



Court Agenda

April 19, 2017

**1.0 Appointment Schedule:**

- 1.1** 9:00 a.m. Jenine McDermid – Clerk – County Assessment Function Funding Assistance Grant Application; Quarterly Report
- 1.2** 9:15 a.m. Ron McDermid – Justice of the Peace – Quarterly Report
- 1.3** 9:45 a.m. Jan Byram – Senior Center Director – Quarterly Report
- 1.4** 10:00 a.m. Wes Owens – Sherman County School District Superintendent – Quarterly Report
- 1.5** 10:30 a.m. Nate Stice – Regional Solutions Coordinator – Quarterly Report
- 1.6** 11:00 a.m. Georgia Macnab – Planning Director – Public Hearing to Consider an Amendment to the Sherman County Comprehensive Plan Map to Rezone Approximately 1.5 Acres from Commercial (C-1) to Residential (R-1) for a Single Family Dwelling and Declaring an Emergency; Quarterly Report
- ~~**1.7** 11:30 p.m. Marnene Benson Wood – Community Transit Director – Quarterly Report~~
- 1.8** 11:45 p.m. Rod Asher – Weed District Director – Quarterly Report
- 1.9** 1:00 p.m. Bryan Hunt – Tri-County Veterans Services Officer – Quarterly Report
- 1.10** 1:15 p.m. Jessica Metta – Mid-Columbia Economic Development District – Quarterly Report
- 1.11** 1:45 p.m. Dan Spatz – Columbia Gorge Community College – Unserved Areas to Community College Services
- 1.12** 2:15 p.m. Will Carey – County Counsel – Executive Session in accordance with ORS 192.660 (2) (h) Legal Rights
- 1.13** 2:30 p.m. Weed Ordinance Violation Discussion
- 1.14** 3:00 p.m. Amber DeGrange – Four Rivers Early Learning Hub – Second Tier Contract with Columbia Gorge Education District for Distribution of Small Program Funds

**Additions to Agenda:**

3.4 County College Barbeque Transportation Funding Request

**2.0 Action Items:**

- 2.1 Wasco Annex Usage – Tri-County Hazardous Waste & Recycling Program Collection Event
- 2.2 Resolution in Support of a Transportation Funding Package in the 2017 Legislative Session
- 2.3 Biggs Service District Water System Improvements Project Invoices
- 2.4 2017 Sherman County Emergency Action Plan
- 2.5 Sherman County – Sanctuary Trauma Informed Community of Practice
- 2.6 Wasco Annex – Soil Sample Contract between Sherman County and Soil Solutions

**3.0 Discussion Items:**

- 3.1 Quarterly Report Frequency
- 3.2 Sherman County Property - Wasco
- 3.3 Commissioner Reports
- 3.4 County College Barbeque Transportation Funding Request

**4.0 Consent Agenda:**

- 4.1 Minutes of April 5, 2017
- 4.2 Revenue/Expenditure Summary – March 2017
- 4.3 Treasurer’s Report – March 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**

**April 19, 2017**

**Opened Court: 9:03 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**

3.4 County College Funding Request

**SUMMARY OF ACTIONS TAKEN**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the 2017-2018 County Assessment Function Funding Assistance Grant Resolution 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 increase the kitchen assistant position time from 2 hours to 2.5 hours per day.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve Ordinance #03-2017 Amending the Sherman County Comprehensive Plan/Zoning Map to rezone 1.5 acres from Commercial (C-1) to Residential (R-1) for a single family dwelling and declaring an emergency.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

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

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the funding agreement for the distribution of School Readiness/Eastern Oregon Coordinated Care Organization and Responsive & Innovative funding streams in the amount of \$84,054.07 between Sherman County, backbone organization of Four Rivers Early Learning Hub, and Columbia Gorge Education Service District 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 A Resolution in support of a Transportation Funding Package in the 2017 Legislative Session pending approval of county counsel.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve payment of the following invoices for the Biggs Service District Water System Improvements Project: invoice 59251 in the amount of \$5,000 for design engineering and invoice 59250 in the amount of \$1,636 for United States Department of Agriculture funding assistance application.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the Sherman County Emergency Action Plan revised in April 2017 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 of Sherman County being listed as a Sanctuary Trauma Informed Community of Practice as specified within the Columbia Gorge Health Council's Mobilizing Action for Resilient Communities plan.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to authorize the Soil Sample Contract between Sherman County and Soil Solutions for soil testing at the Wasco Annex.**

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

**Move by Commissioner McCoy, second by Judge Thompson, to authorize up to \$350 for transportation through Mid-Columbia Bus Company to the County College barbeque.**

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

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve the minutes of April 5, 2017, as presented.**

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

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

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

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve the Treasurer's Report for the month of March 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 – County Assessment Function Funding Assistance Grant Application; Quarterly Report**

Present: Jenine McDermid

Jenine McDermid, Clerk, presented the 2017-2018 Sherman County County Assessment Function Funding Assistance (CAFFA) Grant application. The grant supports assessment administration, assessment valuation, clerk/Board of Property Tax Appeals (BOPTA), tax collection and distribution, cartography and Geographic Information System administration, and assessment and taxation (A&T) data processing. The grant comes from the State of Oregon. Distribution is based on the proportion of the county's reported and certified A&T expenditures to the total of all certified expenditures submitted by all counties. Last year, Sherman County received \$55,146. This year, reportable expenditures total \$331,279, which may increase the total received this year. Jenine reviewed the FTE for assessment, valuation/appraisal, clerk/BOPTA, tax collection/distribution, cartography/GIS, and A&T staff.

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the 2017-2018 County Assessment Function Funding Assistance Grant Resolution and authorize Judge Thompson to sign.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

Jenine presented a quarterly report. The clerk's office began transitioning to Helion on March 1, streamlining the recording and archiving process. Old records are digitized and are being indexed. Two companies are signed up to provide eRecording. Preparation is underway for the May 16 Special Election. The election is for board positions, including North Central Education Service District, Sherman County School Board, fire and water districts, and the Northern Oregon Regional Corrections measure. There have been many surveys filed lately, and Jenine is working on a more time-efficient system to gather the signatures needed to process them. Jenine is working on the 2017-2018 insurance renewal and met with John Zachariason, Citycounty Insurance Service Risk Management, and Shawn Payne, Emergency Services, to review the annual best practices survey. The county scored a 93%. John encouraged the county to establish an Executive Risk Management Team, though the Safety Committee discussed this last year and chose not to create one because the committee meets monthly and many of the same members would be on both the team and the committee.

**1.2 9:15 a.m. Ron McDermid – Justice of the Peace – Quarterly Report**

Present: Ron McDermid

Ron McDermid, Justice of the Peace, presented a quarterly report. The weather typically affects how many tickets are written. Currently, numbers are in a normal range for both agencies citing into Justice Court. The staffing change in the sheriff's office will likely affect ticket totals, though currently, revenue is stable. Ron will be presenting at County College to discuss Justice Court and its interaction with the public. Ron gave a brief history of the Justice Court system and an overview of the Justice of the Peace position. The Weed Department building should be substantially complete by the end of this month. Shear walls are going up at the courthouse facilities site. The courthouse facilities project team is seeking more information about the cupola and the history of the bell.

**1.3 9:45 a.m. Jan Byram – Senior Center Manager – Quarterly Report**

Present: Jan Byram, Wes Owens

Jan Byram, Senior Center Manager, presented a quarterly report. Pizza Nite and the silent auction fundraiser were successful. A two-day silent auction is being planned so more people can participate. The kitchen staff purchased prime rib on sale. A prime rib fundraiser will be held in September. Emergency Services has requested the Senior Center purchase a Knox key box to allow law enforcement and other emergency services to access the building. The box will cost \$231. An electric wheelchair was donated for the Senior Center to loan out, but it needs batteries, which cost from \$150-360. A body lift was also donated. Whoever uses the loaned-out wheelchair will be responsible for providing the batteries. The kitchen assistant position is now shared. Working with fresh food and increasing the salad bar options has increased the work load. Jan requested the kitchen assistant position be increased from two to two-and-a-half hours per day.

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to increase the kitchen assistant position time from 2 hours to 2.5 hours per day.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

No: 0  
Abstain: 0

**1.4 10:00 a.m. Wes Owens – Sherman County School District Superintendent – Quarterly Report**

Present: Wes Owens

Wes Owens, Sherman County School District Superintendent, presented a quarterly report. Wes thanked Commissioner Dabulskis for representing County Court at school board meetings on a quarterly basis. The consolidation is going well. A few tours have been given of the facility in Grass Valley. Wes is working with the City of Grass Valley on the deed of the building and towards a solution that supports Grass Valley, the community, and students. There has been interest in the facility from a variety of different agencies, and it is important to involve the city in the decision on how the building is used. A work session with the City of Grass Valley to discuss this topic is being held, and Commissioner Dabulskis will attend. The school safety proposal is temporarily on hold due to staffing changes in the sheriff's department. The budget process has started, and budget meetings will be held in May. State testing is underway. The school is moving forward with Positive Behavioral Intervention and Supports and Response to Intervention programs for students k-12. A second Hall of Honor class will be inducted in the fall. The Class of 2017 will graduate in June and will hold a special tribute to the Class of 1957. Senator Ron Wyden will hold a town hall at the school. Ruralite Magazine will feature the school in an article covering the consolidation. An anonymous donor has given funds to help support art activities for students.

**1.5 10:30 a.m. Nate Stice – Regional Solutions Coordinator – Quarterly Report**

Present: Nate Stice, Georgia Macnab, Jeff Webber

Nate Stice, Regional Solutions, presented a quarterly report. Governor Kate Brown will be meeting with Regional Solutions, and discussion will be held on agriculture business, issues facing agriculture, and opportunities for solutions to these issues. Housing is still an issue to be solved. Discussion was held about how to make the advisory committee more effective and how to get the most value out of the committee and the roles each member plays. Nate would like to add more private-sector members. Discussion was held about new possible members. Nate briefly outlined the planned agenda for the Governor's Regional Solutions visit. Nate's goal is to build up business outreach for Regional Solutions. The lots for the duplexes approved by Mid-Columbia Economic Development are in the process of being purchased. Nate met with a developer in The Dalles to discuss the lack of housing stock. He suggested the market could move to a place like Rufus and explained housing assistance tools available, including the Attainable Housing Revolving Loan Fund and the Sherman County Rental Incentive Program. Brief discussion was held about the industrial sites in Rufus. Nate provided a regional staffing update. A Regional Solutions full-team outreach meeting will be held in June, including Business Oregon, Oregon Department of Transportation, Department of State Lands, Department of Environmental Quality, Department of Land Conservation and Development, and Mid-Columbia Economic Development District. Nate stated housing is the top priority for the region, and Business Oregon is motivated to move on this issue. Nate has been encouraging broader state-level conversations about this topic. Nate will meet with Wes Owens, Sherman County School District Superintendent, about the Grass Valley facility.

**1.6 11:00 a.m. Georgia Macnab – Planning Director – Public Hearing to Consider an Amendment to the Sherman County Comprehensive Plan Map to Rezone Approximately 1.5 Acres from Commercial (C-1) to Residential (R-1) for a Single Family Dwelling and Declaring an Emergency; Quarterly Report**

Present: Georgia Macnab, Jeff Webber

Judge Thompson opened the public hearing to consider an amendment to the Sherman County Comprehensive Plan Map at 11:04 a.m. Georgia Macnab, Planner, explained the Planning Commission approved the rezone. In the area of the rezone, the commercially-zoned parcel sits to the west just outside the city limits of Rufus. Georgia believes this was made commercial after the building of the John Day Dam. Commercially zoned property does not allow for a single-family dwelling. Judge Thompson suggested changing the entire parcel to residential. Jeff Webber, zone change applicant, explained the rest of the parcel is orchards and is below the flood plain. No public comment was heard, and the hearing closed at 11:08 a.m.

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve Ordinance #03-2017 Amending the Sherman County Comprehensive Plan/Zoning Map to rezone 1.5 acres from Commercial (C-1) to Residential (R-1) for a single family dwelling and declaring an emergency.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

Georgia Macnab, Planner, presented a quarterly report. She presented a list of permits granted and hearings that have been held or will be held. The Conditional Use Permit public hearing for SHIFT Festival will be held on May 15. The County Court mass gathering application public hearing will be tentatively scheduled for May 17. Georgia asked if any progress has been made on the Cottonwood Canyon/Starvation Lane complaint. Judge Thompson stated the problem has been taken care of and nothing further has been heard. Commissioner McCoy explained a facility will be developed on park property to revert visitors from the private property near the boat ramp. Judge Thompson met with Tom Peterson, Oregon State Parks (SP), about the solution to the Starvation Lane issue. Judge Thompson communicated to Tom the boat ramp should be moved to park land. Georgia stated this may include an amendment to the master plan or a Conditional Use Permit. Judge Thompson would like to move the right-of-way from the county's road up a ½ mile to park land using Federal Lands Access Program Grant dollars. Georgia will be informed when she needs to be a part of the Starvation Lane issue. Georgia stated she was consulted about a zone change possibility but has some concerns about it. She worked to finalize the Comprehensive Economic Development Strategy project list and sent it to Mid-Columbia Economic Development District (MCEDD). Georgia referred someone to MCEDD for the housing loan fund. The laundry room roof repair will take place soon.

**1.7 11:30 p.m. — ~~Marnene Benson Wood — Community Transit Director — Quarterly Report~~**

**1.8 11:45 p.m. Rod Asher – Weed District Director – Quarterly Report**

Present: Rod Asher

Rod Asher, Weed District Director, presented a quarterly report. The Weed Department is working on residual spray work and completing contracted spraying projects. The weather may affect spraying, and this year has led to a late start on noxious weed spraying. In some areas, the snow pack has weighed down the grass and made weeds more visible. The Lower Deschutes River Cooperative Weed Management Area (CWMA) seasonal crew started spraying in mid-March. Interviews for the CWMA Coordinator were held, and Dan Son was hired to fill the position. Main funding for the seasonal crew comes from an Oregon Department of Agriculture grant as well as contribution funding from Sherman and Wasco County Soil and Water Conservation Districts. The new weed shop building is almost finished. Tom Macnab, Grounds Maintenance, has begun mowing county properties, and most of the lawn sprinklers were pulled up before construction started. Rod reported equipment is running well aside from a few electric pumps that were damaged this winter and had to be replaced.



**1.9 1:00 p.m. Bryan Hunt – Tri-County Veterans Services Officer – Quarterly Report**

Present: Bryan Hunt, Jessica Metta

Bryan Hunt, Tri-County Veterans Service Officer, presented a quarterly report. Judge Thompson explained the court has reconfigured the frequency of quarterly reports, and Bryan will be reporting once or twice a year. Written reports will still be submitted, and if Bryan needs to meet with the court, he can schedule an appointment.

For Sherman County, in-office interviews totaled twenty, and out-of-office interviews totaled two, for a total of twenty two interviews. No new claims were filed, one claim was granted, one claim was denied, no claims were reopened, and one 10-10EZ medical application was filed. No Notice of Disagreements were filed. There were no referrals to state programs. Recoveries totaled \$4,382.43. Bryan explained that because the Veterans Association has a more efficient system to process claims, they are getting approved more rapidly, which lowers the total of recoveries. From this point on, recoveries may be small or non-existent. For the Tri-County area, in-office interviews totaled sixty five, and out-of-office interviews totaled nine, for a total of seventy-four interviews. Three new claims were filed, three claims were granted, one claim was denied, no claims were reopened, and three 10-10EZ medical applications were filed. No Notice of Disagreements were filed. There was one referral to state programs. Recoveries totaled \$5,049.48. Bryan presented outreach/enhancement/expansion hours and purchases and costs.

**1.10 1:15 p.m. Jessica Metta – Mid-Columbia Economic Development District – Quarterly Report**

Present: Jessica Metta, Will Carey

Jessica Metta, Mid-Columbia Economic Development District, presented a quarterly report. Jessica finalized the Sherman County Rental Housing Incentive Program application, which is now on the Sherman County website. Jessica will inform Business Oregon of the program to generate interest in the properties in Rufus. She will continue to advertise the program. The mail and phone income surveys for South Sherman Fire & Rescue have been fished, and door-to-door surveys will be conducted next. Approximately sixty five more responses are needed. If not enough responses are received, the Oregon Community Development Block Grant cannot be applied for. Jessica looked at a grant for the Wasco Annex, but based on grant requirements, it was not the right time to apply. Oregon Department of Transportation announced a Transportation and Growth Management Grant that will fund studies around land use or transportation. Jessica will look into studies in Sherman County that could apply to this grant. The Comprehensive Economic Development Strategy project list will be approved by MCEDD in June. Jessica is assisting Sherman County cities, Dufur, and Maupin review the concept of a shared code enforcement officer. She also met with Senator Merkley staff members on avenues for moving forward with improving Giles French Park. Jessica attended a presentation by Dallas Fridley, local economist with Oregon's Employment Department. He reported economic recovery in Sherman County was led by jobs in Trade, Transportation, and Utilities, with sixty five jobs added since 2008, and Federal Government, with 40 jobs added since 2008.

Will Carey, County Counsel, explained the Wasco Annex property is two lots, and the field parcel has value for potential development. Commissioner McCoy stated the court's offer to the City of Wasco includes both lots, not just the lot the building sits on. The three lots adjacent to the building are not part of the deal. Will will draw up the deed meeting the conditions of the agreement.

**1.11 1:45 p.m. Dan Spatz – Columbia Gorge Community College – Unserved Areas to Community College Services**

Present: Dan Spatz, Mark Coles, Rod Asher, Bryce Coelsch

Dan Spatz, Columbia Gorge Community College (CGCC) Community Outreach Coordinator, explained Sherman County has a longstanding relationship with CGCC. He asked if CGCC should explore furthering its relationship with Sherman County. The college is looking to expand its role in Sherman, Wheeler, and Gilliam counties. The college is supported by a tax base in Wasco and Hood River County. Sherman County is not part of the college's tax district and is an informal part of CGCC's service district, though significant enrolment comes from the tri-county area. The college board suggested starting with a proof of concept by looking at forming an Intergovernmental Agreement (IGA) or Memorandum of Understanding (MOU) that might eventually lead to a contract out-of-district relationship. Before any formal relationship is entered into, accurate data is needed. A more formal relationship could lead to Sherman County contributing funds or in-kind space for CGCC to provide distance learning in the county. This could possibly take place at the Sherman County Extension Office, and discussion was held about how fiber access could make distance learning a possibility.

Dan requested the court consider forming an advisory committee to explore this topic. An ad hoc advisory committee would identify opportunities for CGCC's role in the county. The committee would work to identify opportunities for workforce training programs, customized training, internships, job shadows, mentorships, dual credit opportunities, and outreach opportunities. Remote site access would support delivery of distance and hybrid instruction. There are different ways CGCC and Sherman County could move into a formal relationship. One option is an IGA or MOU. Dan stated if the county is not interested in formalizing the relationship, the current relationship does not have to change. Another option is to contract out of district, a long-range plan option. This option requires an advisory committee, formal contract, Oregon Department of Education approval, and more. A contract out of district formalizes what each entity will offer and would require contribution from the participating county. Another long-range option is to expand the college service tax district. This would require a good business model to support it, and would require election filing, voter approval, and more. Dan will attend Tri-County Court to discuss this topic with all three counties to see if there is interest in moving forward with forming an advisory committee.

**1.12 2:15 p.m. Will Carey – County Counsel – Executive Session in accordance with ORS 192.660 (2) (h) Legal Rights**

Present: Will Carey, Rod Asher

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

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

The court entered into executive session at 2:15 p.m.

The court discussed weed control statutes and the legal process of dealing with a weed ordinance violation.

Executive session closed at 2:30 p.m.

**1.13 2:30 p.m. Weed Ordinance Violation Discussion**

Present: Pat Powell – Powell Farms; Thad Eakin; Robert Olsen – Olsen Properties; Rob Olsen, Olsen Farms; John English – City of Moro; Bryan Cranston – Cranston Farms LLC; Mark Coles – Road Master; Chris Moore – Moore Brothers; Bryce Coelsch – Coelsch Wheat & Cattle; Rod Asher – Weed District Director

Judge Thompson opened up the weed ordinance violation discussion at 2:30 p.m. Will Carey, County Counsel, explained the Oregon Revised Statutes (ORS) determine the county's rights and obligations regarding the eradication of noxious weeds. The ORS state the weed inspector can report violations to the district attorney. The district attorney can then establish a plan to eradicate the weeds. The ORS require the violator is notified and given an opportunity to correct the violation. This has been done with Ecclesia of Sinai at Dufur, and Ecclesia has refused to correct the violation. In this circumstance, according to the ORS, Rod Asher, Weed District Director, can gather a crew, go to the property, and begin the eradication of weeds. The weed director can also go to court and get an injunction. The county can contact the Oregon Department of Agriculture to request a quarantine of the farm, which would stop the movement of infested crops or livestock to prevent the spread of noxious weeds. The ORS outline fines that can be charged for violation of the law.

Chris Moore, Moore Brothers, stated he is a farmer downwind from Ecclesia property. The noxious weed problem has been going on for quite a while, and it costs him and other farmers time and money. He stated all farmers have to abide by the law, and the law is not something that can be opted out of, as was alluded to in Ecclesia's response to the weed ordinance violation letter. The weed problem is ongoing, and the only solution is to play hardball. Chris thanked the court for working on this issue and stated he would like to see follow through on the matter.

Robert Olsen, Olsen Properties, a neighbor to Ecclesia, agreed with Chris and stated the problem is only going to get worse.

Judge Thompson explained mowing the weeds is not a solution because it scatters the seeds. Mowing is an option in the statutes, but for controlling the weeds of this particular case, it will not work and the court cannot accept that as a solution. Chris stated the weeds have been mowed before, but only after they have gone to seed. Judge Thompson instructed Mark Coles, Road Master, to begin spraying all right-of-ways. The contract Azure Standard has with the county requires weeds in the right-of-way are maintained, and this has not been done, so the contract is void. The county will begin spraying the right-of-ways to control the noxious weeds.

John English, City of Moro Public Works Director, stated this problem has gotten to the point where it has almost shut down the highway, causing a safety issue at the top of town. Citizens do not have the means to get rid of all of the weeds.

Bryan Cranston, Cranston Farms LLC, agreed with Chris' statement. If nothing is done about the weed problem, Sherman County will be known as a place that tolerates this kind of behavior. This reputation will go all the way to the grain exporter. Other organic farmers in the county manage to take care of their weeds. Ecclesia does not, and the problem is out of control.

Pat Powell, Powell Farms, stated the weeds are west of his farm, and he has been in discussion with Rod Asher, Weed District Director, about how to control Canada Thistle, which has become a serious problem. The first year, the Canada Thistle was mowed after it bloomed. While Pat operated his combine, he found a patch of at least thirty feet of Canada Thistle in his grain. If his farm did not direct seed and use chemical control, his field would be overrun with Canada Thistle. Pat stated it is a shame to see a productive field that now, shown through satellite imagery, has lost fifty percent to Canada Thistle and the rest to Morning Glory because neither have been controlled. Driving down the highway with the weeds as an eyesore makes it evident that no good farming practices are utilized to control them.

Judge Thompson stated the weed problem gives organic farming a poor image. He asked Bryan if under Oregon Tilth, a farm has to control noxious weeds to receive certification. Bryan is in the process of researching Oregon Tilth. Commissioner Dabulskis stated one reason for a farm to get the Oregon Tilth certificate is to show it controls weeds in a responsible manner. He asked if anyone present in the audience thought there was another way to control the weed violation other than the use of chemicals. Bryan replied farmers do not spray chemicals

for fun, but spray for a reason. Pat added mechanical tillage would only continue to spread Canada Thistle and Morning Glory. Decades have been spent trying to control these weeds with mechanical tillage, and now it is known that the tillage pulverizes the ground and makes it ideal for erosion.

Will stated another solution to consider is the ORS provision that outlines the Department of Agriculture can be contacted with a request to quarantine the farm. He suggested alerting the Department of Agriculture that Sherman County is trying to enforce weed control and that a quarantine may be requested if this does not work. Will stated the next step is for Rod to meet with the district attorney, as the ORS outlines the district attorney is to be notified. The district attorney can give permission for the Weed Department to go to the property and take care of the weeds. This would allow Rod to put a spray crew together and to keep track of time, materials, and wages to turn in for reimbursement or an addition to Ecclesia's tax lien. Commissioner McCoy asked for a statement in writing if the district attorney gives permission for Rod to take a spray crew to Ecclesia's land. A letter to the Department of Agriculture will be written to notify them of the situation. Will added a diplomatic letter written to Ecclesia was sent, and their response was dismissive and not a proper response. Pat asked if Ecclesia's response letter addressed the Right to Farm issues. Will replied the Right to Farm does not give a farm the right to go against any Oregon statutes. It does allow for the circumvention of a county ordinance, which is why Will referred to ORS Chapter 569, which specifies that a county has the right to terminate noxious weeds.

Brief discussion was held about the classification of weeds. Rod explained the ORS outline that a county can form a weed board, weed district, and establish a noxious weed list to enforce.

Will stated it can be expected that corrective action is taken. A letter will be sent to the Department of Agriculture stating the county may request a quarantine of Ecclesia property. Sherman County farmers will write letters of support to include in the letter to the state to show the high level of constituent concern.

**1.14 3:00 p.m. Amber DeGrange – Four Rivers Early Learning Hub – Second Tier Contract with Columbia Gorge Education District for Distribution of Small Program Funds**

Present: Amber DeGrange, Mark Coles

Amber DeGrange, Four Rivers Early Learning Hub (Hub), explained the second-tier contract for distribution of small program funds is between Sherman County and Columbia Gorge Education Service District for the School Readiness/Eastern Oregon Coordinated Care Organization and Responsive & Innovative funding streams. The School Readiness funds will be distributed to six different preschools. Preschools do not meet the insurance requirement from the state. By sending the money to CGESD, CGESD absorbs the second-tier insurance liability and checks can be sent out. Amber chose to use a separate agreement to contract with CGESD instead of amending the current contract because it covers a specific, short-term change. Sherman County will receive money from the state and transfer \$84,054.07 to CGESD. Amber talked to the state about a waiver for the insurance requirement, and while one is being created, it will not apply to entities dealing with children or transportation of children, which most of the Hub entities do. The funds have been allocated to preschools through the application process that was completed.

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the funding agreement for the distribution of School Readiness/Eastern Oregon Coordinated Care Organization and Responsive & Innovative funding streams in the amount of \$84,054.07 between Sherman County, backbone organization of Four Rivers Early Learning Hub, and Columbia Gorge Education Service District and authorize Judge Thompson to sign.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

CGESD will not take an administrative fee through the funding agreement, as the cost is absorbed as a part of the Four Rivers Early Learning Hub Coordinator position. If all Hub funds were transferred over, this would likely change. Amber briefly reported the preschool is running in Cascade Locks. She would like to seek funding for daycares, as none is earmarked for them in 4REL Hub funding.

**2.0 Action Items**

**2.1 Wasco Annex Usage – Tri-County Hazardous Waste & Recycling Program Collection Event**

The City of Wasco voted to take ownership of the Wasco Annex. Tri-County Hazardous Waste & Recycling would like to use the Annex parking lot in November for a collection event. The county will no longer own the Annex at this time, so Tri-County Hazardous Waste & Recycling will need to get permission from the City of Wasco. The county will maintain ownership of the three lots adjacent to the Annex. The collection event could be held on these lots if necessary.

**2.2 Resolution in Support of a Transportation Funding Package in the 2017 Legislative Session**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve A Resolution in support of a Transportation Funding Package in the 2017 Legislative Session pending approval of county counsel.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**2.3 Biggs Service District Water System Improvements Project Invoices**

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve payment of the following invoices for the Biggs Service District Water System Improvements Project: invoice 59251 in the amount of \$5,000 for design engineering and invoice 59250 in the amount of \$1,636 for United States Department of Agriculture funding assistance application.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**2.4 2017 Sherman County Emergency Action Plan**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the Sherman County Emergency Action Plan revised in April 2017 and authorize Judge Thompson to sign.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**2.5 Sherman County – Sanctuary Trauma Informed Community of Practice**

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve of Sherman County being listed as a Sanctuary Trauma Informed Community of Practice as specified within the Columbia Gorge Health Council's Mobilizing Action for Resilient Communities plan.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

## **2.6 Wasco Annex – Soil Sample Contract between Sherman County and Soil Solutions**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to authorize the Soil Sample Contract between Sherman County and Soil Solutions for soil testing at the Wasco Annex.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

## **3.0 Discussion Items**

### **3.1 Quarterly Report Frequency**

Recently, several requests have been made to decrease the frequency of quarterly reports. Some departments have reports that must be approved by the court on a quarterly basis, but this could be done without an in-person visit. Many departments can submit written quarterly reports and then visit with the court in person once or twice a year. If any department has an issue to speak with the court about, they can schedule an appointment time that fits their schedule. The court reviewed the list of those who deliver quarterly reports and determined that Wes Owens, Sherman County School District Superintendent, Jessica Metta, Mid-Columbia Economic Development District, and Nate Stice, Regional Solutions, should continue to report four times per year to keep lines of communication open. The other departments will be reassigned to once or twice a year in-person reports with written reports scheduled in between.

### **~~3.2 Sherman County Property – Wasco~~**

### **3.3 Commissioner Reports**

Commissioner Dabulskis – Attended Budget Committee meetings; attended a South Sherman Fire & Rescue Board meeting.

Judge Thompson – Attended a land use hearing in Salem with Ted Ferrioli; met with Columbia Gorge Bi-State Renewable Energy Zone about pumped storage; Dave Van't Hoff was rehired to work on forming a Pacific Northwest Coalition for wind renewables; attended Association of Oregon Counties in Salem; attended Budget Committee meetings; attended a Community Renewable Energy Association meeting; met with España Coles about an issue at Biggs Junction and a mess on neighboring property; met with Tom Peterson from Oregon State Parks to discuss the Federal Lands Access Program Grant, a new take out at Starvation Lane, and the youth center at Cottonwood Canyon.

Commissioner McCoy – Attended a Community Advisory Council (CAC) meeting; CAC started off community wide, but now is mostly agency people; attended Mid-Columbia Center for Living and North Central Public Health District (NCPHD) meetings; NCPHD is experiencing budget problems; attended Budget Committee meetings; attended the health insurance meeting to select a new health plan.

### **3.4 Funding Request – County College Barbeque**

Commissioner Dabulskis is hosting a barbeque in Sherman County to give County College members the opportunity to see the county. Mid-Columbia Bus Company can provide transportation for approximately \$310.

**Move by Commissioner McCoy, second by Judge Thompson, to authorize up to \$350 for transportation through Mid-Columbia Bus Company to the County College barbeque.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

### **4.0 Consent Agenda**

#### **4.1 Minutes of April 5, 2017**

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve the minutes of April 5, 2017, as presented.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

#### **4.2 Revenue/Expenditure Summary – March 2017**

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

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

#### **4.3 Treasurer's Report – March 2017**

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

**Vote: 3-0**

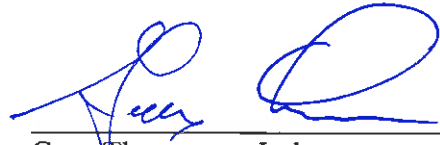
**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

Being no further business before the Court, the meeting was adjourned at 3:25 p.m.

**Sherman County Court**



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

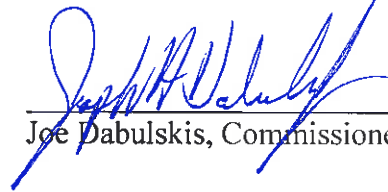
Attest:



Lauren Hernandez  
Administrative Assistant



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



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Joe Dabulskis, Commissioner