



Court Agenda

August 17, 2016

1.0 Appointment Schedule:

1.1 9:00 a.m. Heath Gardner – Wenaha Group – Courthouse Facilities Project Design Development Update/Wasco Annex Energy Study Update

1.2 10:00 a.m.

Additions to Agenda:

2.0 Action Items:

- 2.1 Memorandum of Understanding between Rural Development Initiatives, Inc. and Sherman County – Fair Board Training Agreement
- 2.2 Budget Transfers/Payments
- 2.3 Sherman County Risk Management Policy
- 2.4 Wasco Annex Lease Termination Notification – Thomas Westlake
- 2.5 Transportation Agreement No. 31434- Rail and Public Transit Division/Oregon Department of Transportation and Sherman County

3.0 Discussion Items:

- 3.1 Thank You Letter – Wyatt Stutzman
- 3.2 Thank You Letter – Jasmine Wilson
- 3.3 South Sherman Fire & Rescue Letter of Concern
- 3.4 Commissioner Reports

4.0 Consent Agenda:

- 4.1 Minutes of August 3, 2016
- 4.2 Revenue/Expenditure Summary – July 2016
- 4.3 Treasurer's Report – July 2016

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

August 17, 2016

Opened Court: 9:04 a.m.

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

A quorum was present. No news media was present.

Additions to Agenda

SUMMARY OF ACTIONS TAKEN

Motion by Commissioner McCoy, second by Judge Thompson, to approve the Memorandum of Understanding between Rural Development Initiatives, Inc. and Sherman County Court to complete two fair board trainings for \$2,500 and authorize Judge Thompson to sign.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Judge Thompson, to authorize budget transfers/payments in the amount of \$140,000 as recommended by the Finance Director and authorize Judge Thompson to sign.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Judge Thompson, to approve the Sherman County Risk Management Policy as recommended by the Safety Committee and authorize Judge Thompson to sign.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Judge Thompson, to accept a Wasco Annex Lease Termination Notification from Thomas Westlake, to be effective August 31, 2016.

Vote: 2-0
Yes: McCoy, Thompson
No: 0
Abstain: 0

Motion by Commissioner McCoy, second by Judge Thompson, to approve Agreement No. 31434 between Rail and Public Transit Division/Oregon Department of Transportation and Sherman County for grant funds in the amount of \$121,136 to help cover the cost of purchasing a replacement transit vehicle for the 2000 Ford Bus and authorize Judge Thompson to sign.

Vote: 2-0
Yes: McCoy, Thompson
No: 0
Abstain: 0

Motion by Commissioner McCoy, second by Judge Thompson, to approve the minutes of August 3, 2016, as presented.

Vote: 2-0
Yes: McCoy, Thompson
No: 0
Abstain: 0

Motion by Commissioner McCoy, second by Judge Thompson, to approve the Revenue/Expenditure Report for the month of July 2016.

Vote: 2-0
Yes: McCoy, Thompson
No: 0
Abstain: 0

Motion by Commissioner McCoy, second by Judge Thompson, to approve the Treasurer's Report for the month of July 2016.

Vote: 2-0
Yes: McCoy, Thompson
No: 0
Abstain: 0

1.0 Appointment Schedule

1.1 9:00 a.m. Heath Gardner – Wenaha Group – Courthouse Facilities Project Design Development Update/Wasco Annex Energy Study Update

Present: Heath Gardner, Carol Olmstead, Sam Olmstead, Ron McDermid, Debbie Hayden

Heath Gardner, Wenaha Group, presented 75% design development budget estimates. Drawings are now more detailed, allowing estimates to be more detailed. The last estimates from the Construction Manager/General Contractor came in over budget, causing the project team to enter into a value engineering process to find savings. The team implemented an estimated \$182,000 worth of savings using those value engineering ideas because it felt the schematic design phase was too early to begin using contingency funds. The current design development estimates should be more accurate than schematic design estimates. The estimated cost has increased slightly to \$6,119,034. Value engineering ideas were reviewed and updated by the project team. As the project moves forward, the opportunity to implement some value engineering ideas will expire. Approximately twenty-one ideas remain available as cost-control strategies and are worth a combined estimated

total of \$175,000. Two additional items have been added to the log representing changes in the heating/ventilation/air conditioning (HVAC) systems. These items will be weighed against possible incentives from Energy Trust of Oregon once the incentives are determined in order to assess their suitability for implementation.

The main budget increase is due to a cost increase for renovating the existing courthouse. Estimates for the newer building decreased. More electrical work needs to be done in the existing courthouse than originally anticipated, but cost estimates should be more accurate now.

The project team feels the remaining value engineering items represent significant loss of function and quality in the end product of the project. These items strike at core functionality and core quality of the project, which is why they were not previously implemented. Although these items would reduce the cost of the project, the team feels they are a bad value based on what they eliminate. Because of this, the team recommends the project contingency be utilized to cover the increase in estimated value and to protect the quality of the project. Now that the project is further along and estimates are more accurate with a higher level of detail, the project team feels comfortable spending a portion of contingency funds. Currently, the contingency is at 10%. When going into the construction phase, a 5% construction contingency is ideal. Using contingency funds now will lower the contingency to 7%, which correlates to a 9% construction contingency. The project team will work hard to make sure no extra costs are added between now and the end of the design phase. The contingency will reduce from approximately \$800,000 to \$550,000. The Court agreed to use the contingency funds. Heath explained some portions of the project will be bid out as alternates during the bidding process. These portions of the bids can be rejected if the cost savings are needed in the future.

Heath stated Hennebery Eddy Architects is doing a fantastic job with the project and has remained pragmatic and sensible during the design of the building. A Hennebery employee, a nationally recognized watercolor artist, created a watercolor rendering of the existing courthouse and new facility, which Heath presented to the Court.

A line item for the new Weed Department facility was added to the budget. Rod Asher, Weed District Manager, proposed the building be 64x40 feet. A pre-engineered building of this size is out of the budget, but a pole-built building might be feasible. The project is currently out to bid. One bay in the building has been designated an alternate, so if bids are too high, two bays will be built instead of three, making the building 48x40 feet. Bids will be tabulated soon, and a decision will be made to move forward or to restart the bid process. Once a bid is accepted, negotiations by change orders can be made to tweak aspects of the project. Heath explained the process for Guaranteed Maximum Price (GMP) amendments. A GMP amendment will be issued for the Weed Department building as well as for the new facility.

The project is enrolled with the Energy Trust of Oregon (ETO) Path to Net Zero Program. A check for \$5,000 has already been received from ETO because the project team participated in an early design systems meeting. The Path to Net Zero means the new facility is striving to be 40% more efficient than current minimum energy codes require. An energy modeling consultant from Hennebery created energy models with different scenarios. During schematic design and design development, the scenario chosen is designed into the building. The design development documents contain the scenario from the energy modeling consultant. Based on the scenario, increasing wall and roof insulation, using high performance glazing, using LED lighting and exterior lighting, using day lighting, and more, will allow the new facility to operate at least 40% more efficiently than current minimum energy codes require. The energy consultant will finish the models and submit them to ETO. If ETO approves, it will send a letter stating the incentives available for the scenario. Estimates show if the new facility hits the 40% goal, approximately \$6,000 per year will be saved on energy operating costs compared to code minimum. The project is required to spend 1.5% of the budget on solar energy. The solar panels will be low profile and installed away from the edges of the roof so no attention is called to them.

A supplier for a fiberglass replica of the cupola has been found. The estimate to purchase it and have it delivered is approximately \$100,000. A study was conducted to explore if the courthouse can hold the cupola. Under current codes, the building cannot. A structural engineer performed a feasibility study, and the study showed the building can hold the cupola if structural upgrading work is completed. The engineer has ideas about how to keep the structural work from taking up office space, and he believes most of the strengthening can be performed above the second floor in the attic spaces. This structural strengthening work is estimated at a cost of \$100,000. The structural engineer will need to design the plan, and this will cost an estimated \$50,000. The total cost for the cupola will be approximately \$250,000. The project team feels a brand new cupola will highlight features of the courthouse that have not been regularly maintained, so some light repair of wood surfaces and painting may need to be done. It is possible a grant can be obtained to help cover a portion of the cost of these small repairs, and some may be covered through the courthouse maintenance reserve fund. The paint color of the cupola was briefly discussed. Heath stated the project team could move forward with restoring the cupola or put the project on hold until further notice. The Court supported moving forward with the cupola restoration, as it is historically important and will help the existing courthouse visually stand out from the newer facility.

The Art in Public Places line item is not required because the project is receiving no funding from the state. Approximately \$60,000 is budgeted for this line item. The project team would like to place art in the building, but because of the tight project budget, the team recommends waiting until the end of the project to determine if the funds are still available for art. The Court agreed, though stated it is important for the outside of the building to be landscaped adequately. Discussion was held about redistributing the photos from the downstairs hallway and seeking local artists to contribute artwork in the future.

Heath gave a brief update on the Wasco Annex. Sora Design Group is meeting at the Wasco Annex to tour the buildings. They will create an energy model of the newer building. This will identify what current energy use is, what the energy use could be if suggestions Di Loreto Architecture gave were implemented, and other suggestions that might be possible. The energy model will allow for updated estimates on the project concept from Di Loreto Architecture. The Court would like to see capital costs of the project concept as well as possible yearly operating costs if the project were completed.

Judge Thompson informed the Court the 2000 Ford Bus from Community Transit has been purchased and the emergency break needs to be repaired.

2.0 Action Items

2.1 Memorandum of Understanding between Rural Development Initiatives, Inc. and Sherman County Fair Board Training Agreement

Motion by Commissioner McCoy, second by Judge Thompson, to approve the Memorandum of Understanding between Rural Development Initiatives, Inc. and Sherman County Court to complete two fair board trainings for \$2,500 and authorize Judge Thompson to sign.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

2.2 Budget Transfers/Payments

Motion by Commissioner McCoy, second by Judge Thompson, to authorize budget transfers/payments in the amount of \$140,000 as recommended by the Finance Director and authorize Judge Thompson to sign.

Vote: 2-0
Yes: McCoy, Thompson
No: 0
Abstain: 0

2.3 Sherman County Risk Management Policy

Motion by Commissioner McCoy, second by Judge Thompson, to approve the Sherman County Risk Management Policy as recommended by the Safety Committee and authorize Judge Thompson to sign.

Vote: 2-0
Yes: McCoy, Thompson
No: 0
Abstain: 0

2.4 Wasco Annex Lease Termination Notification – Thomas Westlake

Motion by Commissioner McCoy, second by Judge Thompson, to accept a Wasco Annex Lease Termination Notification from Thomas Westlake, to be effective August 31, 2016.

Vote: 2-0
Yes: McCoy, Thompson
No: 0
Abstain: 0

2.5 Transportation Agreement No. 31434- Rail and Public Transit Division/Oregon Department of Transportation and Sherman County

Motion by Commissioner McCoy, second by Judge Thompson, to approve Agreement No. 31434 between Rail and Public Transit Division/Oregon Department of Transportation and Sherman County for grant funds in the amount of \$121,136 to help cover the cost of purchasing a replacement transit vehicle for the 2000 Ford Bus and authorize Judge Thompson to sign.

Vote: 2-0
Yes: McCoy, Thompson
No: 0
Abstain: 0

3.0 Discussion Items

3.1 Thank You Letter – Wyatt Stutzman

The Court reviewed a thank you letter from Wyatt Stutzman.

3.2 Thank You Letter – Jasmine Wilson

The Court reviewed a thank you letter from Jasmine Wilson.

3.3 South Sherman Fire & Rescue Letter of Concern

The Court reviewed the letter from South Sherman Fire and Rescue regarding conduct of Emergency Medical Responder trainees participating under a scholarship agreement with Sherman County Ambulance. After review, the Court feels the issue is best settled between South Sherman Fire & Rescue and the Sherman County

Ambulance Board. An official response letter will be sent out encouraging both entities to work together to resolve the issue.

3.4 Commissioner Reports

Commissioner Smith - Submitted via email: Visited with First Deputy Counsel Zha from the Chinese Embassy in San Francisco; visited about opportunities for trade and partnership; attended several meetings concerning the fiber project; worked with county counsel on phase two to Grass Valley; the Deputy Director of Mid-Columbia Council of Governments will be leaving; asked by Phil Chang of Senator Merkley's office to arrange a meeting with ranchers on wolf issues; contacted three citizens who will represent Sherman County; meeting is set for August 26 in Rufus.

Judge Thompson – Attended a Main Street Grant public hearing in Salem; attended a Community Renewable Energy Association meeting; Dana Peck and David Van't Hof were present to report on the California market; attended the Association of Oregon Counties North Bend Economic Summit; costal oriented, but got some rural/Eastern Oregon ideas inserted in to the caucus; the conference allowed for networking with senators and representatives; attended Frontier TeleNet meeting; discussed fiber instillation and connection.

Commissioner McCoy - Attended Local Community Advisory Council meeting; heard an Eastern Oregon Healthy Living Alliance presentation; attended a Senior Advisory Council meeting; Marvin Pohl has resigned; attended a Local Public Safety Coordinating Council (LPSCC) meeting with Katie Paul, Victim's Advocate, and Sheriff Lohrey; the plan is to apply for a grant to hire a LPSCC coordinator to help Wasco, Hood River, Sherman, Gilliam, and Wheeler counties; this coordinator can conduct studies, bring together data needed, and perform other justice-related activities; LPSCC is in charge of mental health, the juvenile plan, and community corrections; the coordinator will be a three year position; had lunch with Jordan Noyes from Representative Walden's office; talked to Jeff Kaiser about housing; he may still be interested and will look into it to see if interested in doing more formal study; discussed MicroSphere performing maintenance on the fiber connection at the library; the Library Board will decide at the next meeting in September if it wants to hook up to fiber.

4.0 Consent Agenda

4.1 Minutes of August 3, 2016

Motion by Commissioner McCoy, second by Judge Thompson, to approve the minutes of August 3, 2016, as presented.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

4.2 Revenue/Expenditure Summary – July 2016

Motion by Commissioner McCoy, second by Judge Thompson, to approve the Revenue/Expenditure Report for the month of July 2016.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

4.3 Treasurer's Report – July 2016

Motion by Commissioner McCoy, second by Judge Thompson, to approve the Treasurer's Report for the month of July 2016.

Vote: 2-0

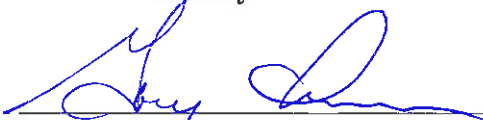
Yes: McCoy, Thompson

No: 0

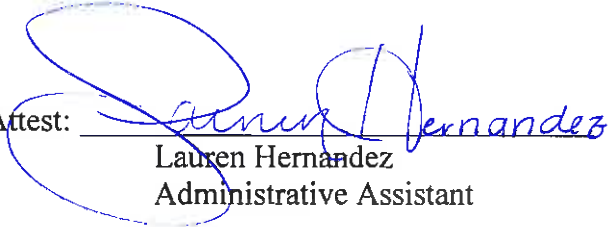
Abstain: 0

Being no further business before the Court, the meeting was adjourned at 10:46 a.m.


Sherman County Court



Gary Thompson, Judge

Attest: 

Lauren Hernandez
Administrative Assistant

Mike Smith, Commissioner


Tom McCoy, Commissioner