



Court Agenda

October 7, 2015

1.0 Appointment Schedule:

- 1.1** 9:00 a.m. Shawn Payne – Emergency Services Director – Quarterly Report
- 1.2** 9:15 a.m. Brad Lohrey – Sheriff – Quarterly Report
- 1.3** 9:30 a.m. Mark Coles – Roadmaster – Quarterly Report; Equipment Purchase
- 1.4** 10:00 a.m. Shandie Johnson – Prevention Coordinator – Quarterly Report
- 1.5** 10:15 a.m. Jenine McDermid – Clerk – Quarterly Report; Board of Property Tax Appeals (BOPTA): Appointment of BOPTA Pool
- 1.6** 10:30 a.m. Katie Paul, Julie McAllister – Sheriff's Department – Justice Reinvestment Program Plan; Grant Agreement
- 1.7** 11:00 a.m. Rod Asher – Weed District/Grounds Maintenance – Quarterly Report
- 1.8** 11:30 a.m. Brad Baird – Anderson Perry – Biggs Service District: Agreement for Engineering Services
- 1.9** 1:00 p.m. Executive Session in Accordance with ORS 192.660 (2) (i) Personnel
- 1.10** 1:30 p.m. Wes Owens – School District Superintendent – Quarterly Report
- 1.11** 2:00 p.m. Heath Gardner – Wenaha Group – Construction Manager/ General Contractor Findings of Fact; Process for Authorizing Contracts Going Forward
- 1.12** 2:30 p.m. Executive Session in Accordance with ORS 192.660 (2) (i) Personnel

2.0 Action Items:

- 2.1 Gorge TransLink Program – Request for Additional Matching Funds
- 2.2 Declare as Surplus – Pavers
- 2.3 Order – In the Matter of Authoring the Sherman County Finance Director to Destroy Unissued County Checks Due to Incorrect Amounts and/or Printer Error
- 2.4 Emergency Management Performance Grant Between Sherman County and Oregon Office of Emergency Management
- 2.5 Resident Compensation Amount for 2015
- 2.6 DiLoreto Architecture – Wasco Annex – Proposed Master Plan
- 2.7 Early Learning Division/Early Learning Council – Amendment to State of Oregon Intergovernmental Agreement
- 2.8 Appointment - Local Public Safety Coordinating Council: Wes Owens
- 2.9 Appointment – Library Board: Sheri Carlson
- 2.10 Blanket Purchase Agreement – Sherman County Transit
- 2.11 Increase Staff Hours for Community Advisory Council (CAC)
- 2.12 Appointment – Community Advisory Council: Wes Owens; Caitlin Blagg
- 2.13 Resident Incentive Program – Appeal
- 2.14 Prevention Contract Between Mid-Columbia Center for Living and Sherman County
- 2.15 Letter of Support – Grass Valley Market Loan Application
- 2.16 George Tech Alliance Sponsorship
- 2.17 Child Multidisciplinary Intervention Grant Agreement

3.0 Discussion Items:

- 3.1 Oregon Marijuana Legislation HB 3400A – Option to Opt Out
- 3.2 Special Districts Association of Oregon – Board Vacancy
- 3.3 Recycle Bins
- 3.4 Tri-County Veterans Service Officer – Quarterly Report
- 3.5 Housing Update
- 3.6 Commissioner Reports

4.0 Consent Agenda:

- 4.1 Minutes of September 16, 2015
- 4.2 Claims – September
- 4.3 Minutes of October 1, 2015
- 4.4 Minutes of October 5, 2015

5.0 Future Agenda Items:

***If necessary, an Executive Session may be held in accordance with:*

<i>ORS 192.660 (2) (d) Labor Negotiations</i>	<i>ORS 192.660 (2) (h) Legal Rights</i>
<i>ORS 192.660 (2) (e) Property</i>	<i>ORS 192.660 (2) (i) Personnel</i>



**SHERMAN COUNTY COURT
REGULAR SESSION
SHERMAN COUNTY CIRCUIT COURTROOM**

MINUTES

**October 07, 2015
9:00 a.m.**

Present: Judge Thompson, Commissioner Tom McCoy, Commissioner Mike Smith, Administrative Assistants Melva Thomas & Lauren Hernandez

Additions to Agenda:

SUMMARY OF ACTIONS TAKEN

Motion by Commissioner Smith, second by Commissioner McCoy, to authorize the purchase of a new Caterpillar Wheel Loader, Model 972M with attachments and blade specifications from Peterson CAT for a total cost of \$316,396.00 based on a request for proposals process conducted by the *National Joint Powers Alliance*, of which Sherman County is a member, the administering contracting agency in the cooperative procurement and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to approve the appointment of Jeanne Kuettel and Justin Miller from the Non-Office Holding Pool and Gary Thompson with Mike Smith as alternate from the Office Holding Pool to the 2015-2016 Board of Property Tax Appeals.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to approve the Agreement between Biggs Service District and Terry and Teri Sanderson for Reservoir and Well Site Access as amended and subject to final approval from County Counsel and authorizing Judge Thompson to sign electronically.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve an Agreement for Engineering Services Between the Biggs Service District and Anderson Perry & Associates for the design, construction administration and other necessary tasks as authorized for the new municipal water system for the Biggs area and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

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

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to adopt the Finding of Fact to approve the utilization of the Construction Management/General Contractor (CM/GC) method of construction regarding construction of the Sherman County Administration Building and courthouse modifications as presented pending approval and review from County Counsel.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to authorize Judge Thompson to review and approve expenditures not to exceed \$10,000.00 for the Sherman County Administrative Building and Courthouse Renovations project.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to establish the Sherman County Court as the only entity that can authorize expenditures exceeding \$10,000.00 for the Sherman County Administrative Building and Courthouse Renovations project.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

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

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to authorize increasing Sherman County's match to the Gorge TransLink program from \$1,500.00 to \$2,000 in support of regional mobility.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to declare as surplus 85 plus used pavers from the Sherman County Senior & Community Center landscape project.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to approve an Order in the matter of authorizing the Sherman County Finance Director to destroy unissued county checks due to incorrect amounts and/or printer error.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve Emergency Management Performance Grant Agreement CFDA #97.042 between Oregon Military Department Office of Emergency Management and Sherman County for funding in the amount of \$54,200.00 to supplement Emergency Management operational costs and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the distribution of \$590 to eligible applicants for the 2015 Resident Incentive Program.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve a Scope and Fee proposal for Phase One from DiLoreto Architecture, LLC, in the amount of \$3,660.00 for services in the development a Phase One Plan for the Wasco Annex property and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve Amendment Number 1 to Agreement Number DASPS-2442-15 between the State of Oregon Department of

Education, Early Learning Division and the Early Learning Council, and Sherman County for Fours Rivers Early Learning Hub funding in an amount not to exceed \$184,620.23 and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to appoint Sherman County School District Superintendent Wes Owens as the school district representative on the Sherman County Local Public Safety Coordinating Council.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to reappoint Sheri Carlson as a community member on the Sherman County Public/School Library Board for a four year term to expire September 2019.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve a Blanket Purchase Agreement between Mid-Columbia Council of Governments and Sherman County effective October 1, 2015 through September 30, 2017, to provide non-emergency transportation for Oregon Health Plan and PacificSource CCO recipients to and from Medicaid covered medical services and rides for other qualifying clients to and from authorized destinations and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve an increase in Shandie Johnson's hours up to 12 hours per month as staff for the Sherman County Community Advisory Council.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner McCoy second by Commissioner Smith, to appoint Wes Owens and Caitlin Blagg to the Sherman County Community Advisory Council for a term of three years to expire in 2018.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to approve the resident compensation appeal received from Brooklyn M. Sandquist.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve an Agreement between Sherman County and Mid-Columbia Center for Living for Prevention funding in the amount of \$122,500.00 for the 2015-2017 biennium and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to authorize a letter of support recognizing the need to re-open the grocery store in the City of Grass Valley.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to renew sponsorship of Gorge Tech Alliance from October 1, 2015 to September 30, 2016 in the amount of \$500.00.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Child Abuse Multidisciplinary Intervention Grant Agreement between The State of Oregon Department of Justice and Sherman County for funds in the amount of \$36, 179.39 to help support activities and projects regarding Assessment Services, Advocacy Services, and Treatment Services, and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Minutes of September 16, 2015, Special Session Minutes of October 1, 2015 and October 5, 2015 as corrected.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to approve the claims for September 2015.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

1.0 Appointment Schedule:

1.1 9:00 a.m. Shawn Payne – Emergency Services Director – Quarterly Report

Present: Shawn Payne

Emergency Services Director Shawn Payne provided a quarterly report. Currently, 10 students are enrolled in the EMT class being offered through Columbia Gorge Community College. Because they are not members of Sherman County Ambulance, students from South Sherman Fire are paying flexible costs, about \$700.000, which includes text books and transcript fees, but the instructor, assistant, and enrollment fees are paid for by Sherman County Ambulance.

During the month of October, the ambulance crew will wear pink gloves to support breast cancer awareness.

Shawn attended the Frontier Regional 911 meeting last month and reported that starting a reverse 911 program for Sherman County looks like a good possibility. Reverse 911 will give Emergency Services the ability to call out to numbers assigned to an address area to give evacuation and emergency notices. The cost will be split with three other counties. It will cost \$625 to sign up and \$413 per year to continue the subscription. Commissioner Smith suggested if this program is established, the cost should be figured into the Emergency Services budget as a line item.

1.2 9:15 a.m. Brad Lohrey – Sheriff's Department – Quarterly Report

Present: Brad Lohrey, Perry Thurston, Mark Coles, Jeremy Shull

Sheriff Brad Lohrey provided a quarterly report. He stated the three major things the Sheriff's Department deals with are traffic crashes, animal incidents, and agency assists with the Oregon State Police.

Brad reported the Sheriff's Department is still working on using e-ticketing, but the system is not working sufficiently. He would like to start looking at different vendors to deliver this service.

Purchasing off-duty guns for all Sherman County deputies was discussed. Brad acknowledged that while he cannot mandate off-duty deputies to carry, he can – and would like to - offer it as an option. He does not believe there is a liability attached to this as deputies would have to qualify to be certified to carry off duty and they would not be required to carry.

When asked if mental health problems are increasing in the county, Brad replied that because Sherman County has a transient population, the need for mental health services fluctuates. He did acknowledge there is a need for mental health services in the county.

1.3 9:30 a.m. Mark Coles – Roadmaster – Quarterly Report; Equipment Purchase

Present: Perry Thurston, Mark Coles, Lee Langston

Mark Coles, Roadmaster, reported a Notice of Intent to purchase a new Caterpillar Model: 972M Wheel Loader was published and no protests to the purchase were received. Sherman County is a

member of the National Joint Powers Alliance, and this helped save 16% on the purchase price of the loader. With additional discounts, the loader will cost \$316,396.00 which will be taken from the Road Department budget. Purchasing the loader using this method earned Sherman County a 24% discount when all discounts are combined.

Motion by Commissioner Smith, second by Commissioner McCoy, to authorize the purchase of a new Caterpillar Wheel Loader, Model 972M with attachments and blade specifications, from Peterson CAT for a total cost of \$316,396.00 based on a request for proposals process conducted by the *National Joint Powers Alliance*, of which Sherman County is a member, the administering contracting agency in the cooperative procurement and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Mark provided a quarterly report. The Road Department has pulled ditches and shoulders on 15.5 miles of road on both sides of the road. They worked all over the county including on Hildebrand, North Klondike, Klondike, Emigrant Springs, and Oehman. They also produced chip rock with the crusher and have the goal for next year to reseal 7.65 miles of Monkland Lane.

The Road Department currently owns a 1982 broom that works well, but it is an open-air broom. Previously, there has been trouble with the hydraulic pump on the broom, and now the other hydraulic pump has failed. Mark is concerned about health issues resulting from the dust and chemicals in the air when the open-air broom is used. He would like to look at a broom with a pressurized cabin. New brooms cost around \$45,000, and Mark has enough in the equipment budget to fund this purchase. If a new broom is purchased, the current open-air broom is adequate for the cities to use for their needs.

Mark reported the Road Department did 342 tons of hot mix patching as well as prep work for other patching projects.

The property purchased for the Scott Canyon Project needs to be cleaned up. There are decrepit buildings that need to be torn down and a greenhouse the county might consider surplus. The lot is overrun with Puncture Vine and Yellow Star Thistle which may need to be burned out before maintaining it with weed spray next year.

A preconstruction meeting for the Scott Canyon Project will take place sometime next week. The project could start soon.

1.4 10:00 a.m. Shandie Johnson – Prevention Coordinator – Quarterly Report

Present: Shandie Johnson

Prevention Coordinator Shandie Johnson provided a quarterly report. The Prevention Program is continuing to work with the school on finding evidence-based prevention curriculum.

The Prevention Team meets once a month and brainstorms ideas about educating the community and about areas of concern amongst the county's youth. Commissioner Smith suggested Shandie look in to using the new mental health employee in Sherman County as part of the prevention effort. Shandie is working on organizing activity nights for youth, including events such as dancing, movie

nights, mud volleyball, or any other activity that gives healthy alternatives during the evening to encourage making safe choices. Other programs already offered include Paw Pals, Yellow Dino, and helping pay for athletic fees for qualifying students so they can participate in healthy activities. Currently there is \$38,600 budgeted for prevention programs, all of which has been allocated to various programs.

1.5 10:15 a.m. Jenine McDermid – Clerk – Quarterly Report; Board of Property Tax Appeals (BOPTA): Appointment of BOPTA Pool

Present: Jenine McDermid

Motion by Commissioner McCoy, second by Commissioner Smith, to approve the appointment of Jeanne Kuettel and Justin Miller from the Non-Office Holding Pool and Gary Thompson with Mike Smith as alternate from the Office Holding Pool to the 2015-2016 Board of Property Tax Appeals.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Clerk Jenine McDermid provided a quarterly report. Jenine attended clerk's training in Umatilla County. She learned Board of Commissioners are required to assign commissioner numbers to their commissioners. Sherman County has a County Court, which is not required to assign numbers. However, to maintain constancy with other counties' administrative tracking methods, Jenine has assigned Commissioner Smith number one and Commissioner McCoy number two.

Jenine attended the semi-annual Oregon Association of County Clerks conference held in Tillamook in August. She met the Secretary of State Jeanne Atkins. Jenine reported that the Independent Party is now a major party in Oregon. She also reported Oregon Motor Voter goes into effect January 1st, 2016. It automatically registers people to vote in the state of Oregon. The Department of Motor Vehicles will share information about potential voters with the Secretary of State's Office for the purpose of registering those people to vote or to update their voter's registration. Jenine is working on linking Sherman County voter information to license information so citizens are linked in with the Department of Motor Vehicles' voter registration system.

Over the next two years, Jenine plans to set aside budget funds to help the Clerk's Office acquire a new recording system for documents. This new system will help maintain consistency with other counties in how documents are filed and will keep electronic copies of documents. The new system will include services such as recording, imaging, indexing, e-recording, marriage licensing, and domestic partner licensing.

Lastly, Jenine reported House Bill 2127 requires an assessor's certificate to accompany a document transferring fee title from one entity to a government entity.

1.6 10:30 a.m. Katie Paul, Julie McAllister – Sheriff's Department – Justice Reinvestment Program Plan; Grant Agreement

Present: Katie Paul, Julie McAllister

Katie Paul and Julie McAllister from the Sheriff's Department reviewed the Justice Reinvestment Grant. Katie explained her job is to work with offenders on probation and to work with anybody at

risk to commit crimes. She will make sure they are receiving services needed, including job skills, education, accountability, and more. She is also using the grant to fund parenting classes and a work crew. Julie explained the probation office will work with offenders on the work crew so offenders can complete their community service hours under supervision. Shandie Johnson, Prevention Coordinator, will be the work crew supervisor, and funds from the grant will be allocated to support this position.

Katie explained ten percent of the funds will be awarded to Community Counseling Solutions, which will act as a money holder until Katie identifies needs and programs for that portion of the funds to be allocated towards. The grant will also support Katie becoming certified as an assistor to help offenders in Sherman County access medical coverage and care.

The Justice Reinvestment Grant has been submitted to the Department of Justice. The deadline to make recommended modifications to the grant is October 28, 2015.

1.7 11:00 a.m. Rod Asher – Weed Control District/Grounds Maintenance – Quarterly Report

Present: Rod Asher

Rod Asher, Weed Control District/Grounds Maintenance, provided a quarterly report. There are two crews still working on spraying, though most of those employees are seasonal. One full time employee is scouting and mapping areas to spray in the spring. It was reported that using Milestone spray on Skeleton Weed does not have an instant result because the chemical has a slow kill time.

The Weed Control District has worked a little bit south of Mack's Canyon. They are working on purchasing a boat to improve access to both sides of the river. Rod is working with Oregon Department of Fish and Wildlife as well as a few other entities to arrange for funds to be allocated specifically for spraying and maintaining the Deschutes River, which will provide long-term funding.

Rod mentioned the Weed District has sprayed many fields for the Conservation Reserve Program (CRP). Skeleton Weed is a windblown plant, so although many CRP fields have been sprayed, other land owners not taking care of Skeleton Weed infestations continue to spread the plant. The Weed District does have the authority to cite those landowners for Skeleton Weed, but there is a lack of personnel to do this consistently. Part of a long-term plan would be to expand the Weed Control crew to take care of this issue.

An end of the season planning meeting will be held to determine crew sizes and funding options for next year.

Rod mentioned that because Tom Macnab is currently out with an injury, he is performing ground maintenance on top of his Weed Control duties.

1.8 11:30 a.m. Brad Baird – Anderson Perry & Associates – Biggs Service District: Agreement for Engineering Services

Present: Brad Baird, Will Carey

Brad Baird, Anderson Perry & Associates, reported he has talked to Lori Beers, who has agreed to a Property and Easement Agreement. Brad expects the signed agreement soon. Terry and Teri Sanderson do not want to be monetarily compensated for an easement on their property – they have

requested free water. After discussion on this topic, Will Carey, County Counsel, recommended adding a few stipulations to the agreement including: the water will be meant for residential use only, there will be a monthly limit to the amount of water, and the free water will only apply to Terry and Terri Sanderson, not transferring to any future owners of the property. The Court agreed to offer the Sanderson's 25,000 gallons of free water per month with the understanding that any water used above this amount will be paid for by the Sandersons subject to normal water fees, and the Sandersons will be subject to all rules and regulations, including emergency cut offs and rations if implemented. County Counsel will review the Agreement between Biggs Service District and Terry and Teri Sanderson for Reservoir and Well Site Access.

Motion by Commissioner McCoy, second by Commissioner Smith, to approve the Agreement between Biggs Service District and Terry and Teri Sanderson for Reservoir and Well Site Access as amended and subject to final approval from County Counsel and authorize Judge Thompson to sign electronically.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Brad explained the added language in the Agreement for Engineering Services. He broke down the costs associated with the project. Will asked about topography surveying costs. The topographic survey of the corridor, which is the distance of Biggs, will find water lines and hook ups. Will suggested checking with Oregon Department of Transportation to see if they already have a map of water hook ups. Brad explained topographic surveys are more in depth, marking all utilities including phone and water. Because Biggs is a detailed corridor, it will take time to locate, identify, and map all of the utilities.

Will asked about the cost of easements and land acquisitions. Brad explained the \$35,000 cost included the land purchased for easements. Next, Will asked about the partition costs. He suggested asking Georgia Macnab, Planner, to do some of the work on this portion of the project to cut costs. Brad clarified the Operation and Maintenance Manual is a manual about how to run the well, how to coordinate the use, how to sample the water, and more. It is for the operator of the well and it is required to produce an Operation and Maintenance Manual for all drinking water systems.

Brad explained aside from the topographic survey and the design engineering costs, every other cost is based on time and materials. He emphasized these are estimated prices and not locked prices, so if a portion of the project costs less than the projection, that is all Anderson Perry & Associates will charge.

Motion by Commissioner Smith, second by Commissioner McCoy, to approve an Agreement for Engineering Services Between the Biggs Service District and Anderson Perry & Associates for the design, construction administration and other necessary tasks as authorized for the new municipal water system for the Biggs area and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

1.9 1:00 p.m. Executive Session in Accordance with ORS 192.660 (2) (i) Personnel

Present: Brad Lohrey, Dan Pehlke

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

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

The Court discussed employee issues.

Executive session closed at 1:31 p.m.

1.10 1:30 p.m. Wes Owens – School District Superintendent – Quarterly Report

Present: Wes Owens

Sherman County School District Superintendent Wes Owens provided a quarterly report. The school year has started successfully, including professional development for staff. Green Energy and STEM programs are growing with major support from the county. The Prevention Program has helped implement the Paw Pals and Yellow Dino programs as well as to fund Husky Helping Hands and other prevention programs. Wes reported that Homecoming week is October 12-16.

Wes shared a communication flyer with the Court regarding the new building project. Currently, the project is three weeks ahead on phase one, which is the construction of the new agricultural building and kitchen. Phase two is the new elementary school and the modernization of existing classrooms. Wes mentioned he offers tours of the facility to show progress to the community. The Green Energy and STEM programs have been using the expertise of the architects, engineers, and project managers to give students experience that is real-world applicable.

A letter was sent to parents regarding the safety of students at school. Wes emphasized that Sherman County agencies and Emergency Services work together with the school to ensure safety. The district is currently looking at additional security measures with the new facility addition and modifications at the school.

Brief discussion was held about housing. Commissioner McCoy mentioned the Court needs to create a housing proposal for the school district and Mid-Columbia Producers to consider. Fiber connection to the school was discussed. Wes informed the Court there is not yet a plan for the Grass Valley school building after it is vacated. Commissioner Smith brought up the new Sherman County mental health employee, suggesting that the school utilize this person.

1.11 2:00 p.m. Heath Gardner; Scott Rogers – Wenaha Group – Construction Manager/General Contractor Findings of Fact; Process for Authorizing Contracts Going Forward

Present: Ron McDermid, Heath Gardner, Scott Rogers, Lee Langston, Dan Aldrich, Ross Turney

Heath Gardner, Wenaha Group Project Manager, explained he and Scott Rogers, Wenaha Group Project Manager, would like to gain approval from the Court to move forward using the Construction Manager/General Contractor (CM/GC) contracting method. Heath presented the Findings of Fact for the Use of the Construction Manager/General Contractor Contracting Method. He explained the CM/GC method allows Wenaha Group to bring a contractor on board before

design. The CM/GC will give input and cooperation during design to pick up efficiencies. They will help with estimating, give periodic estimates through the design process, give constructability reviews and input, and help Wenaha Group determine the value of engineering.

Scott added a CM/GC builds awareness of the project so a more competitive bid market is created. Heath explained this method does not eliminate competitive bidding. The CM/GC will be selected on the basis of best value. Once a bid is accepted, the CM/GC is tied to the fee percentage. They also publically advertise for sub-bids, and Wenaha Group gets to audit that process. To evaluate a bid, Wenaha Group will examine the company background, Oregon CM/GC experience, ability to address historic elements, staffing plan and key personnel, local issues, project issue, project approach, project safety and communication plan, and fees and compensation. The CM/CG method generates savings through efficiency in the project process.

Heath and Scott read aloud the Findings of Fact for the Use of the Construction Manager/General Contractor Contracting Method to allow for public comment. There was no public comment.

Motion by Commissioner Smith, second by Commissioner McCoy, to adopt the Finding of Fact to approve the utilization of the Construction Management/General Contractor (CM/GC) method of construction regarding construction of the Sherman County Administration Building and courthouse modifications as presented pending approval and review from County Counsel.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to authorize Judge Thompson to review and approve expenditures not to exceed \$10,000.00 for the Sherman County Administrative Building and Courthouse Renovations project.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner Smith, second by Commissioner McCoy, to establish the Sherman County Court as the only entity that can authorize expenditures exceeding \$10,000.00 for the Sherman County Administrative Building and Courthouse Renovations project.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

1.12 2:30 p.m. Executive Session in Accordance with ORS 192.660 (2) (i) Personnel

Present: Lee Langston

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

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

The Court interviewed a candidate for the Building Maintenance Technician position opening.

Executive session closed at 3:16 p.m.

Marijuana Ordinance and Wasco Annex Update:

Present: Carol Olmsted, Cassi Strege

The Court updated Carol Olmsted, City of Wasco Council Member, and Cassi Strege, City of Wasco Administrator, on the Court's decision to create an Ordinance opting out of House Bill 3400A regarding marijuana legislation. It was clarified that the Ordinance will only apply to areas under the jurisdiction of Sherman County, and that it is not outlawing the use of marijuana, but marijuana dispensaries. Carol suggested more education on the matter to show both the good and bad sides of the issue. Judge Thompson suggested asking Rob Bovette, Association of Oregon Counties, to hold a town hall meeting or county-wide town hall to give citizens the opportunity to learn about the marijuana issue.

The Court updated Carol and Cassi about plans for the Wasco Annex. It was explained that the Court has hired DiLoreto Architecture to do a preliminary fact-finding study to see if a long-range plan for the building can be developed. Commissioner McCoy clarified that there are no plans to tear down the old school. The goal is to create a long-term plan to avoid running out of funds and having another abandoned building in the county. The Court would like to stop the perpetuating of misinformation about this issue. Funds to support the Wasco Annex will eventually run out and the Court is interested in developing a plan for the building that works for all involved. Carol discussed the possibility of seeking grants to help with funding.

2.1 Gorge TransLink Program – Request for Additional Matching Funds

Motion by Commissioner McCoy, second by Commissioner Smith, to authorize increasing Sherman County's match to the Gorge TransLink program from \$1,500.00 to \$2,000 in support of regional mobility.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

2.2 Declare as Surplus – Pavers

A notice will go out requesting sealed bids for the pavers. The sealed bids received will be opened during the October 21st County Court session.

Motion by Commissioner McCoy, second by Commissioner Smith, to declare as surplus 85 plus used pavers from the Sherman County Senior & Community Center landscape project.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

2.3 Order – In the Matter of Authoring the Sherman County Finance Director to Destroy Unissued County Checks Due to Incorrect Amounts and/or Printer Error

Motion by Commissioner McCoy, second by Commissioner Smith, to approve an Order in the matter of authorizing the Sherman County Finance Director to destroy unissued county checks due to incorrect amounts and/or printer error.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

2.4 Emergency Management Performance Grant Between Sherman County and Oregon Office of Emergency Management

Motion by Commissioner Smith, second by Commissioner McCoy, to approve Emergency Management Performance Grant Agreement CFDA #97.042 between Oregon Military Department Office of Emergency Management and Sherman County for funding in the amount of \$54,200.00 to supplement Emergency Management operational costs and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

2.5 Resident Compensation Amount for 2015

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the distribution of \$590 to eligible applicants for the 2015 Resident Incentive Program.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

2.6 DiLoreto Architecture – Wasco Annex – Proposed Master Plan

After reviewing the original proposal submitted by DiLoreto Architecture, the Court agreed the Master Plan should be split up into two phases. The first five tasks on the proposed plan will be Phase One and should give an estimate of whether or not remodeling the Wasco Annex is feasible. Phase One will cost \$3,660.00. The rest of the tasks will be considered Phase Two. Phase Two will cost \$13,550.00.

Motion by Commissioner Smith, second by Commissioner McCoy, to approve a Scope and Fee proposal for Phase One from DiLoreto Architecture, LLC, in the amount of \$3,660.00 for services in the development a Phase One Plan for the Wasco Annex property and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

2.7 Early Learning Division/Early Learning Council – Amendment to State of Oregon Intergovernmental Agreement

Motion by Commissioner Smith, second by Commissioner McCoy, to approve Amendment Number 1 to Agreement Number DASPS-2442-15 between the State of Oregon Department of Education, Early Learning Division and the Early Learning Council, and Sherman County for Fours Rivers Early Learning Hub funding in an amount not to exceed \$184,620.23 and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

2.8 Appointment - Local Public Safety Coordinating Council: Wes Owens

Motion by Commissioner Smith, second by Commissioner McCoy, to appoint Sherman County School District Superintendent Wes Owens as the school district representative on the Sherman County Local Public Safety Coordinating Council.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

2.9 Appointment – Library Board: Sheri Carlson

Motion by Commissioner Smith, second by Commissioner McCoy, to reappoint Sheri Carlson as a community member on the Sherman County Public/School Library Board for a four year term to expire September 2019.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

2.10 Blanket Purchase Agreement – Sherman County Transit

Motion by Commissioner Smith, second by Commissioner McCoy, to approve a Blanket Purchase Agreement between Mid-Columbia Council of Governments and Sherman County effective October 1, 2015 through September 30, 2017, to provide non-emergency transportation for Oregon Health Plan and PacificSource CCO recipients to and from Medicaid covered medical services and rides for other qualifying clients to and from authorized destinations and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

2.11 Increase Staff Hours for Community Advisory Council (CAC)

Motion by Commissioner Smith, second by Commissioner McCoy, to approve an increase in Shandie Johnson's hours up to 12 hours per month as staff for the Sherman County Community Advisory Council.

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

2.12 Appointment – Community Advisory Council: Wes Owens; Caitlin Blagg

Motion by Commissioner McCoy, second by Commissioner Smith, to appoint Wes Owens and Caitlin Blagg to the Sherman County Community Advisory Council for a term of three years to expire in 2018.

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

2.13 Resident Incentive Program – Appeal

The Court reviewed the Resident Incentive Program appeal submitted by Brooklyn Sandquist. Upon review, it was determined the original application was submitted on time and the address omission was minor and unintentional. Because of this, the appeal was approved.

Motion by Commissioner McCoy, second by Commissioner Smith, to approve the resident compensation appeal received from Brooklyn M. Sandquist.

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

2.14 Prevention Contract Between Mid-Columbia Center for Living and Sherman County

Motion by Commissioner Smith, second by Commissioner McCoy, to approve an Agreement between Sherman County and Mid-Columbia Center for Living for Prevention funding in the amount of \$122,500.00 for the 2015-2017 biennium and authorizing Judge Thompson to sign.

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

2.15 Letter of Support – Grass Valley Market Loan Application

Motion by Commissioner McCoy, second by Commissioner Smith, to authorize a letter of support recognizing the need to re-open the grocery store in the City of Grass Valley.

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

2.16 Gorge Tech Alliance Sponsorship

Motion by Commissioner Smith, second by Commissioner McCoy, to renew sponsorship of Gorge Tech Alliance from October 1, 2015 to September 30, 2016 in the amount of \$500.00.

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

2.17 Child Abuse Multidisciplinary Intervention Grant

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Child Abuse Multidisciplinary Intervention Grant Agreement between The State of Oregon Department of Justice and Sherman County for funds in the amount of \$36, 179.39 to help support activities and projects regarding Assessment Services, Advocacy Services, and Treatment Services, and authorizing Judge Thompson to sign.

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

3.0 Discussion Items:

3.1 Oregon Marijuana Legislation HB 3400A – Option to Opt Out

Present: Will Carey, Rod Asher

Judge Thompson requested Will Carey, County Counsel, draw up an ordinance for Sherman County to opt out of House Bill 3400A regarding marijuana legislation. Will explained because Sherman County voted against the marijuana bill, the county can pass an ordinance to opt out of the bill without holding a vote. He also explained if the county does draw up an ordinance opting out of House Bill 3400A and a specific city outside of Sherman County jurisdiction votes to have marijuana dispensaries within city limits, the ordinance will not apply. It was also recommended that Sherman County Court write letters to all cities in the county to inform them of their decision to opt out and to invite the cities to join them.

It was clarified that the ordinance would make it illegal to dispense marijuana in the areas where Sherman County has jurisdiction. Will will prepare an ordinance regarding this issue.

3.2 Special Districts Association of Oregon – Board Vacancy

The Court cannot fit this into current schedules. Other districts may be interested in participating.

3.3 Recycle Bins

Ree Ella von Borstel, Sherman County Jr/Sr High School Food Services, contacted Commissioner Smith about recycling bins not being returned for 2-3 weeks. After contacting Erwin Swetnam, Commissioner Smith learned one bin was out of service, meaning there was no empty bin to exchange a full bin with. A new bin is expected in another one to two weeks and the recycling schedule will be back on track.

3.4 Tri-County Veterans Service Officer – Quarterly Report

The Court reviewed quarterly report documents prepared by Bryan Hunt, Veterans Service Officer.

3.5 Housing Update

Present: Ron McDermid

Judge Thompson was contacted by Jessica Metta, Mid-Columbia Economic Development District, with an update on housing costs. A duplex from Reality Homes will cost \$182,000, and Simplicity Homes has a duplex that is an estimated \$195,000. Jessica suggested roughly estimating \$200,000 per duplex.

To present a proposal to the school district and Mid-Columbia Producers, the Court needs to determine the cost of renting the duplexes as well as who will manage the properties. There are several property management companies listed in The Dalles that could be utilized. The Court will look in to this matter and begin to draft a housing proposal.

3.6 Commissioner Reports

3.7

McCoy – Attended a Juvenile Taskforce meeting at Northern Oregon Regional Corrections (NORCOR) to see if the task force could figure out a way to lower the cost of the juvenile side; juvenile side at NORCOR is up in the air; there is huge inequity between what the different counties pay for space at NORCOR; next Friday at noon, Reentry Mental Health Taskforce meeting; Katie Paul will be there.

Smith – Attended a Regional Solutions meeting to speak about fiber project; new mental health worker is to be introduced on October 13th after the Multi-Disciplinary Team meeting; identified a one-time fund of \$197,000 for Sherman County for dealing with mental health issues; went to meeting for China Hydro - interested in wind production in Sherman and Gilliam counties; Mid-Columbia Economic Development District went to Klickitat to talk about bringing Gilliam and Wheeler into the district - pretty soon should have Gilliam and Wheeler in Regional Solutions with Mid-Columbia Economic Development District; hired new Mid-Columbia Council of Governments Executive Director Bob Francis; attended Coordinated Advisory Council meeting; attended Mid-Columbia Center for Living meeting.

Thompson – Governor Brown signed the new Renewable Portfolio Standard for the State of California which requires that utilities procure 50% of their electricity from renewables by 2030; Public Utility Regulation Power Act is in limbo for small community projects; have an issue with our Public Utility Commission ; Margi Hoffmann is no longer with our state as Energy Advisor for the governor; on the 13th signing a letter of intent to work with China Hydro for the pump storage; on the 15th signing with Association of Oregon Counties a letter of intent for trade for the state of Oregon and Oregon counties to set up sister cities with cities in China for exchange of both goods and services; have Community Renewable Energy Association meeting on Friday; had lunch with vice president of Portland General Electric; will be leaving for China on Sunday.

4.0 Consent Agenda:

4.1 Minutes of September 16, 2015

Regarding the Kent well, “several hundred gallons” will be changed to “several hundred thousand gallons.”

4.2 Claims – September

4.3 Minutes of October 1, 2015

4.4 Minutes of October 5, 2015

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Minutes of September 16, 2015, Special Session Minutes of October 1, 2015 and October 5, 2015 as corrected.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Motion by Commissioner McCoy, second by Commissioner Smith, to approve the claims for September 2015.

Vote: 3-0

Yes: Thompson, Smith, McCoy

No: 0

Abstain: 0

Being no further business before the Court, the meeting was adjourned at p.m. 4:10 p.m.

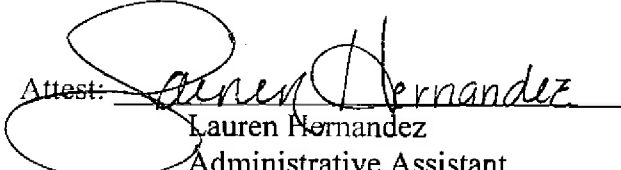
Sherman County Court

Gary Thompson, Judge

Mike Smith, Commissioner

Tom McCoy, Commissioner

Attest:


Lauren Hernandez
Administrative Assistant