



Court Agenda

October 1, 2014

1.0 Appointment Schedule:

- 1.1 9:00 a.m.
- 1.2 9:30 a.m. Jan Byram – Senior Center Manager – Quarterly Report
- 1.3 9:45 a.m. Jenine McDermid – Clerk – Quarterly Report
- 1.4 10:00 a.m. Brad Lohrey – Sheriff – Quarterly Report
- 1.5 10:15 a.m. Shawn Payne – Emergency Services – Quarterly Report
- 1.6 10:30 a.m. Amber DeGrange – Juvenile Director – Quarterly Report
- 1.7 11:00 a.m. Georgia Macnab – Planning Director – Quarterly Report
- 1.8 11:30 a.m. Ron McDermid – Justice of the Peace – Stairwell Railing Concerns
- 1.9 1:30 p.m. Bryan Hunt – VSO – Quarterly Report
- 1.10 2:00 p.m. Brad DeHart, Jaclyn McCurdy – ODOT/Biggs Service District – Biggs Interchange Project Update

Additions to Agenda:

2.0 Action Items:

- 2.1 Board of Property Tax Appeals (BOPTA): Appointment of BOPTA Pool
- 2.2 Grant Agreement between Oregon Military Department, Office of Emergency Management, and Sherman County
- 2.3 Resident Incentive Program – Letter of Appeal
- 2.4 Wasco Annex Sidewalk & Entry Repairs Estimate – Wallace Brothers
- 2.5 Office Space Request – Wasco Annex
- 2.6 Resident Compensation Amount
- 2.7 Authorization to Pay Regular Monthly County Bills
- 2.8 Gorge Technology Alliance – Sponsorship Request

3.0 Discussion Items:

- 3.1 Sherman County Transfer Station – DEQ Compliance Inspection Report
- 3.2 Letters of Support for Legislation Re: U.S. Army Corps of Engineers
- 3.3 U.S. Department of Justice Tax Division – Proposed Judgment
- 3.4 Thank You Card – Arla Melzer
- 3.5 Commissioner Reports

4.0 Consent Agenda:

- 4.1 Minutes of September 17, 2014
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 1, 2014 9:00am

Present: County Judge Gary Thompson, Commissioner Tom McCoy, Administrative Assistant Melva Thomas, County Clerk Jenine McDermid.

Summary of Actions Taken

Motion by Commissioner McCoy, second by Judge Thompson, to authorize the expenditure of up to \$2,000 to secure the services of Daryl Sieker, Architect in designing a plan to address safety concerns with the Courthouse stairway and upper landing.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

Motion by Commissioner McCoy, second by Judge Thompson, 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 2014-2015 Board of Property Tax Appeals.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

Motion by Commissioner McCoy, second by Judge Thompson, 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 \$52,227 to supplement Emergency Management operational costs and authorizing Judge Thompson to sign.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

Motion by Commissioner McCoy, second by Judge Thompson, to deny the resident compensation appeal received from Codie Selby since there is no evidence an application for the Resident Incentive Program was ever received.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

Motion by Commissioner McCoy, second by Judge Thompson, to accept an estimate from Wallace Brothers Construction to repair sidewalk for ADA entry to the Wasco Annex Building at a cost not to exceed \$13,385.00 and authorizing Judge Thompson to sign.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

Motion by Commissioner McCoy, second by Judge Thompson, to approve an Office Space Rental Agreement between Sherman County and Thomas Westlake at the Wasco Annex at a rate of \$100/per month and authorizing Judge Thompson to sign final lease agreement.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

Motion by Commissioner McCoy, second by Judge Thompson, to approve the distribution of \$590 to eligible applicants for the 2014 Resident Incentive Program.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

Motion by Commissioner McCoy, second by Judge Thompson, to authorize the Sherman County Finance Office to pay the regular monthly county bills from the identified line items within the appropriate funds.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

Motion by Commissioner McCoy, second by Judge Thompson, to approve sponsorship renewal of Gorge Technology Alliance at the Silicon Level in the amount of \$500 for the period October 1, 2014 through September 30, 2015.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

Motion by Commissioner McCoy, second by Judge Thompson, to approve the Minutes of September 17, 2014 as presented.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

Motion by Commissioner McCoy, second by Judge Thompson, to approve the claims for September.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

Additions to agenda: None

1.0 Appointment Schedule:

1.1 9:00 a.m. Unscheduled

1.2 9:30 a.m. Jan Byram – Senior Center Manager – Quarterly Report

The court reviewed Jan's written report. The dishwasher is in need of repairs. Parts have arrived, but the repairman is awaiting a schematic before making repairs. A quote from Roses for a replacement dishwasher came in at \$4,900 but there weren't equipment funds in the 2014-15 budget. Commissioner McCoy suggested having it repaired and to consider budgeting for a replacement next fiscal year.

Judge Thompson recommended replacing a kitchen light switch that is not functioning properly. Melva referred Jan to licensed electrician Dowen Jones. Jan asked about advertising for donated beef. The court recommended she first check with MCCOG regarding the rules. She will be checking prices with Columbia Food Service. The Senior/Community Center had been closed due to a sewer backup she was asked if a backflow device was installed. It had been suggested she purchase a sump pump. Commissioner McCoy suggested she contact a plumber to review the system and to also clean out the grease trap. Jan will contact Two Dogs Plumbing. Judge Thompson will have Lee Langton move the unused video conference equipment to the Tuff Shed. A letter was received from North Central Public Health District with new rules requiring the Senior Center kitchen to be licensed for food service effective January 2015, including an annual fee of \$150.00 and two yearly inspections.

1.3 9:45 a.m. Jenine McDermid – Clerk – Quarterly Report

Jenine attended the semi-annual county clerk's conference at Madras in August and BOPTA training at Pendleton in September. Preparations for the November 4 General Election are underway, with the ballots scheduled to be mailed out on October 17. A safety committee recommendation for the courthouse will be addressed later in the day, and another concerning a door at the Burnet Building will be discussed at a future court meeting. To encourage voter registration the state recently sent a mailer based on DMV records to eligible residents not currently registered to vote, resulting in a slight registration increase to date in Sherman County. As of June 30, 2015 the clerk's office will no longer be available to take county court minutes. Jenine explained this timeline allows the court sufficient opportunity to determine how best to proceed without causing a hardship. Of the 36 Oregon counties only two county clerk's offices still perform this function. Other counties utilize commissioner staff, court secretaries or executive assistants to prepare the court minutes. The clerk's office will continue to maintain the minutes for permanent record and perform all other statutory responsibilities. This change will allow more time for other duties within the office. The court briefly discussed options including bringing in someone to perform this function; they also talked about a transition process for Melva's position.

1.4 10:00 a.m. Brad Lohrey – Sheriff – Quarterly Report

Sheriff Lohrey was unable to attend the meeting.

1.5 10:15 a.m. Shawn Payne – Emergency Services – Quarterly Report

Shawn submitted her written quarterly report. She submitted a grant application to Motorola for EMT basic course funding and also submitted a funding request to the Sherman Development League in case the former is denied. Shawn's goal is to have additional Moro area residents trained for ambulance calls. She reported one EMT was placed on administrative leave. Shawn met with personnel from Sherman, Gilliam, Jefferson and Wheeler counties to form an EMS user group that will meet quarterly to discuss issues and solutions to present to dispatch. By 2015 the state is requiring electronic charting with web access for the ambulance service. They are looking at equipment to boost service so reports can be done enroute. October is both fire prevention and breast cancer awareness month and as a show of support the crew will be wearing pink gloves. Shawn contacted CityCounty Insurance regarding her concern with the Active 911 alert as the system cannot differentiate fire from medical.

1.6 10:30 a.m. Amber DeGrange – Juvenile Director – Quarterly Report

Amber submitted a written quarterly report. She reported Sherman County continues to be the fiscal agent for the Four Rivers Early Learning Hub. Joella Dethman from Hood River will be the coordinator and her job for the next six months is to see that the Hub application is approved by the state. There is currently \$50,000 for administration in obtaining approval as a hub and after approval the program will receive \$70,000 which must be spent by June 30, 2015 on programs, etc. Amber said Sherman County will receive about \$13,000 for programs.

Amber returned from maternity leave August 2nd and asked the court's opinion on leaving at 4:00pm as she is a salaried employee. Commissioner McCoy suggested being flexible and allowing her time to work out her hours. Her current caseload consists of 7 dependency and 0 delinquencies. She will continue to contract with Jan Leonard for case management at the junior/senior high school. Amber added it has been quite a while

since she's had juvenile clients at NORCOR and there is a fixed charge of about \$4,900 per quarter on the juvenile side even if the facility is not used. With regard to Prevention, she will meet with Barb Seatter and Debbie Hayden to work on a Center for Living contract, with Wasco County being reimbursed by Sherman County. The Children's Closet at the Wasco Annex still has a supply of children's clothing. Amber suggested DHS personnel have access to the clothing as needed or move them to a different facility. The court approved allowing DHS personnel to access the Children's Closet. Additionally, Judge Thompson reported Judges Shafer and Perry have agreed to pro tem in Sherman County if he is not available.

1.7 11:00 a.m. Georgia Macnab – Planning Director – Quarterly Report

The court reviewed Georgia's written quarterly report. The Brush Canyon Proposed Order and Contested Case should be issued this month; the Golden Hills Proposed Order is to be issued by mid-December; she spoke with Michael Cressner, an Orion planning specialist about the state permitting process; attended Cottonwood Canyon State Park meetings. Other activities included an approval of a non-farm dwelling; a partition and conditional use permit hearing scheduled for October 13; approval of a single family farm dwelling zoning permit; is expecting an AT&T cell tower application to arrive soon to co-locate with Verizon at Wasco and Grass Valley sites; received an application from ODOT for a new right of way curve and new passing lanes on Highway 97; attended EFSC workshop for advisory groups; is working on a hazard plan for the RV Park; the RV Park has been busy, but they will soon be receiving gutter bids and after installation DeGrange Construction will install the French drain; will attend enterprise zone workshop in November.

1.8 11:30 a.m. Ron McDermid – Justice of the Peace – Stairwell Railing Concerns

Lee Langston was also present. Ron McDermid presented a written report of safety concerns at the courthouse stairway and upper landing observed by him and other courthouse employees. In September he met with the Safety Committee who, after viewing the area recommended the court take action to mitigate the concern. After approval from Judge Thompson, Ron contacted architect Daryl Sieker regarding the concerns. After evaluating the area, Mr. Sieker issued findings to address the issues and was willing to provide his services at an estimated cost of \$2,000. It is hoped this project will cost less than \$10,000 but at this point a number is not known. A carpenter experienced in restoration work would be a good fit for this project. Mr. Sieker believes the State Historic Preservation Office (SHPO) will need to be included in this process. Ron volunteered to coordinate the obtaining of project quotes and will follow up with the court. It is hoped this is completed within the next 3-6 months.

Motion by Commissioner McCoy, second by Judge Thompson, to authorize the expenditure of up to \$2,000 to secure the services of Daryl Sieker, Architect in designing a plan to address safety concerns with the Courthouse stairway and upper landing.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

1.9 1:30 p.m. Bryan Hunt – VSO – Quarterly Report

Bryan Hunt presented his written quarterly report for the first quarter of fiscal year 2015. In Sherman County he had 20 in-office and 2 out-of-office interviews, 1 claim filed, 1 claim denied, 1 10-10EZ filed, 0 claims granted and \$5,928.24 in total recoveries for the three county area. He added there is about \$1,000,000 a year coming into each of the three counties, mostly for medical care. The court reviewed his activity report and budget. The new vehicle is working out well. The county needs to prepare a billing statement for his vehicle lease in the amount of \$15,000.

1.10 2:00 p.m. Brad DeHart, Jaclyn McCurdy – ODOT/Biggs Service District – Biggs Interchange Project Update

Jim Stroud was also present. The court met as the Biggs Service District Board and discussed options for moving the access road to the district treatment plant. Jaclyn reported she visited with a representative of the railroad and learned they are agreeable to amending the easement to meet the needs of the sewer district. Brad thought the next steps should be to amend the railroad easement and establish an easement with Jim Stroud. Jim hoped to gain the addition of flat ground to his property and was not in favor of the easement unless there was a benefit to his property. Brad suggested filling the area along the north property line which would add to Jim's flat ground and also to consider adding fill on the west side. It was learned an agreement is needed between the service district, the contractor and/or Jim Stroud because ODOT cannot tell the contractor where to place the fill material. There was discussion about the location of other routes of access. Commissioner McCoy asked Jim Stroud what he needs in order to provide an easement to the service district. Jim wants the property to be filled. Commissioner McCoy said if there is not a better route they will leave the road as it is. They may be able to simply raise the current access road. Jaclyn will ask the contractor about options. Jim Stroud also reported a leak where the water line connects to the water meter on his property. This has been going on for a long time and he is concerned as the asphalt is caving in. It was agreed this is the service district's responsibility. Jaclyn will contact Two Dogs Plumbing.

2.0 Action Items:

2.1 Board of Property Tax Appeals (BOPTA): Appointment of BOPTA Pool

The court reviewed an order prepared by the county clerk for appointment of BOPTA pools.

Motion by Commissioner McCoy, second by Judge Thompson, 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 2014-2015 Board of Property Tax Appeals.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

2.2 Grant Agreement between Oregon Military Department, Office of Emergency Management, and Sherman County

The court reviewed the grant agreement between the State of Oregon Military Department and Sherman County to supplement emergency management expenses.

Motion by Commissioner McCoy, second by Judge Thompson, 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 \$52,227 to supplement Emergency Management operational costs and authorizing Judge Thompson to sign.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

2.3 Resident Incentive Program – Letter of Appeal

A letter was received from a resident concerning their Resident Incentive Program application.

Motion by Commissioner McCoy, second by Judge Thompson, to deny the resident compensation appeal received from Codie Selby since there is no evidence an application for the Resident Incentive Program was ever received.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

2.4 Wasco Annex Sidewalk & Entry Repairs Estimate – Wallace Brothers

An estimate was received for sidewalk repairs and an ADA entry at the Wasco Annex.

Motion by Commissioner McCoy, second by Judge Thompson, to accept an estimate from Wallace Brothers Construction to repair sidewalk for ADA entry to the Wasco Annex Building at a cost not to exceed \$13,385.00 and authorizing Judge Thompson to sign.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

2.5 Office Space Request – Wasco Annex

The court reviewed a request received from Thomas Westlake for the rental of office space at the Wasco Annex.

Motion by Commissioner McCoy, second by Judge Thompson, to approve an Office Space Rental Agreement between Sherman County and Thomas Westlake at the Wasco Annex at a rate of \$100/per month and authorizing Judge Thompson to sign final lease agreement.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

2.6 Resident Compensation Amount

The court reviewed a memo received from Finance Director/Tax Collector Debbie Hayden asking for consideration of the amount to be paid to eligible recipients of Sherman County's 2014 Resident Compensation Program.

Motion by Commissioner McCoy, second by Judge Thompson, to approve the distribution of \$590 to eligible applicants for the 2014 Resident Incentive Program.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

2.7 Authorization to Pay Regular Monthly County Bills

An authorization for the Sherman County Finance Office to pay regular monthly bills was presented.

Motion by Commissioner McCoy, second by Judge Thompson, to authorize the Sherman County Finance Office to pay the regular monthly county bills from the identified line items within the appropriate funds.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

2.8 Gorge Technology Alliance – Sponsorship Request

The court reviewed a sponsorship request received from Gorge Technology Alliance.

Motion by Commissioner McCoy, second by Judge Thompson, to approve sponsorship renewal of Gorge Technology Alliance at the Silicon Level in the amount of \$500 for the period October 1, 2014 through September 30, 2015.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

3.0 Discussion Items:

3.1 Sherman County Transfer Station – DEQ Compliance Inspection Report

A report was received acknowledging Sherman County is in compliance.

3.2 Letters of Support for Legislation Re: U.S. Army Corps of Engineers

The court reviewed letters of support sent to Washington and Oregon senators and congressmen involving legislation pertaining to USACE recreation properties.

3.3 U.S. Department of Justice Tax Division – Proposed Judgment

A proposed judgment was received concerning property located in Sherman County. The county is first in line to receive tax dollars after sale expenses are deducted. The county is not involved in the sale process.

3.4 Thank You Card – Arla Melzer

A card was received from Arla Melzer thanking the court for her retirement gift.

3.5 Commissioner Reports

Commissioner McCoy: Attended a John Day Core meeting at Cottonwood Canyon State Park and learned BLM has a report soon to be released on use of the John Day River and heard OSP presentation regarding enforcement of wildlife licenses; attended and introduced Greg Walden at the Walden Town Hall meeting.

Judge Thompson: Met with the Governor's staff at a meeting in Bend regarding pump storage and opening up the California market and learned all are in favor. On October 6th is having a site tour including staff members of local congressmen and senators and hopes to obtain approximately \$4,000,000 in federal funding for a feasibility study to keep the permitting process moving as there is a timeframe involved with this project; with regard to the closure of the Boardman coal shipping project an unintended consequence is affecting all river ports and now there are questions about violation of the interstate commerce clause; attended dedication of the Morrow County cupola/clock renovation project in Heppner; \$1,500,000 Oregon Solutions state funding is allocated to the fiber optic project and \$1,000,000 will come to Sherman County for the line from Rufus to Erskine, with the remainder to complete the line from Rufus to Wasco County; according to BLM the road to McDonald's Crossing in Section 10 is theirs, but the deed states "excluding county road" in that section meaning the county should not have to pay permitting fees. Judges from three counties and a Morrow County commissioner will meet with BLM in Prineville to discuss the issue.

4.0 Consent Agenda:

4.1 Minutes of September 17, 2014

Motion by Commissioner McCoy, second by Judge Thompson, to approve the Minutes of September 17, 2014 as presented.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

4.2 Claims – September

Motion by Commissioner McCoy, second by Judge Thompson, to approve the claims for September.

Vote: 2-0

Yes: McCoy, Thompson

No: 0

Abstain: 0

Motion carried.

5.0 Future Agenda Items: None

WITH THERE BEING NO FURTHER MATTERS AT ISSUE, COURT WAS
ADJOURNED AT 2:55PM.

ATTEST: Jenine McDermid
Jenine McDermid, County Clerk

Gary Thompson
Gary Thompson, County Judge

Tom McCoy
Tom McCoy, County Commissioner

Mike Smith
Mike Smith, County Commissioner