



## Court Agenda

**October 6, 2010**

### **1.0 Appointment Schedule:**

- 1.1** 9:00 a.m. Shawn Payne – Emergency Services – Quarterly Report
- 1.2** 9:15 a.m. Dee Lieuallen – Commission on Children & Families – Quarterly Report; Office Lease Agreement
- 1.3** 9:30 a.m. Brad Lohrey – Sheriff – Quarterly Report
- 1.4** 9:45 a.m. Amber DeGrange – Juvenile Director – Quarterly Report
- 1.5** 10:00 a.m. David Skakel, Glenn Pierce, Cindy Brown – Tri-County Hazardous Waste & Recycling Program – Program Update
- 1.6** 10:30 a.m. Wade McLeod, Jennifer Simpson – District Attorney – Quarterly Report
- 1.7** 10:45 a.m. Jenine McDermid – Board of Property Tax Appeals (BOPTA) Clerk – Appointments: BOPTA Pool Members
- 1.8** 11:30 a.m. Ron McDermid – Facilities Committee – Courthouse Project Update
- 1.9** 1:30 p.m. Bryan Hunt – Tri-County Veterans Service Officer – Quarterly Report; Proposal for Budget Revision

### **Additions to Agenda:**

## 2.0 Action Items:

- 2.1 Association of Oregon Counties (AOC) Product Tasting Proposal – AOC Conference
- 2.2 Resolution Re: “Greater Sage-Grouse Conservation Assessment and Strategy for Oregon”
- 2.3 Intergovernmental Agreement between Sherman County & Oregon Department of Energy for State Energy Program Grant
- 2.4 OSU Experiment Station Survey Estimate – Pioneer Surveying and Engineering, Inc.
- 2.5 Solar Now! Community Partnership - Intergovernmental Grant Agreement between Sherman County and the City of Portland’s Bureau of Planning and Sustainability

### 3.0 Discussion Items:

- 3.1 Department of Environmental Quality – 2009 Material Recovery Report
- 3.2 Wifi Project Report – Invictus Networks, LLC
- 3.3 John Day River Territory – Update
- 3.4 Letter of Support Re: Transition Plan for Portland General Electric Boardman Power Plant
- 3.5 Housing Rehab Program - Update
- 3.6 Commissioner Reports

#### **4.0 Consent Agenda:**

- 4.1 Minutes of September 15, 2010
- 4.2 Claims – September

## 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 6, 2010 9:05am

Present: Gary Thompson, County Judge; Steve Burnet and Mike Smith, Commissioners; Melva Thomas, Court Administrative Assistant; Jenine McDermid, County Clerk; Shawn Payne and Dee Lieuallen, County Staff; Bob Stone, Visitor.

**SUMMARY OF ACTIONS TAKEN**

**Motion** by Commissioner Burnet and second by Judge Thompson to appoint Linda Beers, Barbara Bish and Forest Peters to the non-office holding pool for the Board of Property Tax Appeals and appoint Commissioner Smith as alternate to the chairpersons pool for the 2010-11 BOPTA session. Motion carried.

**Consensus** of the Court to authorize Melva Thomas to continue with AOC conference planning.

**Motion** by Commissioner Smith second by Commissioner Burnet to approve Resolution No. 07-10-2010 In the Matter of Requesting Postponement of the Oregon Department of Fish and Wildlife Commission's Approval of The Oregon Department of Fish and Wildlife's 2010 Draft Version of the "Greater Sage-Grouse Conservation Assessment and Strategy for Oregon". Motion carried.

**Motion** by Commissioner Burnet and second by Commissioner Smith approve Judge Thompson having signed the Intergovernmental Agreement between Sherman County and the Oregon Department of Energy on September 22, 2010 for HVAC Measures, including grant funding. Motion carried.

**Motion** by Commissioner Burnet and second by Commissioner Smith to approve the Estimate/Contract with Pioneer Surveying and Engineering, Inc. in the amount of \$4,240 for completion of a survey at the OSU Experiment Station and authorize Judge Thompson to sign the document. Motion carried.

**Motion** by Commissioner Smith and second by Commissioner Burnet authorizing Judge Thompson to sign the Intergovernmental Grant Agreement between Sherman County and the City of Portland for acting as a community partner in Solar Now! educational workshops and in the amount of \$2,000. Motion carried.

**Consensus** of the Court to authorize Commissioner Smith to request a written proposal from Rick Lindahl of Invictus Networks, LLC for a RFP ready Wifi site design, including Rufus and Biggs Junction.

**Motion** by Commissioner Smith second by Commissioner Burnet to approve moving ahead with Daryl Sieker for window construction documents in the amount of \$4,230, and with Athay & Associates for electrical construction documents in the amount of \$4,500, and with ATP Engineering for HVAC construction documents in the amount of \$4,831 for a total amount payable of \$13,561. Motion carried.

**Motion** by Commissioner Burnet and second by Commissioner Smith acting as the compensation board to increase the Tri-County Veterans Officer compensation level to Class Level .68 and to Step C with an effective date of July 1, 2010. Motion carried.

**Motion** by Commissioner Burnet and second by Commissioner Smith change the mileage rate for veteran medical transport to .367 per mile effective July 1, 2010. Motion carried.

**Motion** by Commissioner Smith and second by Commissioner Burnet to approve the September 15, 2010 minutes as presented. Motion carried.

**Motion** by Commissioner Smith and second by Commissioner Burnet to approve the September claims. Motion carried.

### **1.1 EMERGENCY SERVICES QUARTERLY REPORT– SHAWN PAYNE:**

Director Shawn Payne presented her activity report for June 10 through September 8. She reported on seven personnel who will be attending the EMS conference. She is considering the purchase of a new ambulance to replace the 1998 model and has funding set aside. Shawn reported on a nighttime rescue effort on the Deschutes River, north of Mack's Canyon. The department has taken delivery of the new Chevy EMS pickup. She reported the ambulance board met mid-September and voted to not sign the mutual aid agreement with South Sherman Fire due to issues including a pending complaint and potential concern with being required to be on standby at the racetrack near Grass Valley. Shawn advised she is not a voting member of this board and assured the Court not signing the agreement does not change the service Sherman Ambulance provides to the south end of the county, including the racetrack which is in the Sherman Ambulance Service Area. Bob Stone added that Shawn conducted the meeting in an objective and

balanced fashion and in visiting with a member of the South Sherman FPD, he was told the agreement had been requested as it is best for the county. It was reported that South Sherman Fire has one trained EMT who is available 4-5 days per week. Shawn also reported on attending an annual emergency management workshop and will know by the end of the month if the generator grant was approved.

## **1.2 COMMISSION ON CHILDREN & FAMILIES QUARTERLY REPORT – DEE LIEUALLEN:**

Director Dee Lieuallen presented a written quarterly report. She reported \$75,111 in grant funds were received for the summer youth work programs, which employed four adults and twenty crew members. The reporting process was very detailed this year and they came out exactly on the number of grant hours. Theresa Mobley has four annual conferences to attend and is required to complete ethics training either online or at Roseburg. There will be a group presenting “The Bully Fix” workshop at Sherman Junior/Senior High School, which will include grades K-12, as well as all school district staff members.

With regard to the state budget, the Commission was required to reduce their budget by \$13,179 in June and later had to reduce by another \$7,612. No local program funding has been reduced at this point, although there may be an additional reduction in December. Dee reported dropping a phone line and changed to a free post office box to reduce expenses, will be attending fewer meetings and will begin carpooling with Gilliam County as needed. Their office space rent increased by \$55 per month to \$375, according to their new contract which is effective 10-1-2010 through 9-30-2013 and can be increased on an annual basis. Melva Thomas will contact Dale Coles about reducing the contract term to one year with an option for automatic renewal.

Dee reported new pickup is parked at the fairgrounds, along with the Jeep. She will inquire about parking both vehicles at the road department lot.

## **1.3 SHERIFF’S QUARTERLY REPORT – BRAD LOHREY:**

Sheriff Lohrey updated the Court on the buffer zone grant. He said equipment is now being installed in the patrol cars and all Sherman County work should be completed within the next couple of months. He added due to the John Day Dam being location within the county, we are eligible to apply for future buffer zone grants.

Brad reported on patrol car incidents involving deer and an incident where a patrol car was rammed while in pursuit. The new Tahoe is in service. He added the number of cases is down by about 50 from last year, although arrests are the same. He and Commissioner Smith are part of the OWEN group, according to Judge Thompson. Tri-County Communications is moving forward with installation of a digital switch. Future buffer zone grant funds could be utilized for this purpose. Sheriff Lohrey said grants were received in the amount of \$7,000 for seatbelt education and \$5,000 for the purchase of radar equipment.



He also reported Deputy Hulke made an arrest of a person who was in possession of one pound of methamphetamine, the largest he has seen. Additionally, legal counsel confirmed that Sherman County government has a zero tolerance for drug use and those caught using drugs on the job will be terminated.

#### **1.4 JUVENILE DIRECTOR QUARTERLY REPORT – AMBER DEGRANGE:**

Amber DeGrange presented her written quarterly report involving caseload, meetings attended and funding information. She reported having a majority of DHS cases the last couple of years. She added that probation cases are not as expensive and less time-consuming. Her office shares funding with CEOJJC (Central Eastern Oregon Juvenile Justice Consortium) and Oregon Youth Authority should receive approximately \$2.4 million, which should keep the program functional. Amber added that JDAI (Juvenile Detention Alternatives Initiative) is a byproduct of CEOJJC, of which she has a low caseload. She coordinated Latino Case Management training in September, which was well received. She also reported on problems with her email. Melva will visit with ESD regarding the issue. Additionally, Amber will begin development of a policy book for her department.

#### **1.5 TRI-COUNTY HAZARDOUS WASTE & RECYCLING PROGRAM, PROGRAM UPDATE – DAVID SKAKEL, GLENN PIERCE, CINDY BROWN:**

Sandy Macnab was also present. The group presented a slide show illustrating the program and how the program is structured. Their intergovernmental agreement is renewed on an annual basis and they would like to adjust it next year. David said the scope of the program has expanded in the last ten years and their area coverage now consists of Hood River, Wasco and Sherman counties, with Wasco County being the lead agency. Currently the program has an FTE of 2.5. According to Sandy Macnab, Sherman's fee for the program is \$4,200. It was learned the new fluorescent light bulbs can be returned to the place of purchase or Home Depot.

#### **1.6 DISTRICT ATTORNEY QUARTERLY REPORT – WADE MCLEOD, JENNIFER SIMPSON:**

The district attorney reported their case load is still down in numbers, although they have been seeing more recent activity from the state police. For October the number of cases is the same as 2009. He added their busiest months are usually July through September. Jennifer Simpson is temporarily handling both the Victim's Advocate and CAMI duties through mid-December. Wade reported their state funding should be okay for the rest of the biennium and that ODEA is close to hiring a new director. The DA's office now has wireless internet installed by ESD.

## **1.7 APPOINTMENT OF BOARD OF PROPERTY TAX APPEALS (BOPTA) POOL MEMBERS – BOPTA CLERK, JENINE MCDERMID:**

Jenine McDermid reported receiving interest from three residents interested in appointment to the BOPTA board.

**Motion by Commissioner Burnet and second by Judge Thompson to appoint Linda Beers, Barbara Bish and Forest Peters to the non-office holding pool for the Board of Property Tax Appeals and appoint Commissioner Smith as alternate to the chairpersons pool for the 2010-11 BOPTA session. Motion carried.**

## **2.1 ASSOCIATION OF OREGON COUNTIES (AOC) PRODUCT TASTING PROPOSAL – AOC CONFERENCE:**

Sherman, Gilliam and Wheeler counties would like to combine efforts again this year for and hire Rod McGuire's chuck wagon for the annual AOC conference at Eugene, possibly including Morrow County. Melva reported the cost could then be split three or four ways. She will learn more regarding the cost and report back at the next meeting. Judge Thompson would like county brochures available this year.

**Consensus of the Court to authorize Melva Thomas to continue with AOC conference planning.**

## **2.2 RESOLUTION REGARDING “GREATER SAGE-GROUSE CONSERVATION ASSESSMENT AND STRATEGY FOR OREGON”**

Judge Thompson said that adoption of this resolution will show support for other counties where the sage grouse has been found, including Morrow and Crook counties.

**Motion by Commissioner Smith second by Commissioner Burnet to approve Resolution No. 07-10-2010 In the Matter of Requesting Postponement of the Oregon Department of Fish and Wildlife Commission's Approval of The Oregon Department of Fish and Wildlife's 2010 Draft Version of the “Greater Sage-Grouse Conservation Assessment and Strategy for Oregon”. Motion carried.**

## **2.3 INTERGOVERNMENTAL AGREEMENT BETWEEN SHERMAN COUNTY & OREGON DEPARTMENT OF ENERGY FOR STATE ENERGY PROGRAM GRANT:**

The grant document pertaining to courthouse upgrades was required to be submitted prior to a regularly scheduled court meeting. In order to preserve grant funding, Judge Thompson signed and submitted the document.

**Motion by Commissioner Burnet and second by Commissioner Smith approve Judge Thompson having signed the Intergovernmental Agreement between**

**Sherman County and the Oregon Department of Energy on September 22, 2010 for HVAC Measures, including grant funding. Motion carried.**

**2.4 OSU EXPERIMENT STATION SURVEY ESTIMATE – PIONEER SURVEYING AND ENGINEERING, INC.:**

A proposal was received from Pioneer Surveying for a survey of the experiment station. They would be able have the final survey completed in about two weeks. Another firm had been contacted, although their estimate had not yet been received. Milt Ketchum recommended going with Pioneer.

**Motion by Commissioner Burnet and second by Commissioner Smith to approve the Estimate/Contract with Pioneer Surveying and Engineering, Inc. in the amount of \$4,240 for completion of a survey at the OSU Experiment Station and authorize Judge Thompson to sign the document. Motion carried.**

**2.5 SOLAR NOW! COMMUNITY PARTNERSHIP – INTERGOVERNMENTAL AGREEMENT BETWEEN SHERMAN COUNTY AND CITY OF PORTLAND'S BUREAU OF PLANNING AND SUSTAINABILITY:**

A grant agreement was received from Jessica Metta of MCEDD for \$2,000 in funding to put toward expenses involved with local solar workshops. This is a matching grant and Sherman County's portion would be funded from the renewable energy line item.

**Motion by Commissioner Smith and second by Commissioner Burnet authorizing Judge Thompson to sign the Intergovernmental Grant Agreement between Sherman County and the City of Portland for acting as a community partner in Solar Now! educational workshops and in the amount of \$2,000. Motion carried.**

**3.1 DEPARTMENT OF ENVIRONMENTAL QUALITY – 2009 MATERIAL RECOVERY REPORT:**

The Court reviewed the 2009 Material Recovery Report, with no action necessary.

**3.2 WIFI PROJECT REPORT – INVICTUS NETWORKS, LLC:**

A review and recommendation report was received from Rick Lindahl of Invictus Networks, LLC pertaining to the Wifi project. Commissioner Smith said he had spoken with Rick, who advised the next step is for a site design. Rick estimated the cost at \$4,000 to \$5,500 for a design ready for a RFP and would be available for this service. An option is for Day Wireless to complete this and have maintenance done by Frontier Telnet. Rob Myers told Commissioner Smith that Frontier Telnet doesn't have the bandwidth to be involved and that they contract with Day Wireless. He added that he visited with Shawn Payne as emergency services could utilize this network, including household in an emergency situation where the power goes out they could have phone service as long as their phones have battery backup. He said in this case 911 funding



could be utilized. It was also recommended Biggs Junction and Rufus be served from the Washington side of the Columbia River.

**Consensus of the Court to authorize Commissioner Smith to request a written proposal from Rick Lindahl of Invictus Networks, LLC for a RFP ready Wifi site design, including Rufus and Biggs Junction.**

### **1.8 COURTHOUSE PROJECT UPDATE – FACILITIES COMMITTEE, RON MCDERMID:**

A Courthouse Telecommunications Systems Study was received from Jim Doar. Ron reported that Jim had visited with county employees and suppliers in developing this report. It was recommended rewiring the building with Cat 6 cable to meet current building wiring standards. As Jim recently retired, his potential replacement Glenn Sexton will visit the courthouse on October 19. A recommendation was to bring DSL lines into the courthouse through Century Link, which will be discussed on the 19<sup>th</sup>.

With regard to the HVAC project, Ron presented a project schedule for the HVAC, electrical and window upgrades. He reported that he, Gary Thompson, Melva Thomas, Larry McGinnis and Daryl Sieker viewed a webinar on October 5. Daryl Sieker will be able to complete a portion of the project manager duties, so an owner's rep should not be needed. Lee Williman will act as the state project manager. Ron also presented an updated timeline document.

**Motion by Commissioner Smith second by Commissioner Burnet to approve moving ahead with Daryl Sieker for window construction documents in the amount of \$4,230, and with Athay & Associates for electrical construction documents in the amount of \$4,500, and with ATP Engineering for HVAC construction documents in the amount of \$4,831 for a total amount payable of \$13,561. Motion carried.**

### **3.3 JOHN DAY RIVER TERRITORY – UPDATE:**

Melva Thomas reported the original purpose for this group was for a website and to be a subcommittee of the Condon Chamber of Commerce. Over time, it has become apparent the group should become a separate entity, which is now being pursued. For the immediate time, MCEDD will handle their finances and the group may eventually apply for non-profit status. Currently, the group still feels they are a committee. Melva also said they are working on methods of increasing membership.

### **3.4 LETTER OF SUPPORT RE: TRANSITION PLAN FOR PORTLAND GENERAL ELECTRIC BOARDMAN POWER PLANT:**

In September, Judge Thompson sent a letter to the Oregon Department of Environmental Quality in support of the DEQ working with Portland General Electric to develop a workable, reasonable ten-year transition plan for the Boardman Power Plant. This is in

response to DEQ's decision not to allow PGE's initial 2020 plan to be fully evaluated in the agency's rulemaking process.

### **3.5 HOUSING REHAB PROGRAM – UPDATE:**

Melva Thomas reported the loan committee met to discuss applications that did not fit into their traditional goals, with two of those applications being approved. There are others involving homes in Moro and Grass Valley. It is hoped to increase interest that each city council will help spread the word about the home rehab program. An article was published in the Citizen-Reporter and the release of funds notice was received.

### **1.9 TRI-COUNTY VETERANS SERVICE OFFICER QUARTERLY REPORT; PROPOSAL FOR BUDGET REVISION – BRYAN HUNT:**

Finance Director Debbie Hayden was also present for a portion of this discussion. Bryan Hunt presented a written report and a quarterly expenditure report. He will be changing the format in the future. Bryan said he plans on more home visits for the next quarter to accommodate those that can't make it to his office in Moro. He plans to meet soon with a group in Wasco. As of October 25 he will be in Sherman County on Wednesday and Wheeler County on Thursday. Bryan plans to attend a fall conference at Clackamas in October.

As he is not in need of the County's health insurance coverage, Bryan proposed splitting the 2010-11 budgeted insurance funds between his wage and transportation. The Court debated two different options, including a wage adjustment of \$8,543 and the remainder of \$6,073 going into transportation.

**Motion by Commissioner Burnet and second by Commissioner Smith acting as the compensation board to increase the Tri-County Veterans Officer compensation level to Class Level .68 and to Step C with an effective date of July 1, 2010. Motion carried.**

**Motion by Commissioner Burnet and second by Commissioner Smith change the mileage rate for veteran medical transport to .367 per mile effective July 1, 2010. Motion carried.**

### **3.6 COMMISSIONER REPORTS:**

Commissioner Burnet reported on a conversation with Allen Christiansen of Western Rivers Conservancy regarding the public camping on land between the high river mark and the John Day River at Starvation Point. As the State has never developed rules regarding a navigable river, a "no camping" sign would have no legal bearing. Commissioner Burnet also attended the Lower John Day River group meeting and participated in a boat tour of the Narrows.

Commissioner Smith learned the library is interested in wireless internet service. The Court advised this would be a library board decision. He also reported Mid-Columbia Center for Living is interested in partnering with La Clinica for a new building. La Clinica services anyone in need and 45% of those currently served are non-Hispanic. Additionally, a new state mental health program involves releasing participants to live on their own, while under the state's supervision.

Commissioner Burnet also reported that Milt Ketchum is moving forward with the library sidewalk. Arla Melzer has the library board's approval to research options for handicap access doors, which will be installed at the library. This will not be paid for by the County.

Judge Thompson announced he, Georgia Macnab, Larry Triebelhorn, Cliff Jett and Jessica Metta graduated from Solar University the previous Saturday and are now capable of training other classes. Sherman County will begin holding solar panel classes in the county, probably beginning this winter.

**4.0, 4.1 AND 4.2 CONSENT AGENDA: SEPTEMBER 15, 2010 COURT MINUTES; CLAIMS – SEPTEMBER:**

**Motion by Commissioner Smith and second by Commissioner Burnet to approve the September 15, 2010 minutes as presented. Motion carried.**

**Motion by Commissioner Smith and second by Commissioner Burnet to approve the September claims. Motion carried.**

THERE BEING NO FURTHER MATTERS AT ISSUE, COURT WAS ADJOURNED AT 2:54PM.

ATTEST: Genieve McGermid  
COUNTY CLERK

[Signature]  
COUNTY JUDGE

[Signature]  
COMMISSIONER

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COMMISSIONER