



Court Agenda

July 6, 2016

1.0 Appointment Schedule:

- 1.1** 9:00 a.m. Jenine McDermid – Clerk – Quarterly Report
- 1.2** 9:15 a.m. Shandie Johnson – Prevention Coordinator – Quarterly Report
- 1.3** 9:30 a.m. Brad Lohrey – Sheriff – Quarterly Report
- 1.4** 9:45 a.m. Jeff Holliday – Biggs Service District Administrator – Quarterly Report
- 1.5** 10:00 a.m. Amber DeGrange, Four Rivers Early Learning Hub; Debbie Hayden, Finance Director; Christa Rude, Columbia Gorge Education Service District; Brooke Ansotegui, North Central Education Service District – Early Learning Transportation and Funding
- 1.6** 11:30 a.m. Ron McDermid, Justice of the Peace; Mark Coles, Road Master – Construction Process for Lot Next to Courthouse
- 1.7** 1:00 p.m. Rod Asher – Weed District Director – Weed Department Vehicle Purchase Quote
- 1.8** 1:30 p.m. Ron McDermid – Justice of the Peace – Sherman County Email and Technical Support
- 1.9** 2:00 p.m. Shawn Payne, Emergency Services; Glenn Fluhr, South Sherman Fire & Rescue; Teri Thalhofer, North Central Public Health District; Brad Lohrey, Sheriff; Georgia Macnab, Planning Department – SHIFT Festival

Additions to Agenda

- 2.1 Window Cleaning - ProGlow

3.0 Action Items:

- 3.1 Letter of Resignation – Bridget Poirier
- 3.2 Intergovernmental Agreement – Wasco County and Sherman County – G.I.S. Services
- 3.3 Meals Services Contract – Mid-Columbia Council of Governments/Area Agency on Aging and Sherman County
- 3.4 Declare as Surplus a 2000 Ford Bus E450 Diamond

- 3.5 Northern Oregon Regional Corrections Regional Criminal Justice System Reform Efforts: Call to Action
- 3.6 Amendment Number Five to the Intergovernmental Agreement between Oregon State University Extension Services and Sherman County
- 3.7 Potlatch Freezer Insurance Claim
- 3.8 Biggs Service District Water System Improvements Project Invoices
- 3.9 Biggs Service District Administration
- 3.10 Window Cleaning - ProGlow

4.0 Discussion Items:

- 4.1 Federal Lands Access Program Proposal
- 4.2 Starvation Lane Access Group Update
- 4.3 Tri-County Hazardous Waste Collection Event Results
- 4.4 Commissioner Reports

5.0 Consent Agenda:

- 4.1 Minutes of April 13-14, 2016 – Budget Committee
- 4.2 Minutes of June 8, 2016 Special Session
- 4.3 Minutes of June 15, 2016
- 4.4 Claims – June 2016
- 4.5 Treasurer’s Reports - Revised

6.0 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

July 6, 2016

Opened Court: 9:00 a.m.

Present: Judge Gary Thompson, Commissioner Mike Smith, Commissioner Tom McCoy, Administrative Assistant Lauren Hernandez

A quorum was present. No news media was present.

Additions to Agenda

2.1 Window Cleaning - ProGlow

SUMMARY OF ACTIONS TAKEN

Motion by Commissioner McCoy, second by Commissioner Smith, to approve Early Childhood Education funding for 2016-2017 fiscal year as follows: Little Wheats: \$20,000; Sherman Co Child Care Foundation (ABC Huskies Child Care): \$20,000; Sherman County Preschool: \$40,000.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to approve dividing the remaining amount left in the Service Continuity Fund between Little Wheats and ABC Huskies.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the purchase of an F350 4x4 Crew/Cab truck by the Weed Department in the amount of \$38,118.90 to be taken from the Weed Sinking Fund and authorize Judge Thompson to sign the purchase order.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the category 2 allowances for current and future employees of the Weed District, including seasonal employees, up to \$30/month.

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

Motion by Commissioner McCoy, second by Commissioner Smith, to switch county employees from North Central Education District to Microsphere for email and information technology services.

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

Motion by Commissioner Smith, second by Commissioner McCoy, to accept a letter of resignation from Bridget Poirier, Sherman County Senior Center Kitchen Manager, effective June 30, 2016.

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

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Intergovernmental Agreement between Wasco County and Sherman County for Geographic Information System Services pending changes recommended by County Counsel.

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

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Meals Services Contract between Mid-Columbia Council of Governments/Area Agency on Aging and Sherman County and authorize Judge Thompson to sign pending changes recommended by County Counsel.

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

Motion by Commissioner McCoy, second by Commissioner Smith, to approve the Northern Oregon Regional Corrections Regional Criminal Justice System Reform Efforts Call to Action to consider coordinating services and resources in an efficient and cost effective manner and to maximize public safety, and authorize Judge Thompson to sign.

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

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve Amendment Number Five to the Intergovernmental Agreement between Oregon State University Extension Service and Sherman County to extend the employment term of Cindy Brown for one year, unless otherwise terminated, to end June 30, 2017, and authorize Judge Thompson to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to approve paying an insurance deductible up to \$1,000 to cover the cost of replacing Potlatch food that spoiled.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve Anderson Perry & Associates invoices in the amount of \$5,000 for Design Engineering, in the amount of \$15,000 for Design Engineering, in the amount of \$10,000 for Design Engineering, in the amount of \$1,095.84 for land acquisition/easements, in the amount of \$467.73 for well permit expenses, and in the amount of \$1,750.16 for reservoir site partition expenses.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to add Jeff Holliday to the Biggs Service District Bank of Eastern Oregon signature card, to remove Rene' Moore from the signature card, and to authorize Jeff to sign checks up to \$300.00.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to authorize up to \$2,500 for window cleaning and restoration by ProGlow and authorize Judge Thompson to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Budget Committee minutes of April 13-14, 2016, as corrected.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the special session minutes of June 8th, 2016, and the minutes of June 15, 2016, as presented.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Claims for the month of June 2016.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Treasurer's Report for the month of May, 2016, as presented.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

1.0 Appointment Schedule:

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

Present: Jenine McDermid

Jenine McDermid, Clerk, presented a quarterly report. On May 2nd, she met with Judge Thompson, Sheriff Lohrey, and Shawn Payne, Emergency Services Director, to update the Continuity of Government Plan. May primary election results had a 56% voter turnout. Ballots for the November 8th election will be mailed out between October 20-25th. Openings for the 2016-2017 Board of Property Tax Appeals will be advertised soon. On May 25th, the annual passport facility review was conducted and went well. With the support of Sherman County Surveyor Daryl Ingebo, Wasco County's Geographic Information System staff is in the process of making surveys available via a link on the surveyor's web page on the Sherman County website. Twenty seven counties already offer this service. Any survey filed in Sherman County will be available. Jenine is visiting with Option One and Hellion about the system transfer progress to Hellion. The transfer should be done between November 2016 and February 2017. The Finance Director and Assessor will remain with Option One but will have access to recorded documents.

Jenine has been in contact with Linda Cornie, Pioneer Potlatch, about the freezer being unplugged. The county has a \$1,000 spoilage deductible through PayneWest Insurance, but no quote for replacing the spoiled food has been received. Judge Thompson suggested the county cover the cost of replacing the food. Commissioner Smith suggested the freezer be moved to the empty room being used for the foodbank. The freezer is loud, which is why it gets unplugged when public events are held in the annex. Commissioner McCoy suggested purchasing a timer that will automatically turn the freezer back on after a specified amount of time if it has been turned off.

1.2 9:15 a.m. Shandie Johnson – Prevention Coordinator – Quarterly Report

Present: Shandie Johnson, Brad Lohrey

Shandie Johnson, Prevention Coordinator, presented a quarterly report. The Oregon Youth Conservation Corps (OYCC) crew has been hired and started last week. The original plan was to hire a crew supervisor 25 years or older, though no one of this qualification applied for the position. Katie Asher has been hired as crew supervisor. Shandie presented the OYCC work calendar. The OYCC program received a \$1,000 educational grant from the Soil and Water Conservation District, which was used towards the purchase of rubber boots for crew members, a cooler, and beverages for crew members while working. Shandie is purchasing materials locally as much as possible.

Shandie is working on two year-end reports for the Prevention Program through Oregon Health Authority (OHA) at the state level and Web Infrastructure for Treatment Services (WITS) at the federal level. In the state report, Shandie is emphasizing requirements based on the metropolitan area do not fit the needs of smaller areas. Sherman County was supported by Commission on Children and Families. The Commission ceased, but the programs still needed funding. Prevention funds have been used to cover the expenses, though this is not how Prevention funds are intended to be allocated. A financial tracking sheet was presented. Currently, 57 kids are signed up for the Swim Bus. There is \$12,534.68 left over in the Community Activities fund. This coming year, Sherman County Prevention plans to collaborate with Wasco, Hood River, and Klickitat counties to bring in nationally recognized speakers. Any extra funds in the Community Activities fund will be contributed to this effort.

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

Present: Brad Lohrey, Jeff Holliday

Brad Lohrey, Sheriff, presented a quarterly report. The Court reviewed an Event Activity Analysis by Day report for January-June 2016. There have been 318 cases so far this year. Thursday and Friday remain the busiest days.

On July 1st, twenty inmates were removed from Northern Oregon Regional Corrections (NORCOR) to make room for U.S. Immigration and Customs Enforcement (ICE) inmates. Sheriffs are now down to 90 beds for the four counties. ICE is paying approximately \$400,000 for beds at NORCOR. Brad reported this should be a short term deal and the sheriffs are working together to make the bed shortage manageable. The arrangement may go beyond November. It has been difficult to hire medical staff. NORCOR has had to hire temporary medical staff at a much higher rate, as no one has shown interest in the permanent staff position. NORCOR employees approved their contract for one year at a 1.5% increase.

Brad reported Lexipol has transitioned to online, which allows all policies to be up to date. Once a week, new policies are sent out and deputies can read through them, test on them, and receive training credits.

1.4 9:45 a.m. Jeff Holliday – Biggs Service District Administrator – Quarterly Report

Present: Jeff Holliday

The Court entered into Biggs Service Board of Directors.

Jeff Holliday, Biggs Service District Administrator, presented a quarterly report. There are no drastic changes from last year, though one account has changed over. The Biggs bank card needs to be switched to give Jeff access to the account. Jessica Metta, Mid-Columbia Economic Development District, is helping coordinate the water project. Jeff suggested talking to the city councils in all of the cities to start working on an agreement for a system maintenance operator. Biggs Service District will need to gather quotes for this service from the cities as well as from CH2M Hill. It may be possible to create a full-time position to maintain the Biggs water and

sewer system for the amount the district pays CH2M Hill for sewer maintenance, \$80,000. Jeff will approach the cities and CH2M Hill with a Request for Proposal to gauge interest and compare pricing.

The Court exited Biggs Service Board of Directors.

1.5 10:00 a.m. Amber DeGrange, Four Rivers Early Learning Hub; Debbie Hayden, Finance Director; Brooke Ansotegui, North Central Education Service District – Early Learning Transportation and Funding

Present: Amber DeGrange, Wes Owens, Debbie Hayden, Brooke Ansotegui

Amber DeGrange, Juvenile Director/Four Rivers Early Learning Hub (4RELH), presented a draft 4RELH budget. Budget framework has been approved by the Governance Board, but no funds have been allocated aside from Kindergarten Readiness and Innovation (KPI) funds and funds for Hub coordination. The draft shows how funding could possibly look in Sherman County after funds are allocated. Funds are intended to be fluid and need based, but the draft budget gives an idea.

Amber asked what preschools are going to be allocated, as the county funds preschools and daycares. The only fund specifically targeting preschools in the 4RELH budget is the Regional Preschool Access/Infrastructure fund. This fund has been put into the budget at \$51,689, and it has been discussed that this will be divided among the three smaller hub counties to preserve operations and infrastructure in preschools. Sherman County preschools are not Head Start preschools. The funding structure differs from Hood River and Wasco County, which makes it difficult to fund preschools in the area. Dividing the \$51,000 three ways will give Sherman County approximately \$17,000, though it has been suggested the funds be allocated based on need-based application, much like KPI funds.

Christa Rude, Early Learning Hub Coordinator, has been in communication with the state about working with bus companies on getting a waiver which allows preschool students to ride the bus. Amber explained funding and adequate space are the issue. The county budget has already been allocated, so any request will be in addition to the budget. The Community Transit bus is a 20 passenger vehicle and requires a commercial driver's license to drive. On a past survey, parents expressed they were hesitant about putting their preschoolers on a bus even if a sibling was riding. Some parents may be more comfortable placing their preschoolers on a dedicated van with a teacher/chaperone and driver. More will be known about transportation needs after open enrolment. Commissioner McCoy stated he would like to make it easy for families to send their kids to the merged preschool. Wes Owens, Sherman School District Superintendent, stated the merge is a model scenario, as preschoolers will be in a professional education setting. The programs available to students and the collaboration and professional development available to teachers are a positive of the merge.

The preschool transportation route would likely be from Rufus to Moro and would stop in Grass Valley if needed. Each city would have one stop where the bus or van would meet parents and students. Mid-Columbia Bus Company quoted \$32,000 per school year to provide transportation services. It was noted transportation is a statewide issue. Amber has been in contact with ABC Huskies, and even if transportation to Sherman County Preschool is arranged for students, ABC Huskies will move forward with offering preschool in Wasco. Brooke Ansotegui, North Central Education Service District, stated the best overall option is to have one consolidated preschool, but because the merge is new, having another preschool option available is beneficial. If the county does not provide preschool transportation, it is unknown if this will affect how many students attend. Head Start reimbursement was discussed. Commissioner McCoy asked Amber to put together a transportation proposal after gathering more accurate transportation numbers from open enrolment.

Based on the transportation options outlined in the Sherman County Preschool budget, the most logical option is for the preschool to purchase a vehicle. This option comes with expenses such as gas mileage, tires, and maintenance. Commissioner Smith stated if providing transportation is a pilot project to figure out the needs and mechanics of getting students to preschool, the right thing to do is use a vehicle the county already owns, such as the transit bus. Commissioner McCoy suggested not surplus the transit bus for a period of six months to give the preschool the opportunity to test out its use. Marnene Benson-Wood, Transit Coordinator, will be contacted about this. Insurance for the bus was discussed. The van will be leased to the preschool, which will then be in charge of providing insurance.

The Court reviewed a draft Early Childhood Program Support Funds proposal presented. The proposal recommends giving \$80,000 to the existing programs this year and starting a new funding system next year in the amount of \$90,000 in which each program – ABC Huskies, Little Wheats Inc., and Sherman County Preschool – receives \$30,000. In addition to this, the proposal suggests creating an additional fund which early learning programs can apply for outside of their yearly allocations for operational and need-based expenses. Without county funding, Amber stated some early learning programs will not sustain. In the proposal, there is no allocation made for the preschool starting at ABC Huskies. At the beginning of SIP funds in 2010/11, the early learning program funding amount was \$47,000. Each year, the Court has emphasized this is not permanent, sustainable funding. Other revenue streams need to be found to allow the funding to be sustainable at the end of SIP funding. 4RELH may contribute approximately \$17,000. Preschools have a different funding structure than daycares because preschools have access to Head Start funds and different grants. At this point, there is no room for daycare in the 4RELH budget. Amber suggested the Court not deviate from what the Budget Committee authorized for early childhood programs. Debbie Hayden, Finance Director, does not support creating an additional fund outside of the yearly allocation fund for programs to request extra money from, as it keeps programs from finding additional revenue sources. The county gives early learning programs a substantial amount of money, and programs need to budget wisely. Debbie stated the county can contribute funding but should not be the sole resource for the programs.

At the end of SIP funding, early learning funds could disappear and budgets should not be planned around these dollars. Judge Thompson explained Sherman County has focused on not increasing spending so when SIP funding goes away, no programs have to be cut due to over expansion. The county cannot sustain the funding level currently being given to early learning programs. Commissioner McCoy suggested leaving the early childhood program fund at \$80,000 and taking the proposal presented to Court to the Early Childhood Advisory Team for feedback and input. Discussion was held about how to address requests from new programs. Currently, no policy exists for determining how new entities become eligible for early learning program funding. The Budget Committee approves the amount in the fund, and the Court determines who receives funding based on what it feels is best for the community. The Court recognized the importance of quality daycare and preschool services, though reiterated early learning program funding is temporary, and the goal is to find more permanent funding sources.

Motion by Commissioner McCoy, second by Commissioner Smith, to approve Early Childhood Education funding for the 2016-2017 fiscal year as follows: Little Wheats: \$20,000; Sherman Co Child Care Foundation (ABC Huskies Child Care): \$20,000; Sherman County Preschool: \$40,000.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Amber reported the Service Continuity Fund has left over funds in the amount of \$2,699.82. The fund needs to be closed out. Amber suggested the Court divide the money evenly between the two daycares.

Motion by Commissioner McCoy, second by Commissioner Smith, to approve dividing the remaining amount left in the Service Continuity Fund between Little Wheats and ABC Huskies.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

1.6 11:30 a.m. Ron McDermid, Justice of the Peace; Mark Coles, Road Master – Construction Process for Lot Next to Courthouse

Present: Mark Coles, Ron McDermid

Mark Coles, Road Master, reported no fill for the lot was available from nearby parties. The lot was filled with rock and will be capped with gravel. It is steep in the back but is level enough to be used as a lay-down construction yard and a parking lot. Barriers need to be placed on both steep sides to prevent people from driving over the edge. Road dividers could be used for this. The fire hydrant needs to be protected. During construction, a steel plate will be laid down to protect water boxes. Ron McDermid, Justice of the Peace, stated construction on the new building is scheduled to begin in early 2017. Building the new Weed Department building will likely begin in October. Discussion was held about drainage where the lot merges with the street. The placement is not right for a culvert, so Mark is hoping to create enough slope so water will not be trapped. Placement of the dumpster and the possibility of a walk or drive-up voting box were discussed. These details will be solidified in the future. Pine trees on the lot need to be trimmed. Mark is willing to help with the demolition of the existing weed buildings depending on availability.

1.7 1:00 p.m. Rod Asher – Weed District Director – Weed Department Vehicle Purchase Quote

Present: Rod Asher

Rod Asher, Weed District Director, presented a request to use the Weed Sinking Fund to purchase a Ford F350 for the Weed Department. The original price was \$37,263.90. Rod would like to add an e-locking axle, cruise control, upfitter switches, and a reverse alarm, bringing the total to \$38,118.90. A utility body will be installed on the truck. The purchase of the truck will drop the Weed Sinking Fund to around \$2,000, but this request was approved at budget time. Rod will use existing spray equipment this year, though spraying tanks will need to be purchased in the future.

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the purchase of an F350 4x4 Crew/Cab truck by the Weed Department in the amount of \$38,118.90 to be taken from the Weed Sinking Fund and authorize Judge Thompson to sign the purchase order.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Rod presented a request for cellphone allowance for Weed District employees. Weed Department employees frequently use personal cellphones to keep in contact with one another. Rod is looking into an app for the Weed Department that gives a life-like picture of terrain and can track spraying locations. Rod budgeted a cellphone allowance for the Crew Leader and Cooperative Weed Management Area Coordinator positions but did not budget for seasonal employees. He plans to work this cost into the funding coming from grants he receives.

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the category 2 allowances for current and future employees of the Weed District, including seasonal employees, up to \$30/month.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Commissioner McCoy reported he has been in email contact with Gary Peterson, Columbia Gorge Education Service District (CGESD) Superintendent, and Gary confirmed CGESD will ensure the components of the Hub contract with the state are fulfilled.

1.8 1:30 p.m. Ron McDermid – Justice of the Peace – Sherman County Email and Technical Support

Present: Ron McDermid, Debbie Hayden, Will Carey, Glen Fluhr

Ron McDermid, Justice of the Peace, explained Judge Thompson asked him to investigate the steps required to consolidate email and information technology (IT) support functions from the current two-vendor system to a one-vendor system. Ten years ago, North Central Education Service District (NCESD) was providing both email and IT services to the county. Over the last few years, most county employees have switched to Microsphere for these services. The timing is right to consolidate vendors. The county owns the current domain names and email addresses, so when the consolidation happens, email address will not need to change. The county plans to switch to Microsphere for both email and IT services. The county currently pays \$800 per month to NCESD for services. Microsphere will charge a monthly retainer and for services rendered. Judge Thompson will contact NCESD about the consolidation. Microsphere technicians will work with NCESD employees to make sure the transition is successful.

Motion by Commissioner McCoy, second by Commissioner Smith, to switch county employees from North Central Education District to Microsphere for email and information technology services.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Ron explained he believes the county owns all technological devices in the building, but if something comes up, the issue will be resolved. Commissioner Smith recommended eventually putting out a Request for Proposal for services for the county, as this has not been done recently and there may be services available the county is not aware of. Microsphere has experience in the building and has established knowledge of the county's systems. A new vendor would have a learning curve. The system should be set up so any entity can step in and offer services. The consolidation to Microsphere will simplify email and technology support. Ron will coordinate moving forward with the transition.

1.9 2:00 p.m. Shawn Payne, Emergency Services; Glenn Fluhr, South Sherman Fire & Rescue; Teri Thalhofer, North Central Public Health District; Brad Lohrey, Sheriff; Georgia Macnab, Planning Department – SHIFT Festival

Present: Brad Lohrey, John Zalaznick, Teri Thalhofer, Glenn Fluhr, Talik Eichinger, Shawn Payne, Georgia Macnab, Will Carey, Gary Irzyk, Aaron Lafky, Wade McLeod

Judge Thompson explained the discussion was to review the possibility of holding a SHIFT Festival in Sherman County. The request to hold the festival in Grass Valley was not submitted in a timely manner, as several months are needed to organize a request of this nature.

Will Carey, County Counsel, explained mass gatherings are covered under Chapter 433 of the Oregon Revised Statute (ORS). The ORS states a gathering below 3,000 persons is not a mass gathering, but gives counties the authority to regulate the size of mass gatherings within the county. In 2001, Sherman County passed an ordinance stating that any gathering 250 persons or more would constitute as a mass gathering. ORS 433 requires applications for mass gatherings be made to the county, published in the county's paper of record for ten days, and then be subject to public hearing. If the Court authorizes the gathering, the county would decide what conditions it felt needed to be placed upon the gathering for the protection of property and the public. The request for mass gathering from the SHIFT Festival was not submitted in enough time to complete the statutory requirement before the gathering is intended to be held. The County Court cannot waive the requirement for public notice. Will suggested the date of the festival be postponed to give time for the public notification period to occur, which would allow the proper steps to be taken.

Commissioner McCoy stated there was general opposition among the public to a festival like SHIFT due to recent fires and current extreme fire danger. A festival like SHIFT taking place in April when the grass is green might be something to consider, but holding the festival at the beginning of harvest in July is foolish. Fire protection in the county is provided by farmers and volunteers, and many of those farmers and volunteers will be harvesting during the festival. Commissioner McCoy stated he would not vote for a variance for public notice or approve a festival like SHIFT at this time of year.

Glenn Fluhr, South Sherman Fire & Rescue (SSFR) Chief, submitted a letter to the Court. He explained last month the county had a 5,800 acre fire that showed explosive fire behavior. Wind and harvest conditions are extremely conducive to fire, and this is not the right time of year for the festival. SSFR units have a previous commitment at the race track the weekend of the festival, and North Sherman and Moro units have low numbers of volunteer personnel available. Glenn stated if the request had been submitted with enough time, alternatives could have been planned. Glenn toured the property where the festival is to be held, and no preparation has been done to the land. Grass is four to five feet tall, and sage brush covers the area.

Talik Eichinger, SHIFT Festival representative, apologized for the last minute venue switch to Sherman County. The festival's anticipated venue fell through and was then moved to Sherman County. Arrangements have been made to mow the grass at the festival site before the event begins. There are multiple egresses to the event. Talik stated he understood fire danger was present, and to ensure the event happens, was willing to remove fire from the festival completely. Ticket sales have been capped at 215 to ensure the event stays below the 250 person mass gathering limit if the county does not grant a permit. Commissioner Smith thanked Talik for taking the threat of fire danger seriously but stated the other major issue with permitting the festival is the lack of public notice for the mass gathering. Commissioner McCoy stated the fire danger hadn't been addressed sufficiently, as it is present even if the grass is mowed.

The festival is to be held July 15, 2016. Talik stated the date of the festival cannot be moved, as people are flying in from out of state to attend. Restricting the festival to 250 people will result in money being lost, though this is a more favorable option than moving the date.

Teri Thalhofer, North Central Public Health District (NCPHD), stated NCPHD has worked with several events in Wasco County. Fire danger is always present, as when a large number of people are on dry grass, there is huge fire potential. The event planners work with NCPHD and typically begin planning the next event immediately following the current event because the process can take months. One significant concern about

large gatherings is first aid, as Sherman County runs on volunteer crews. The event may not offer enough economic impact to offset the potential taxing of local resources. There are also concerns regarding waste disposal, water, food vendors, licensing, and more.

John Zalaznick, NCPHD, discussed an event held on Memorial Day weekend that worked with Wasco County to plan and make arrangements for cooking, extra water in case of emergency, restrooms, first aid, fire patrol, emergency evacuations, and more. Will stated these issues are topics that would come up at a public hearing, which is why the notice period cannot be waived.

Commissioner Smith asked if fire would be included in the event even if the festival stayed below 250 people and did not require a permit. Talik stated he would work with the fire department and this would be determined at a later time. Commissioner McCoy emphasized there would be no fire protection the weekend of the festival.

Shawn Payne, Emergency Services Director, expressed concern about emergency services available during the festival. Drug overdoses, alcohol poisoning, environmental issues and heat, snakes, and the lack of emergency personnel are of concern.

Will asked if the festival could be moved to Wasco County this year while preparations are started to hold the festival in Sherman County next year. Fred Justesen, Grass Valley, explained the permitting rules for Wasco County, and no matter the size of the mass gathering, a permit is required. Fred added an economic impact study was done after a festival on his property in Wasco County, and the study found there was over \$1 million of economic impact for a 3,500 person event.

Discussion was held about if the 250 person limit included the count for volunteers and event staff. Will stated the ordinance specifies how many people may attend the event, not the amount of ticket holders. Children will be allowed into the event for free, though ticketholders are asked to provide notice about children before arrival.

Judge Thompson stated if the event is under 250 people, Talik should still work closely with Glenn and Shawn to prevent or lower fire and medical risks. Will stated the county is not sanctioning the event, and if it is more than 250 people, it will not be held until an application is made with enough time for public notice and a hearing.

Brad Lohrey, Sheriff, stated he is not concerned about the amount of people as much as he is concerned about fire danger and lack of emergency service personnel. Even without the fire performances, fire danger remains. Cooking equipment, lanterns, cigarettes, and other fire starters will be present even with the Fire Safety Plan presented by Talik. Talik responded there are designated cooking and smoking areas planned. Five gallon douse buckets will be present at least every fifty feet, fire extinguishers will be available, two 300 gallon water tanks will be hooked up to high-flow fire suppression pumps, and a 6,000 gallon water truck will be on hand.

Georgia Macnab, Planner, stated if someone wants to hold an event in Sherman County, they need to go through the steps other festivals and events have gone through to follow procedure and create a proper plan. John added the health department likes to be involved with mass gatherings regarding water, human waste, garbage disposal, and medical issues.

Commissioner Smith stated if the event happens, he highly advises Talik to work with emergency service officials. Will stated if the SHIFT Festival goes over 250 people it will be in violation of ORS. The ordinance states, "the actual or reasonable anticipated assembly of more than two hundred fifty (250) persons, which continues or can be reasonably anticipated to continue for more than twenty-four (24) consecutive hours..." Will interpreted assembly to include all persons, not just ticketholders, and clarified no more than 250 people may be present at the gathering at any period during the festival.

Gary Irzyk, Moro, asked if the county would be liable if any fire or emergency situation happened at the festival even though no permit was being given. Will replied no, as the festival under 250 people is not a mass gathering and the county is not authorizing it. Gary suggested the county tighten up the language in the mass gathering ordinance. Commissioner McCoy suggested adding a clause stating no mass gathering will be permitted during the months of June-October during conditions of extreme fire danger.

Commissioner Smith stated the county cannot permit the mass gathering at this time due to fire danger and lack of public notification. Will stated the SHIFT Festival's conduct this year will influence the county's receptiveness to future events. Talik stated next year more time will be given for notice and planning.

The possibility of getting an injunction to stop the festival was discussed. Georgia stated the festival website instructs people to shop for supplies in The Dalles. Aaron Lafky, Bend, stated the festival has the potential for economic benefit, and potential vending and employment opportunities may arise in the future from this kind of event.

The Court discussed making an emergency declaration banning mass gatherings due to extreme fire danger in order to protect the loss of property and life. Further discussion was held about banning events during fire season. Aaron suggested a contingency plan for fire safety. Judge Thompson suggested SSFR station tankers close to the facilities for immediate use.

2.0 Action Items:

2.1 Letter of Resignation – Bridget Poirier

Motion by Commissioner Smith, second by Commissioner McCoy, to accept a letter of resignation from Bridget Poirier, Sherman County Senior Center Kitchen Manager, effective June 30, 2016.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

2.2 Intergovernmental Agreement – Wasco County and Sherman County – G.I.S. Services

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Intergovernmental Agreement between Wasco County and Sherman County for Geographic Information System Services pending changes recommended by County Counsel.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

2.3 Meals Services Contract – Mid-Columbia Council of Governments/Area Agency on Aging and Sherman County

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Meals Services Contract between Mid-Columbia Council of Governments/Area Agency on Aging and Sherman County and authorize Judge Thompson to sign pending changes recommended by County Counsel.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

2.4 Declare as Surplus a 2000 Ford Bus E450 Diamond

Commissioner Smith suggested asking Gilliam and Wheeler County if they have a need to purchase the bus. Commissioner McCoy stated he would like to talk to Amber DeGrange, Juvenile Director/Four Rivers Early Learning Hub, about this. Some discussion has been held about purchasing a van to be used to transport kids to preschool. The Court agreed to hold off on surplus the bus until Amber has been contacted.

2.5 Northern Oregon Regional Corrections Regional Criminal Justice System Reform Efforts: Call to Action

Motion by Commissioner McCoy, second by Commissioner Smith, to approve the Northern Oregon Regional Corrections Regional Criminal Justice System Reform Efforts Call to Action to consider coordinating services and resources in an efficient and cost effective manner and to maximize public safety, and authorize Judge Thompson to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

2.6 Amendment Number Five to the Intergovernmental Agreement between Oregon State University Extension Services and Sherman County

Motion by Commissioner Smith, second by Commissioner McCoy, to approve Amendment Number Five to the Intergovernmental Agreement between Oregon State University Extension Service and Sherman County to extend the employment term of Cindy Brown for one year, unless otherwise terminated, to end June 30, 2017, and authorize Judge Thompson to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

2.7 Potlatch Freezer Insurance Claim

Motion by Commissioner McCoy, second by Commissioner Smith, to approve paying an insurance deductible up to \$1,000 to cover the cost of replacing Potlatch food that spoiled.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

2.8 Biggs Service District Water System Improvements Project Invoices

The Court entered into Biggs Service District Board of Directors.

Motion by Commissioner Smith, second by Commissioner McCoy, to approve Anderson Perry & Associates invoices in the amount of \$5,000 for Design Engineering, in the amount of \$15,000 for

Design Engineering, in the amount of \$10,000 for Design Engineering, in the amount of \$1,095.84 for land acquisition/easements, in the amount of \$467.73 for well permit expenses, and in the amount of \$1,750.16 for reservoir site partition expenses.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

2.9 Biggs Service District Administration

The Court remained in Biggs Service District Board of Directors.

Motion by Commissioner McCoy, second by Commissioner Smith, to add Jeff Holliday to the Biggs Service District Bank of Eastern Oregon signature card, to remove Rene' Moore from the signature card, and to authorize Jeff to sign checks up to \$300.00.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

The Court exited Biggs Service District Board of Directors.

2.10 Window Cleaning - ProGlow

Motion by Commissioner McCoy, second by Commissioner Smith, to authorize up to \$2,500 for window cleaning and restoration by ProGlow and authorize Judge Thompson to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

3.0 Discussion Items:

3.1 Federal Lands Access Program Proposal

Judge Thompson reported Jessica Metta, Mid-Columbia Economic Development District, has submitted Sherman County's application for a \$1.5 million Federal Lands Access Program grant for Starvation Lane Road. Transportation on Starvation Lane Road has become an issue due to increased vehicle traffic. Development of the Starvation Lane access area was briefly discussed.

3.2 Starvation Lane Access Group Update

Commissioner Smith reported Sergeant Jeremy Shull will represent the Sheriff Department in the Starvation Lane Access Group. Other correspondences have been received from community members requesting to be representatives in the group. The group is in the process of being formed and will focus on possible layout changes to the Starvation Lane access area.

3.3 Tri-County Hazardous Waste Collection Event Results

The Court reviewed the hazardous waste collection event results provided by Tri-County Hazardous Waste. Commissioner Smith stated the county pays \$8,000–10,000 each year to Tri-County Hazardous Waste, and one collection event per year is offered. He reported a group in Arlington can provide up to three events per year for the same price. It is possible Tri-County Hazardous Waste will add another collection event if the county requests it. Commissioner Smith stated the county needs to be receiving more services for the amount of money being paid. Sherman County’s representative on the Tri-County Hazardous Waste Board will be contacted about this. In 2006, the hazardous waste collection event saw 16 participants and 2,620 pounds of waste collected. This year, the event saw 50 participants and 18,643 pounds of waste collected.

3.4 Commissioner Reports

Commissioner Smith – Attended final budget meeting for Mid-Columbia Center for Living; everything is going forward with the building; met as Mid-Columbia Council of Governments board, but no quorum; Jim Slusher is back from Mid-Columbia Action Council; attended Biggs water project meeting; attended Oregon Broadband Advisory Committee; Eastern Oregon Coordinated Care Organization met all metrics, so \$10.6 million payout; member of committee to decide how that funding is spent; attended Senator Merkley town hall; working on fiber issues and connectivity; able to get Frontier Telenet switched over to air fiber; monitoring to find any weak spots and exploring slower speeds during evenings.

Commissioner McCoy – Attended Northern Oregon Regional Corrections board meeting; administrator has improved, the board is in good spirits, and workers approved the contract with a 1.5% raise for the next year; attended Senator Merkley meeting; attended an Area Commission on Transportation meeting; attended Mid-Columbia Council of Governments meeting, but no quorum; attended Biggs water project meeting.

Judge Thompson – Attended Senator Merkley meeting; attended an Area Commission on Transportation meeting; attended Biggs water project meeting; attended Legislative Transportation Hearing in Hermiston; attended annual Mid-Columbia Housing Authority meeting.

4.0 Consent Agenda:

4.1 Minutes of April 13-14, 2016 – Budget Committee

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Budget Committee minutes of April 13-14, 2016, as corrected.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

4.2 Minutes of June 8, 2016 Special Session

4.3 Minutes of June 15, 2016

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the special session minutes of June 8th, 2016, and the minutes of June 15, 2016, as presented.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

4.4 Claims – June 2016

The Court would like Early Learning Hub payments listed on a separate document.

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Claims for the month of June 2016.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

4.5 Treasurer's Reports - Revised

Before approving the revised reports for September 2015-April 2016, the Court would like to understand what the changes were. This will be added to the next Court agenda when more information is available.

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Treasurer's Report for the month of May, 2016, as presented.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

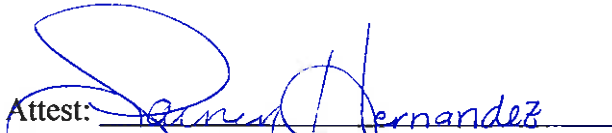
Abstain: 0

Being no further business before the Court, the meeting was adjourned at 3:30 p.m.

Sherman County Court



Gary Thompson, Judge

Attest: 
Lauren Hernandez
Administrative Assistant

Mike Smith, Commissioner



Tom McCoy, Commissioner