of event should be considered before requiring this amount of security. Discussion was held about changing the ratio to 1 security personnel for each 150 persons. Lauren recommended notifying Brad of the change, as he was very specific about the reasoning behind wanting the 1/50 ratio, and the ordinance gives him the opportunity to adjust this number as he sees fit on a case-by-case basis. Josh pointed out the ordinance states the sheriff's safety precaution requirements for an event 'may include' a 1/50 ratio, but it is up to his discretion. Josh stated the requirement that security personnel be Department of Public Safety Standards and Training certified is expensive and difficult for individuals to obtain. Lauren explained Brad was very specific about including this requirement. Brad will be contacted before final changes are made to this section.

Josh asked what the process of the application is. Section five states, "No application for an outdoor mass gathering permit shall be approved without review by the Sherman County Court following a public hearing. The hearing will be held after all permit application sections have been completed and turned in to the County Planning office." Georgia stated other counties run mass gathering permit applications through the Planning Department. Georgia will gather the application and documents and then pass them to the court for review. The court will hold the mass gathering permit hearing.

Final changes will be made to the ordinance. The hearing will be continued at the next court session. If no further feedback is heard, the hearing will be closed and the court will pass and sign the final draft of the ordinance. The court expressed appreciation to Talik and Josh for their collaboration on creating the ordinance.

**1.5 11:45 a.m. Kayla von Borstel – Sherman County Area Watershed Council Coordinator – Sherman County Area Watershed Council Annual Report**

Present: Kayla von Borstel

Kayla von Borstel presented the Sherman County Area Watershed Council Annual Report, which is a requirement for the Oregon Watershed Enhancement Board (OWEB) Council Capacity Grant. The Sherman County Soil and Water Conservation District (SWCD) is in the same biennium as last year and is functioning with reduced funding until the end of June. Kayla is hopeful the SWCD will receive full funding next biennium. In the last biennium, 18 grants were approved, and six are pending. Approximately \$32,000 is still available to spend in the Lower Deschutes and Lower John Day small-grant area. Grants fund projects like terraces, water and sediment control basins, fencing, solar development, and more. Grants do not pay for the removal of terraces. The district and council are trying to come up with specifications of different dimensions to make terraces more equipment friendly. Five new directors were added to the council this year. One member let their term expire. Two district board members let their terms expire. The conservation awareness program is on its second year. The hope is to expand towards field days and workshops.

**1.6 1:00 p.m. Jennifer Zimmerlee – RV Park Host – RV Park Roof and Receptacles Quote**

Present: Jennifer Zimmerlee, Georgia Macnab

Jennifer Zimmerlee, RV Park Host, explained most modern RVs are 50amp. Out of 33 sites, the RV Park currently only has four 50amp hookups. Balancing these receptacles between overnight guests, hosts, and the monthly guests is difficult. A 50amp RV can plug into a 30amp hookup, but the RV will not be able to run all amenities. Seven Peaks Electric gave two estimates. The first is to replace five receptacles by removing the current 30amp plugs and breakers and installing 50amp plugs and breakers. Smaller amp trailers cannot use these sites. The RV Park could purchase adaptors for these sites for approximately \$50 per adaptor and loan them out to guests as needed. Most user-friendly parks have 20/30/50 amp hookups on each receptacle. The second estimate is to replace five receptacles with 20/30/50 amp hookups on each receptacle. Jennifer explained

the quote for this option is high because the existing receptacles are encased in concrete. The high cost covers the labor of digging up the current receptacles and reinstalling them. Both quotes only cover the cost to upgrade five receptacles because the RV Park can only support five upgrades with current electrical wiring. To upgrade the entire park, more wire and a bigger pole are needed to supply power. The fairgrounds will need more power in the future with the new fairgrounds building. Jennifer suggested in the future, rewiring of both facilities be done at the same time.

Jennifer recommended going with the option to replace five 30amp receptacles with five 50amp receptacles and then purchasing five adaptors to loan to guests as needed.

If electric wiring is replaced in the future, Jennifer recommended upgrading water lines to frost-free water lines at the same time. Currently, the park winterizes using tape, pipe wrap, and buckets. Unattended sites may freeze, and if this happens, Jennifer only charges guests a dry-hookup rate. If the park upgraded all receptacles and water pipes, it would be better suited for year-round use and would bring in more revenue.

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the proposal from Seven Peaks Electric in the amount of \$650.20 to replace five 30amp RV receptacles with five 50amp receptacles, including breakers, wire, and receptacles.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

In the past, the court discussed working on several projects at the old bathrooms, including a new roof, painting, sealing, and upgrading the fixtures. Jennifer reported the pedestal sinks concern her because they are unstable. The water pressure does not work well on the woman's side. In the past, the project was outlined with three steps: 1.) Install a new roof, 2.) Repaint and reseal, 3.) Upgrade bathroom fixtures. None of this work has been done. A hole is now present in the roof. The old bathroom building will not need to be removed due to the fairgrounds project. Jennifer suggested in the future, tearing the building down and rebuilding it with bathrooms, an office, and a laundry room. If the park is continually improved, rates can be raised, which will help fund upgrades. Current pricing is low in comparison to other RV Park rates. Judge Thompson will check the budget. It is possible Oregon State Parks could fund some of the upgrades.

Jennifer reported the old bathroom building is an eyesore and is not considered part of the RV Park when the park is rated. This means the park does not get credit for offering laundry facilities. Jennifer stated the sinks will be a safety hazard in the future. The hole in the roof created by wind damage most likely has led to damage in parts of the structure. The subroof will need to be inspected for damage before the hole is repaired. The quote received for roof repair did not include subroof repair. Commissioner McCoy suggested repairing the roof with low-cost composition roofing until the future of the building is determined.

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to have the roof repaired on the restroom/laundry building at the RV Park with composition roofing and subroof repair.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

Jennifer will purchase adaptors for the 50amp receptacles when the work is complete. She explained if the RV Park is re-graveled and Wi-Fi access is improved, rates can immediately be raised to reflect these changes. Jennifer will contact Mike Smith to discuss fiber access and improving the broadband capacity at the park. If this is done before summer, rates can be raised on new reservations, though rates would not be changed for

reservations already made. The park has generated profit for the last two years, and some of this should be invested back into the park. Improvements would bring more guests, and more guests will bring more revenue to upgrade the park. Jennifer suggested finishing landscaping the park and grading the parts that were excavated so the ground is level. The wind blocks have been successful, and creating more dry camping areas with wind blocks would be beneficial.

**1.7 1:30 p.m. Cindy Brown – Tri-County Hazardous Waste – Review of Hazardous Waste Collections in Sherman County 2006-2016**

Present: Cindy Brown, David Skakel

Cindy Brown, Tri-County Hazardous Waste and Recycling, gave a brief background of how the Tri-County Hazardous Waste and Recycling program was started. In 2006, the program was formed in a partnership between Wasco, Hood River, and Sherman counties. Representatives from the three counties serve on the Steering Committee. The program is funded through a surcharge on the tonnage going through the landfill in Wasco County. The program covers hazardous waste and recycling for agricultural producers and households. Each year, every county submits an Opportunity to Recycle Report to the Department of Environmental Quality (DEQ). Staff funded by the program help local counties create the required monthly reports, which is an efficient way to meet the DEQ standard and provide education and outreach.

Sherman County benefits from the hazardous waste program. However, most of the solid waste collected from the county is sent to Arlington. Because of this, Sherman County has always been assessed a separate fee to pay for the program. The fee is calculated to be equivalent to what an individual household would pay in Wasco or Hood River County. The fee helps cover the cost of hazardous waste collection, technical aid to assist in generating reports for DEQ requirements, and recycling and outreach education. In recent years, the program has done a better job advertising and promoting hazardous waste collection, and the volume of materials collected has gone up significantly.

David Skakel, Tri-County Hazardous Waste and Recycling Coordinator, explained in 2011, a gap was identified in Sherman County's contribution to the program due to much of the county's solid waste being taken to Arlington. The contribution gap was calculated to be \$7,200. Sherman County pays this amount in addition to the one-time annual payment to fund the program. Hazardous waste events and activities are expanding, and the cost to provide service is more expensive. In 2016, participation in Sherman County's hazardous waste collection event doubled. David stated the Steering Committee supports running two events in Sherman County. This year, an event will be held in May in Moro as well as in November in Wasco.

When the program began in Moro in 2006, approximately 16 people participated. In 2016, 58 people participated. In the beginning, approximately 2,620 pounds of waste was collected. In 2016, 18,413 pounds of waste was collected. The cost of handling 18,000 pounds of material was \$10,129.32, although Sherman County only contributes \$7,200. David asked the court to consider an increase in the amount the county pays. He estimated the amount would be approximately \$5,000, which would increase the county's payment to approximately \$12,000. This amount can be recalculated each year or as needed. Judge Thompson explained the request would need to be run through the Budget Committee and asked David and Cindy to submit a letter to Debbie Hayden, Finance Director, requesting the increase. Brief discussion was held about if Sherman County is charged tipping fees in Gilliam County and how or if those fees could benefit Sherman County's hazardous waste program.

**1.8 2:00 p.m. Nate Stice – Regional Solutions – Quarterly Report**

Present: Nate Stice, Rod Asher



Nate Stice, Regional Solutions, presented a quarterly report. Nate asked about the progress of the rental duplexes the court recently approved to receive Sherman County Rental Housing Incentive funds. Judge Thompson explained the duplexes are hooked up to water but not to sewer, and discussion is underway about arranging sewer hookups.

Regional Solutions is a locally-oriented state approach to economic development. After priorities are set for the region, Nate manages a team to find approaches to completing the projects. In addition to an ongoing list of projects, Regional Solutions receives state funds for priority projects. During the last biennium, \$2 million was received. In 2013, the Advisory Committee decided to put this money into an attainable housing loan fund to stimulate middle-market rate housing. In 2015, Sherman County was allocated approximately \$800,000 for the fiber project. In the upcoming biennium, the Regional Infrastructure Fund is currently in the Governor's budget at \$11 million. If the legislature passes the funding, each region has been guaranteed \$500,000. The remaining \$4.5 million will be competitively allocated across the regions. An Advisory Committee will have input on the projects approved. All projects will go through an application process. Projects should have statewide significance by going across regions. Nate suggested 911 broadband efforts in Eastern Oregon would fit this characteristic well. Commissioner McCoy stated if a backup 911 center is built in Rufus, a fiber line loop will be in place to support the center. Nate asked the court to start thinking of projects that have statewide significance and cross regions.

Nate briefly reviewed local and state team staffing changes. Broadband is one topic Regional Solutions is still working on. Nate is working with Mid-Columbia Economic Development District (MCEDD) to organize a meeting for parties involved. A Sherman County coordination meeting is scheduled between Lightspeed Networks, Frontier TeleNet, CenturyLink, Wind Wave, and more to discuss collaboration. Nate reported he has had conversations with Oregon State Parks about Giles French Park, and he understands that to move the project forward, an Intergovernmental Agreement needs to be formed between Sherman County, the Army Corps of Engineers, and possibly Oregon State Parks. In the future, Nate will contact Jessica Metta, MCEDD, to see how he can help with the Comprehensive Economic Development Strategy list and finding funding for projects.

#### **1.9 2:30 p.m. Rod Asher – Weed District Director – Weed Ordinance Violation Draft Letter**

Present: Rod Asher

Rod Asher, Weed District Director, presented a weed ordinance violation draft letter to the court. Commissioner McCoy stated County Counsel Will Carey reviewed the letter and suggested Rod add a section about corrective actions for the landowners to take and consequences if such actions are not taken. Rod explained if he does not receive a weed management plan thirty days after receipt of the letter, he plans to send a follow-up letter outlining required corrective actions and consequences if those actions are not taken. Rod prepared maps of the landowner's properties in Sherman County to confirm the presence of noxious weeds and will add the weed descriptions to the maps.

Rod asked what the consequences are if no corrective action is taken by the landowner. He stated at the December Weed Advisory Board meeting, Will mentioned taking the landowner to court and fines up to \$10,000. Rod does not anticipate receiving a weed management plan response from the landowner and stated he would like the court's full backing. Commissioner McCoy stated it is likely a lawsuit will take place, and at the Weed Advisory Board meeting, discussion took place between Rod, Weed District Director, and Will, County Counsel, and direction was given to enforce state weed laws involving noxious weeds. Rod summarized the state weed laws allow the county to form a weed district, to create a weed board, to create a list of noxious weeds, and to serve notice if noxious weeds are not controlled. The county weed ordinance mirrors state law, using language directly from the Oregon statute. The ordinance states the county has the right of entry when in pursuit of noxious weeds, can serve notice, must give a reasonable time period for landowner action, and can

take corrective action as necessary if the landowner does not reply. The bill for corrective weed-spraying action will be sent to the landowner, and if not paid, will be applied as a lien on taxes. If a landowner does not pay the fee, it is a class A violation punishable on conviction by a fine not to exceed \$500 for each offense. Each individual piece of property counts as one offense.

Rod stated one difficulty he has in taking corrective weed-spraying action is the Weed Department does not have the time or staff resources to dedicate to corrective action on top of normal Weed Department spraying activities. Judge Thompson suggested contracting out the spraying job. Rod is determining the appropriate timeline for spraying depending on the noxious weeds present on the properties.

Commissioner McCoy stated a large number of citizens are being affected by this noxious weed issue. He suggested Rod send the violation notice letter to Will for suggestions and to keep him informed on the situation. Commissioner Dabulskis suggested including a list of the county's options to handle the violation as per the ordinance. Rod will include a copy of the ordinance with the letter. The court emphasized Rod has the court's support to send the letter and pursue corrective action if necessary.

Rod reported Paul Dornbirer has resigned from his position as Cooperative Weed Management Area Lower Deschutes River Project Coordinator. He will begin the hiring process soon.

#### **1.10 3:00 p.m. Brad Baird – Anderson Perry & Associates – Biggs Service District Water System Improvement Project Update**

Present: Brad Baird

Brad Baird, Anderson Perry & Associates, reported the United States Department of Agriculture (USDA) funding application and the Environmental Report are ready for signature and submission. Brad showed an example of a rural funding application and reminded the court the USDA requires mandatory hook-up clauses.

The public hearing for the Conditional Use Permit (CUP) for the reservoir site is scheduled for February 27. If the CUP is approved, progress can continue on the well permit and site partition. This will create the reservoir site and allow the county to pay the Beers for the land. The well design is under review. Brad presented the well design and bid packet. Once the well is drilled and the yield is known, the rest of the project will be bid out. A cultural resources evaluation may need to be done before the site earthwork can be completed. This would consist of a pedestrian survey, records review, and possibly shovel test probes utilizing an archaeologist. The cost for this is already included in the project budget. Site test pits still need to be dug. Access road work can begin after the cultural evaluation. The design is almost finished, and when funding arrives, the project will be ready to bid. The timeline for construction depends on when funding arrives. Ideally, the well will be up and running by this time next year.

When Brad meets with the court in March, he will discuss bonding items, present an example mandatory connection resolution, present an Engineers Joint Contract Documents Committee engineering agreement, and possibly have more funding-related paperwork.

#### **2.0 Action Items**

##### **2.1 Appointment – Sherman County Ambulance Board: Julia Hubbard, Dana Haner**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to appoint Julia Hubbard and Dana Haner to the Sherman County Ambulance Board for a term of two years to expire December 31, 2018.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**2.2 Amendment No. 1 to Portland State University Agreement #398573 to Extend Scope of Work for South Sherman Fire & Rescue**

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve Amendment No. 1 to PSU Agreement #398573 between Portland State University and Sherman County to extend work on the South Sherman Fire & Rescue District income survey to June 30, 2017, to allow for the completion of scope and services.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**2.3 Budget Transfers/Payments**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to authorize budget transfers/payments, including \$60,500 to the County General Fund, \$404,000 from the County General Fund, \$16,000 from the Ambulance Fund, \$10,570.52 from the Prevention Fund, \$2,500 from Court Security, and \$35,000 from the General Road Fund and authorize Judge Thompson to sign.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**2.4 Community Transit - Special Transportation/5310 Grant Application for Biennial Grant Period 2017-2019**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the grant submittal form for the Special Transportation/5310 Grant Application for Biennial Grant Period 2017-2019 and authorize Judge Thompson to sign.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**2.5 Regular Monthly Bills Updates**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to authorize payment of the regularly monthly bills to the listed line items within the appropriate funds.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**



### **3.0 Discussion Items**

#### **3.1 Giles French Park**

Judge Thompson asked if the court is still interested in developing Giles French Park. Commissioner McCoy stated the county should apply for grants so it spends no more than \$500,000 of county money on the project. Judge Thompson pointed out development at the park depends on the contract between the Army Corps of Engineers and Oregon State Parks. There may be grant funds available through State Parks for Eastern Oregon. Grant funds may need to be matched, but this can be discussed with the Budget Committee in a few years when the project is ready to move forward with funding. Commissioner Dabulskis stated developing the park would be of great benefit to Rufus.

#### **3.2 Potlatch Food Service Inspection Report**

The court reviewed a Food Service Inspection Report for Potlatch. Two violations were found. To fix them, Roger Whitley, Wasco Annex Property Manager/Maintenance Technician, will repair the dishwasher so it can reach the appropriate temperature necessary to sanitize dishes. He has also arranged with Two Dogs Plumbing to fix the frozen pipes so water is available for hand washing. This is the first time Potlatch has had a violation.

#### **3.3 Thank You Letter – Richard and Nancy Simpson**

The court reviewed a thank-you letter from Richard and Nancy Simpson expressing appreciation to the Road Department for road maintenance this winter.

#### **3.4 Sherman County Website Updates**

Lauren Hernandez, Administrative Assistant, reported she received a quote from Solutions iT for website services. The base cost to overhaul and redesign the website was quoted at approximately \$15,000. She suggested advertising a Request for Proposal (RFP) to gather other quotes. The RFP will outline the work to be done on the website. The current website is difficult to navigate. Lauren has difficulty updating information and does not have access to some of the pages, so the information remains outdated. The website is not user friendly or effective. Commissioner McCoy suggested using Word Press, as it is easy to update and should not be difficult to set up. There are years of archive files that will need to be transferred over, and it is important to keep them available so the public can access them. Lauren does not have the expertise to design a new website but is willing to update it once it is set up. She will invite Jacob Dunaway, Solutions iT, to County Court to better explain the details of a website overhaul.

#### **3.5 Commissioner Reports**

Commissioner Dabulskis – Attended a Weed Advisory Board meeting; missed meetings due to weather; attended a Frontier Regional 911 budget meeting; attended Sam Miller's funeral.

Judge Thompson – Most meetings were canceled due to weather; attended Association of Oregon Counties meetings in Salem.

Commissioner McCoy – Attended Mid-Columbia Center for Living and North Central Public Health District meetings; attended a planning meeting; attended a Community Advisory Council meeting; attended a meeting to discuss the future of the Sherman County Prevention Coordinator position.

**4.0 Consent Agenda**

**4.1 Minutes of February 1, 2017**

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve the minutes of February 1, 2017, as corrected.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**4.2 Revenue/Expenditure Summary – January 2017**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the Revenue/Expenditure Summary for the month of January 2017, as presented.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**4.3 Treasurer's Report – January 2017**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the Treasurer's Report for the month of January 2017, as presented.**

**Vote: 3-0**

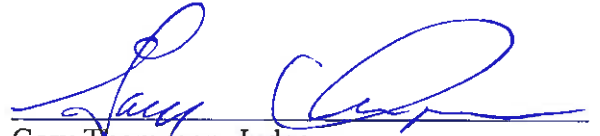
**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

Being no further business before the court, the meeting was adjourned at 3:23 p.m.

**Sherman County Court**

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

Attest: Lauren Hernandez  
Lauren Hernandez  
Administrative Assistant

  
\_\_\_\_\_  
Tom McCoy, Commissioner

  
\_\_\_\_\_  
Joe Dabulskis, Commissioner