



Court Agenda

August 3, 2016

1.0 Appointment Schedule:

- 1.1 9:00 a.m. Marvin Pohl (by phone), Mid-Columbia Council of Governments; Jan Byram, Senior Center Director – 2016 Senior Needs Assessment Survey
- 1.2 9:30 a.m. Dan Pehlke – City of Rufus Mayor – Downtown Improvement Funds
- 1.3 10:00 a.m. Mark Coles – Road Master – High School Loop Road
- 1.4 10:30 a.m. Executive Session in accordance with ORS 192.660 (2) (i) Personnel

Additions to Agenda

2.0 Action Items:

- 2.1 Declaration in Support of Plaintiff's Motion for Summary Judgment – Unfunded Mandate Litigation
- 2.2 Memorandum of Understanding between The Next Door, Inc. and Sherman County for Parenting Education
- 2.3 Intergovernmental Cooperative Agreement to Provide Administrative Staff to Serve as the Coordinator for the Sherman County Local Community Advisory Council
- 2.4 Rural Technology Group Repeater Monthly Fee Payment Approval
- 2.5 Rural Development Initiatives Fair Board Training Proposal
- 2.6 Oregon Department of Veterans' Affairs – County Application for Oregon Department of Veterans' Affairs Funds
- 2.7 Fiber Project – Phase Two – Grass Valley Proposal

3.0 Discussion Items:

- 3.1 Little Wheats, Inc. – Thank You Letter
- 3.2 Long-Range Planning Resident Survey
- 3.3 Commissioner Reports
- 3.4 Workforce Housing
- 3.5 Library Internet Update

4.0 Consent Agenda:

- 4.1 Minutes of July 20, 2016
- 4.2 Claims – 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 3, 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

- 3.5 Work Force Housing
- 3.4 Library Internet Report

SUMMARY OF ACTIONS TAKEN

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the hiring of Cindy Heater-Judah as head cook pending passing a background check, starting her at step C on the salary schedule if she has a probation period for PERS or step D if she has no probationary period for PERS.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to go into Executive Session in accordance with ORS 192.660 (2) (i) Personnel.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve a Declaration of Sherman County in Support of Plaintiffs' Motion for Summary Judgement and authorize Commissioner McCoy to sign pending approval by County Counsel.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to approve a Memorandum of Understanding between The Next Door, Inc. and Sherman County to provide parenting education classes 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 an Intergovernmental Cooperative Agreement to Provide Administrative Staff to Serve as the Coordinator for the Sherman County Local Community Advisory Council (LCAC) between North Central Public Health District and Sherman County, authorize Judge Thompson to sign, and amend the LCAC Coordinator Services Summary to include *other duties as assigned*.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Judge Thompson, to authorize payment of a monthly fee of \$27.25 for the repeater on the Skiles Grain Tower used to provide internet service to several Sherman County citizens, to move the payment of the bill from James McCullough to Sherman County, and authorize Commissioner Smith to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to accept a proposal from Rural Development Initiatives to provide two Fair Board training retreats for a cost of \$2,500.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the County Application for Oregon Department of Veterans' Affairs Funds for fiscal year 2016-2017 with a budget of \$118,980 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 authorize changing the second phase of the fiber project to Grass Valley and the third phase of the fiber project to Rufus and authorize Judge Thompson to sign a Memorandum of Understanding between Sherman County and Frontier Telenet once approved 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 expenditure of purchasing and repairing the Community Transit bus for preschool transportation.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to approve the minutes of July 20, 2016, as amended.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

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

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

1.0 Appointment Schedule:

1.1 9:00 a.m. Marvin Pohl (by phone), Mid-Columbia Council of Governments; Jan Byram, Senior Center Director – 2016 Senior Needs Assessment Survey

Present: Jan Byram, Marvin Pohl, Julie Reynolds, Bob Francis, Jeff Holliday, Dan Pehlke

Marvin Pohl, Julie Reynolds, and Bob Francis, Mid-Columbia Council of Governments (MCCOG), joined by phone to discuss the 2016 Senior Needs Assessment Survey. Marvin clarified general operating procedure for surveys is that people don't have to answer questions they do not want to answer. The purpose of the survey is to help better understand which services are needed to ensure those facing aging or disability issues like housing, caregiving, transportation, understanding information, and referral issues, or those who are caring for someone facing issues, are able to live where they want as independently as possible. The survey will identify the awareness of services available. The question regarding sexual orientation is being inquired about at the state and federal levels. The question is not meant to identify anyone in any community. The survey will remain anonymous. Information from the survey will be incorporated in the area plan and is one tool used to help address future needs. Jan Byram, Senior Center Director, expressed concern that patrons would believe if they don't fill the survey out, they are no longer eligible to receive meals. She shared the survey with a few regular patrons who expressed the questions were too intrusive. Discussion was held about how to distribute and collect the surveys. The surveys are to go to Meals on Wheels patrons as well as the daily meal congregate. The surveys are being distributed by MCCOG through the Senior Center because the Senior Center has contact and connection with patrons, and this makes it more likely the surveys will be filled out and returned.

Jan reported she will send copies of meal sheets to MCCOG instead of originals. Meal price increases will go into effect September 1, 2016. Meal cards will still be used. Jan reported Azure is donating vegetables to the Senior Center on a weekly basis.

Interviews for the position of head cook were conducted, and a top candidate was chosen. Discussion was held about the wage scale and hourly rate of pay to offer.

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the hiring of Cindy Heater-Judah as head cook pending passing a background check, starting her at step C on the salary schedule if she has a probation period for PERS or step D if she has no probationary period for PERS.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

1.2 9:30 a.m. Dan Pehlke – City of Rufus Mayor – Downtown Improvement Funds

Present: Dan Pehlke, Jeff Holliday

Dan Pehlke, City of Rufus Mayor, explained he spoke to Jessica Metta, Mid-Columbia Economic Development District, about downtown improvement funds. He asked for clarification about how the funds are to be used. Commissioner Smith explained the original concept of the funds was to improve the look of a city's downtown with a focus on businesses. \$50,000 has been allocated for this fund, though if the program is successful, the Budget Committee could approve similar allocations for the program in the future. The funds will be paired with money from cities and business owners to encourage buy-in from all parties. Each city has a downtown improvement committee or similar group. Applications for use of the funds would go to the committee/group and then be passed to the city. The process for allocating funds is new, and the best way to distribute them is being explored. Dan explained Rufus doesn't have a large downtown area and instead would like a city park. Judge Thompson explained he will be attending a downtown improvement grant public hearing and the park would likely fit the criteria of these funds. Rufus collectively realizes an outdoor park with public restrooms would benefit the city, and Dan asked if the money allocated for downtown improvements can be used for this project if Rufus collectively comes together and agrees. Although the intent of the funds was that they were to be used for building improvements, a unified voice is the right approach when deciding how to use the funds. If the best use of the downtown improvement funds in Rufus is to cover a match for a grant for the park, this possibility can be discussed. The city park plan for Rufus is still in conceptual design, so funds will likely be applied for next year. The dollars will be allocated on a 'first come, first served' basis.

Jeff Holliday, Rufus City Administrator, reported city finances are improving but are still tight. The industrial property market is currently low, but the Gorge Vista properties have received many responses. Two lots are almost sold, and in the next two years, 5-6 lots could potentially be sold.

Commissioner Smith informed Dan that discussion was being held about making the fiber installation from Wasco to Rufus phase 3 instead of phase 2. There will be no change in the budget of the project, just in the timeline, though it should be complete before winter. Brief discussion was held about the possibility of a 911 center in Sherman County. Workforce housing and other possible housing projects were discussed as well as opportunities for housing on the Gorge Vista properties.

1.3 10:00 a.m. Mark Coles – Road Master – High School Loop Road

Present: Mark Coles, Wes Owens, Mike Marino, Mike Carter, Steve Hannas

Mark Coles, Road Master, explained that after inspecting the High School Loop area and the site plans, he has concerns about the elevated crosswalk, the distance of the catch basin, the sidewalk, and the curb just to the south at the corner of the library. The elevated crosswalk will serve as a speed bump, and Mark has concerns

about snow plowing over it. The curb is close to the travel line, and the proposed sidewalk will protrude from the retaining wall by the library and be close to the road surface. The existing retaining wall meets the right-of-way, and the sidewalk will be approximately five feet in the right-of-way. The site plan of the construction zone was presented for reference. The parking lot will be designed as one-way-in and one-way-out for traffic flow by the high school. Existing and proposed curbs and retaining walls were reviewed on the site plan. The sidewalk will not take up existing pavement, but will take up more right-of-way. The rationale behind raising the crosswalk is to slow traffic and create a safe place for pedestrian crossing, especially considering the addition of grade-school aged students. Mark believes the Road Department will be able to plow over the bump, though some damage may occur. The curbs may be grazed, and he suggested markers be placed to help identify them under the snow. Mike Marino, Project Manager, stated markers can be placed, and the highest concern is safety. Mark agreed that safety is the priority not only for pedestrians but for all those using the road, especially with the new configuration of the curb being so close to the travel line. The aesthetic of the markers will be considered. The parking lot will be well lit, which will help with identifying curbs.

Wes Owens, Sherman County School District Superintendent, asked if Mark had seen the site plan before. Mark replied no, and the Conditional Use Permit (CUP) approval outlined the Road Department and the contractor would review plans before approval was granted. Mike Marino apologized for the lack of communication and explained that typically when submitting a CUP, the plans go to the county planner, who then distributes the plan to their constituents and county offices. When the CUP approval was received, it was assumed the plans were already distributed to those who needed to see them. Steve Hannas, Civil Engineer, explained emails containing maps of designs of the site were sent to Mark in the spring of 2015, though no communication was followed up on by either party. All parties agreed to move forward with a solution to the concerns being expressed.

Steve emphasized safety is the reason behind the raised crosswalk and the curbs pointing towards the right-of-way to slow traffic. Plowing and running equipment across the crosswalk may be a challenge, but it will serve its purpose of slowing traffic. Lowering the crosswalk height would reduce potential damage to equipment or the crosswalk, but it would also reduce the effectiveness of it. Mark believes cars will still park by the new curb. Wes replied adding more parking close to the building may help with this, but it is likely cars will still park by the new curb. Mike Carter, Kirby Nagelhout Construction Superintendent, explained landscaping in front of the retention pond should deter cars from parking next to it.

Mark stated the Road Department will work with the crosswalk and curb, but wanted to make sure everyone was on board with the projects. The location of the crosswalk is central to the site and creates a centralized corridor for pedestrians to get quickly across the road and to the school using a route that has the least amount of impact with traffic. Judge Thompson suggested the possibility of other speed bumps being placed further north in front of the elementary school to slow traffic down before it gets to the crosswalk. Possible additional speed signs and a solar flasher were discussed.

Ownership of the road was discussed. Mark asked for backing from the County Court about supporting the curb alignment, the retention pond, and the raised crosswalk to assure all parties agree and are on the same page. It was made clear that possible damage could occur to the crosswalk and the curb, but any damage done will be repaired. The Court expressed support for the projects. Potential parking issues and solutions were brainstormed.

Mark briefly informed the Court about speed signs in the City of Rufus. Approximately ten years ago, Rufus requested reduce speed signs be placed coming in from Wasco. Mark informed Rufus that the Road Department does not have the jurisdiction to place the signs, Oregon Department of Transportation (ODOT) does, and a speed zone investigation must be requested to start this process. Signs were placed, though Mark cannot find record of the speed zone investigation. Mark will submit the information he has so a speed zone investigation

can be conducted, though ODOT may not be able to do the investigation until next year. The signs will be left up, and if they need to be changed after the investigation, they will be.

1.4 10:30 a.m. Executive Session in Accordance with ORS 192.660 (2) (i) Personnel

Motion by Commissioner McCoy, second by Commissioner Smith, to go into Executive Session in accordance with ORS 192.660 (2) (i) Personnel.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

The Court discussed personnel issues.

Executive session closed at 10:59 a.m.

2.0 Action Items:

2.1 Declaration in Support of Plaintiff's Motion for Summary Judgment – Unfunded Mandate Litigation

Motion by Commissioner Smith, second by Commissioner McCoy, to approve a Declaration of Sherman County in Support of Plaintiffs' Motion for Summary Judgment and authorize Commissioner McCoy to sign pending approval by County Counsel.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

2.2 Memorandum of Understanding between The Next Door, Inc. and Sherman County for Parenting Education

Katie Paul, Victims' Services, explained the fees for The Next Door, Inc. to provide parenting education classes will be paid for through Justice Reinvestment grant funds. The Local Public Safety Coordinating Council voted to use the funds this way during the grant writing process. Commissioner Smith suggested Katie explore collaborating with Mid-Columbia Center for Living for possible resources.

Motion by Commissioner McCoy, second by Commissioner Smith, to approve a Memorandum of Understanding between The Next Door, Inc. and Sherman County to provide parenting education classes and authorize Judge Thompson to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

2.3 Intergovernmental Cooperative Agreement to Provide Administrative Staff to Serve as the Coordinator for the Sherman County Local Community Advisory Council

The Local Community Advisory Council (LCAC) coordinator funds are increasing to \$10,000 per year. More and more is asked of the coordinator that is outside of the job description, including travel and some meetings. The Intergovernmental Cooperative Agreement states Sherman County will reimburse North Central Public

Health District (NCPHD) \$4,600 per year in quarterly payments, though in the future it is likely NCPHD will request \$8,000. The position requires one day a week. Commissioner Smith recommended the Court approve the agreement with the addition of *other duties as assigned* under the LCAC Coordinator Services Summary section of the agreement. The employee can give quarterly reports on time usage to make sure the position is functioning effectively. Teri Thalhofer, NCPHD, will monitor the position.

Motion by Commissioner McCoy, second by Commissioner Smith, to approve an Intergovernmental Cooperative Agreement to Provide Administrative Staff to Serve as the Coordinator for the Sherman County Local Community Advisory Council (LCAC) between North Central Public Health District and Sherman County, authorize Judge Thompson to sign, and amend the LCAC Coordinator Services Summary to include *other duties as assigned*.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

2.4 Rural Technology Group Repeater Monthly Fee Payment Approval

An antenna was placed on a grain tower that allows internet service to be provided to several Sherman County clients. James McCullough agreed to allow the antenna on the tower if the monthly flat-fee power bill was covered. The fee was to be subtracted from the McCullough's internet bill, though this was not put into writing. Currently, the McCullough's pay the bill and receive no discount on internet. The antenna is an access point the county is using to provide service. The county cannot pay the backdated fees, as no original, formal agreement was made with the county, but will pay the monthly flat fee from the present until another solution is found.

Motion by Commissioner McCoy, second by Judge Thompson, to authorize payment of a monthly fee of \$27.25 for the repeater on the Skiles Grain Tower used to provide internet service to several Sherman County citizens, to move the payment of the bill from James McCullough to Sherman County, and authorize Commissioner Smith to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

2.5 Rural Development Initiatives Fair Board Training Proposal

Motion by Commissioner McCoy, second by Commissioner Smith, to accept a proposal from Rural Development Initiatives to provide two Fair Board training retreats for a cost of \$2,500.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0

Abstain: 0

2.6 Oregon Department of Veterans' Affairs – County Application for Oregon Department of Veterans' Affairs Funds

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the County Application for Oregon Department of Veterans' Affairs Funds for fiscal year 2016-2017 with a budget of \$118,980 and authorize Judge Thompson to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0

2.7 Fiber Project – Phase Two – Grass Valley Proposal

After discussions with Windwave, it makes more fiscal sense to install fiber from Erskine to Grass Valley as phase two and to install fiber to Rufus as phase three. The quoted cost to install fiber from Erskine to Grass Valley is \$431,862.

Motion by Commissioner Smith, second by Commissioner McCoy, to authorize changing the second phase of the fiber project to Grass Valley and the third phase of the fiber project to Rufus and authorize Judge Thompson to sign a Memorandum of Understanding between Sherman County and Frontier Telenet once approved by County Counsel.

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

3.0 Discussion Items:

3.1 Little Wheats, Inc. – Thank You Letter

The Court reviewed a thank you letter from Little Wheats, Inc. for continued support to the organization.

3.2 Long-Range Planning Resident Survey

Commissioner McCoy explained it was suggested to him the county conduct a survey of residents to help with the long-range planning the county is already doing. Many agencies work from different areas and are already discussing needs with residents, so a general survey may not accomplish anything. Commissioner Smith acknowledged the long-range planning spreadsheet Commissioner McCoy has brought forth, as it allows the Court to move and adjust as needs are identified. The Court agreed to ask for citizen feedback if input is needed in the future.

3.3 Commissioner Reports

Commissioner Smith – Attended the National Association of Counties conference in Long Beach, California; very good conference and good brainstorming; heard conversations about mental health coordination in jails, and Northern Oregon Regional Corrections seems to be ahead on this; sat in on a solar financing meeting and learned about the Property Assessed Clean Energy financing program; Mid-Columbia Economic Development District could possibly fund this kind of program in the future; attended a discussion about workforce housing; continues to assist with fiber projects in Gilliam and Wheeler County; working on Rural Technology Group issue at Gordon Ridge; talked with Amber about bus seats for preschool transportation; the seats are at Mid-Columbia Bus Company but belong to the county, so no seats need to be purchased; traveled to Pendleton for the Eastern Oregon Coordinated Care Organization Risk Contract Surplus Incentive Measures Settlement Distribution Committee.

Brief discussion was held about preschool transportation and making the transit bus available to the preschool by the beginning of the school year.

Motion by Commissioner McCoy, second by Commissioner Smith, to approve the expenditure of purchasing and repairing the Community Transit bus for preschool transportation.

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

Judge Thompson – Attended the National Association of Counties conference in Long Beach, California; heard a new way to look at economic development; housing is essential to economic development; sat in on a session by Jack Dangermond who invented Geographic Information Systems computer modeling; plans to attend the Downtown Improvement Grant public hearing in Salem.

Commissioner McCoy – No report this session.

3.4 Work Force Housing

Commissioner Smith attended a discussion about workforce housing at the National Association of Counties conference and discussed the possibility of the county preparing a Request for Proposal (RFP) and publishing it to explore if any entity can use the housing dollars set aside to get workforce housing built. A potential housing partnership between the county and Mid Columbia Producers (MCP) was discussed. If an RFP is published, MCP can reply to it. The county may have to subsidize workforce housing to ensure it is built. The possibility of a housing partnership between the county and Sherman County School District was discussed. The county owns three lots in Wasco that could be used for housing. Commissioner Smith will work with Mid-Columbia Economic Development District to start putting together a housing RFP to present to the Court.

3.5 Library Internet Report

Commissioner McCoy explained he followed up with Marylou Martin, Sherman County Public/School Library Librarian, about internet at the library. There are no objections if the county decides to use the county's fiber to get internet to the library, but the maintenance of the system needs to be determined. Windwave will maintain the fiber outside of the school building, and MicroSphere will maintain the equipment and system inside of the building. The system will need a filter. The county already has a router purchased. A routing firewall can filter much of the system, but if needed, a high-end filter can be purchased. The system should block some sites but not be so oversensitive the internet is unusable. A benefit of the router is if the school's internet service goes down unexpectedly, the router can be used as failover.

4.0 Consent Agenda:

4.1 Minutes of July 20, 2016

Motion by Commissioner McCoy, second by Commissioner Smith, to approve the minutes of July 20, 2016, as amended.

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

4.2 Claims – July 2016

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

Vote: 3-0
Yes: Smith, McCoy, Thompson

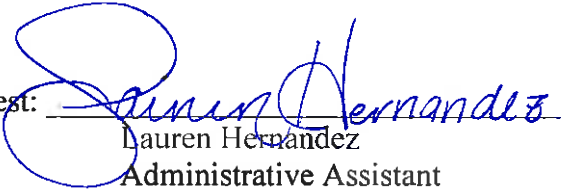
No: 0
Abstain: 0

Being no further business before the Court, the meeting was adjourned at 11:45 a.m.

Sherman County Court



Gary Thompson, Judge

Attest: 

Lauren Hernandez
Administrative Assistant

Mike Smith, Commissioner



Tom McCoy, Commissioner