

# Court Agenda

## November 5, 2014

## 1.0 Appointment Schedule:

1.1	9:00 a.m.	Rod Asher – Weed Department – Roadside Sprayer Proposal
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- **1.2** 9:30 a.m. Shellie Campbell Tobacco Prevention/North Central Public Health District Program Update
- 1.3 10:00 a.m. Brad Baird, Jaclyn McCurdy Anderson Perry/Biggs Service District Biggs Service District Water System Feasibility Study Update
- 1.4 10:30 a.m. Gary Farnsworth ODOT Solicitation of Interest (SOI) conducted by Oregon Innovative Partnerships Program (OIPP) through ODOT Re: Proposed Biggs Junction Truck Parking Project
- 1.5 1:30 p.m. Executive Session in Accordance with ORS 192.660 (2)(h) Legal Rights, (2) (i) Personnel

# **Additions to Agenda:**

## 2.0 Action Items:

- 2.1 Opportunity to Recycle Report for Sherman County Wasteshed
- 2.2 Letter of Support for Pumped Storage Project
- 2.3 Federal Bureau of Investigation Criminal Justice Information Services Security Addendum
- 2.4 Criminal Justice Information Services Security Management Control Agreement
- 2.5 Ordinance Ratifying the Creation of an Intergovernmental Entity Know as the Central Oregon Workforce Consortium (COWC)

## 3.0 <u>Discussion Items</u>:

- 3.1 SAIF Corporation Dividend Check for 2013
- 3.2 Courthouse Chimney Repair Update
- 3.3 Foreclosed Property Next Steps
- 3.4 Draft Attainable Housing Development Fund Policies & Procedures
- 3.5 Commissioner Reports

## 4.0 Consent Agenda:

- 4.1 Minutes of October 15, 2014
- 4.2 Claims October

## 5.0 Future Agenda Items:

<sup>\*\*</sup>If necessary, an Executive Session may be held in accordance with: ORS 192.660 (2) (d) Labor Negotiations ORS 192.660 (2) (h) Legal Rights ORS 192.660 (2) (e) Property ORS 192.660 (2) (i) Personnel



## SHERMAN COUNTY COURT

# REGULAR SESSION SHERMAN COUNTY CIRCUIT COURTROOM

November 5, 2014 9:00 am

Present: Judge Gary Thompson, Commissioner Mike Smith, Commissioner Tom McCoy, Administrative Assistant Melva Thomas, Deputy Clerk Rita Wilson.

#### **SUMMARY OF ACTIONS TAKEN:**

Motion by Commissioner Smith, second by Commissioner McCoy, to authorize the expenditure of up to \$33,000.00 for the purchase of a chemical injection sprayer system from Ag Enterprise Supply, Inc., with \$7,000.00 to come from Weed Sinking Fund and remaining \$26,000.00 from SIP Additional Fees Fund.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

<u>Motion</u> by Commissioner McCoy, second by Commissioner Smith, to authorize the expenditure of up to \$10,000.00 to install pipe across Hwy. 97 in preparation for proposed Biggs Service District water system.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

Motion by Commissioner McCoy, Second by Commissioner Smith to approve Supplemental Agreement for Lease Audit No. 1905182 covering the use of an additional fifty feet of railroad property at Biggs, Oregon, between Union Pacific Railroad Company and Biggs Service District, authorizing the expenditure of One Thousand Dollars for administrative handling charge and authorizing Judge Thompson to sign contingent on final approval of County Counsel.

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

<u>Motion</u> by Commissioner Smith, second by Commissioner McCoy, to go into Executive Session in accordance with ORS 192.660 (2)(h) Legal Rights.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

<u>Motion</u> by Commissioner Smith, second by Commissioner McCoy, to approve the 2014 Opportunity to Recycle Report for Sherman County Wasteshed as presented and authorizing Commissioner McCoy to sign as the Wasteshed Representative.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

<u>Motion</u> by Commissioner Smith, second by Commissioner McCoy, to approve a letter of support for the Klickitat County Public Utility District's efforts to obtain a FERC license for the proposed John Day Pool Pumped Storage Project located in south central Klickitat County Washington.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

<u>Motion</u> by Commissioner McCoy, second by Commissioner Smith, to approve the Federal Bureau of Investigation Criminal Justice Information Services Security Addendum as presented and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

<u>Motion</u> by Commissioner Smith, second by Commissioner McCoy, to approve a Management Control Agreement regarding Criminal Justice Information Services Security as presented and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

<u>Motion</u> by Commissioner Smith, second by Commissioner McCoy, to adopt an ordinance ratifying the creation of an Intergovernmental Entity known as the Central Oregon Workforce Consortium (COWC)

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion Carried

<u>Motion</u> by Commissioner Smith, second by Commissioner McCoy, to approve an Intergovernmental Agreement Creating the Central Oregon Workforce consortium (COWC) and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

<u>Motion</u> by Commissioner Smith, second by Commissioner McCoy authorizing Judge Thompson to get bids and select the lowest responsible bidder to clean up the foreclosed property located in Grass Valley, Oregon.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

<u>Motion</u> by Commissioner McCoy, second by Commissioner Smith, to approve the Minutes of October 15, 2014, as presented.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion Carried

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

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0 Abstain: 0

County Court Minutes 11/05/14

<u>Motion</u> by Commissioner McCoy, second by Commissioner Smith, to go into Executive Session in accordance with ORS 192.660 (2)(h) Legal Rights.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

#### 1.0 APPOINTMENT SCHEDULE

#### 1.1 Rod Asher – Weed Department – Roadside Sprayer Proposal

Rod presented the Court with two quotes for a roadside chemical injection sprayer; one from Norstar Industries and the other from Ag Enterprise Supply. He said that he favors going with AgEnterprise, eliminating the options and adding the driver side boom option. Commissioner Smith asked where the funding would be coming from. Rod told the Court that there is not money in his budget for this piece of equipment and he does not want to empty his sinking fund. After discussing the subject it was agreed upon to take \$7,000.00 from the Weed Sinking Fund and the additional \$26,000.00 from SIP Additional Funds.

Motion by Commissioner Smith, second by Commissioner McCoy, to authorize the expenditure of up to \$33,000.00 for the purchase of a chemical injection sprayer system from Ag Enterprise Supply, Inc., with \$7,000.00 to come from Weed Sinking Fund and remaining \$26,000.00 from SIP Additional Fees Fund.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

The Court discussed weed control in the county and how it is regulated concerning sensitive areas such as riparian zones and organic crops. Judge Thompson said that sometime early next year SWCD wants to get together with the County Court and Weed department and talk about Skeleton Weed and work out a long range plan to control it. Because of the area involved Wasco County may have to be involved too. Commissioner McCoy said that he doesn't think enough information is available yet to make a decision about a long range plan. Rod agreed that he has to keep trying things and see which ones work to be able to develop a long range plan.

#### 1.2 Shellie Campbell – Tobacco Prevention/North Central Public Health District – Program Update

Shellie Campbell, North Central Public Health District's Tobacco Prevention Community Coordinator, introduced herself to the Court. There are four parts of the Tobacco Program; 1) Awareness 2) Resources (Quit Line) 3) Policy Changes and 4) Tobacco Tax. She is going around the area to see what the specific needs of each community are in regard to tobacco prevention.

Commissioner McCoy said that it is his understanding marijuana is a bigger problem than tobacco with youth in Sherman County. Commissioner Smith said that he feels the schools are the place to work on this. He said he believes chewing tobacco is a larger issue. He would like to see her work with the Prevention Coordinator and CAC to determine problems and address them. Shellie said she has spoken with the principal at the Jr/Sr high school. She said that one of the first things Debbie Jones is going to do is a community assessment. County Tobacco policies were discussed.

1.3 Brad Baird, Jaclyn McCurdy – Anderson Perry/Biggs Service District – Biggs Service District Water System Feasibility Study Update

Also present: Pat Beers and Brian Lauterbach.

#### Now meeting as Biggs Service District Board

Looked at a map showing the proposed placement of the water pipe across Highway 97. The plan is to install an 18"pipe, run a 12" pipe for the water which is sufficient for fire flow and still have space for extra conduits for fiber or other utilities.

<u>Motion</u> by Commissioner McCoy, second by Commissioner Smith, to authorize the expenditure of up to \$10,000.00 to install pipe across Hwy. 97 in preparation for proposed Biggs Service District water system.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

Brad Baird reviewed the Biggs Service District Water System Feasibility Study plans. These plans include crossing the bridge on the Biggs Rufus Highway. An Anderson Perry engineer went through the 2003-2004 Feasibility Study and updated every line item. The cost is estimated to be \$2,064,450, and is all inclusive, meaning design engineering, construction engineering, 10% construction contingency and all legal matters are included. Brian has seen things go toward a phasing process lately; where the client comes up with the money to get the project to the construction stage before they go for funding. This can be more economical because funding agencies often require redundant procedures; they have very specific conditions for the use of their dollars.

Commissioner Smith said the next step on how to proceed from here should be a meeting of the property owners; finding something that works for them. We need to determine what their potential insurance savings would be. Pat Beers asked about the placement of the cistern. Brad said that it could go anywhere the elevation permits. Brad said that the main reason to do this project is fire flow, there is no reason to do it if you don't want fire flow. Pat said that years ago North Sherman Fire District said they would supply Biggs Junction with two fire trucks to off-set fire insurance costs. That has never happened. Pat said that the costs of the water system really need to be looked at; the businesses in Biggs are really teetering right now and adding

another expense could be disastrous. Brad said that some funding agencies look at business retention and will provide grant funds, on occasion, to help projects like this if it's to retain a certain number of businesses. Next step is to organize a meeting with the businesses. Brad will wrap the study up and have figures that are official for the community meeting.

Jaclyn presented the Supplemental Agreement for Lease Audit No. 190518, Covering Use of Railroad Property at Biggs, Oregon. Even though the entrances will not be changed now it will be good to have the option if something changes in the future.

Motion by Commissioner McCoy, Second by Commissioner Smith to approve Supplemental Agreement for Lease Audit No. 1905182 covering the use of an additional fifty feet of railroad property at Biggs, Oregon, between Union Pacific Railroad Company and Biggs Service District, authorizing the expenditure of One Thousand Dollars for administrative handling charge and authorizing Judge Thompson to sign contingent on final approval of County Counsel.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

1.4 Gary Farnsworth - ODOT- Solicitation of Interest (SOI) conducted by Oregon Innovative Partnerships Program (OIPP) through ODOT Re: Proposed Biggs Junction Truck Parking Project

Gary not present. Tabled until December 3.

1.5 Executive Session in Accordance with ORS 192.660(2)(h) Legal Rights.

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

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

#### 2.0 ACTION ITEMS

2.1 Opportunity to Recycle Report for Sherman County Wasteshed Melva presented the Recycle Report.

<u>Motion</u> by Commissioner Smith, second by Commissioner McCoy, to approve the 2014 Opportunity to Recycle Report for Sherman County Wasteshed as presented and authorizing Commissioner McCoy to sign as the Wasteshed Representative.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

#### 2.2 Letter of Support for Pumped Storage Project

<u>Motion</u> by Commissioner Smith, second by Commissioner McCoy, to approve a letter of support for the Klickitat County Public Utility District's efforts to obtain a FERC license for the proposed John Day Pool Pumped Storage Project located in south central Klickitat County Washington.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

#### 2.3 Federal Bureau of Investigation Criminal Justice Information Services Addendum

<u>Motion</u> by Commissioner McCoy, second by Commissioner Smith, to approve the Federal Bureau of Investigation Criminal Justice Information Services Security Addendum as presented and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

#### 2.4 Criminal Justice Information Services Security – Management Control Agreement

<u>Motion</u> by Commissioner Smith, second by Commissioner McCoy, to approve a Management Control Agreement regarding Criminal Justice Information Services Security as presented and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

2.5 Ordinance Ratifying the Creation of an Intergovernmental Entity Known as the Central Oregon Workforce Consortium (COWC).

<u>Motion</u> by Commissioner Smith, second by Commissioner McCoy, to adopt an ordinance ratifying the creation of an Intergovernmental Entity known as the Central Oregon Workforce Consortium (COWC)

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

<u>Motion</u> by Commissioner Smith, second by Commissioner McCoy, to approve an Intergovernmental Agreement Creating the Central Oregon Workforce consortium (COWC) and authorizing Judge Thompson to sign.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

#### 3.0 DISCUSSION ITEMS

#### 3.1 SAIF Corporation Dividend Check for 2013

Sherman County received a dividend check for \$18,000.00.

#### 3.2 Courthouse Chimney Repair – Update

Viewed photos of the courthouse chimney repair.

#### 3.3 Foreclosed Property – Next Steps

Discussed moving forward with selling the foreclosed property in Grass Valley. County Counsel advises having the property cleaned up by professionals before putting it up for sale.

<u>Motion</u> by Commissioner Smith, second by Commissioner McCoy authorizing Judge Thompson to get bids and select the lowest responsible bidder to clean up the foreclosed property located in Grass Valley, Oregon.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

#### 3.4 Draft Attainable Housing Development Fund Policies & Procedures

Reviewed policy.

#### 3.5 Commissioner Reports

Smith – Conference call with NACO Communications Committee; learned that narrow banding requirements have changed. Need to change the business plan for Frontier Digital, must narrow to 12.5 at this time. Inmate calling service which could impact NORCOR inmates was discussed. Public Health: Possible volunteer program asking restaurants to charge more for sugar sweetened beverages in attempt to address childhood obesity. This would not be a tax or a fee. Center for Living: more money coming in for clients. Want to focus on children's mental health issues. MCCOG scheduling change. Had an interview with NACO publication re: wireless system here. There was an issue involving the Sherman County internet recently. When the new AT&T tower in Kent was turned on it was on the same signal as the county system and shut down communications in Kent. After the source of the problem was discovered it took nearly a week to get repaired. Hope to negotiate with ODOT to get a tower for better service in the Kent area.

McCoy – NORCOR discussion on changing funding formula, noted that Wasco County's matrix is allowing some high risk inmates to be released. Agreed that the funding formula is unfair and needs to be changed, but unsure how to do it. The matter of mentally ill inmates being housed in NORCOR was discussed. Attended SWCD meeting where Skeleton Weed was discussed.

Thompson – Now have an official Wolf Committee. Attended an ODOT meeting; will probably have a mileage tax in place of a gas tax in the future. On track to become a HUB sometime in the spring. Presented pumped storage proposal at Regional Solutions meeting. Met the new head of the John Day Dam. Attended Mid Columbia Housing meeting. Going to meet with Steve Wright with Chelan PUD on Friday.

#### 4.0 CONSENT AGENDA

#### 4.1 Minutes of October 15, 2014

<u>Motion</u> by Commissioner McCoy, second by Commissioner Smith, to approve the Minutes of October 15, 2014, as presented.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

#### 4.2 Claims - October

<u>Motion</u> by Commissioner McCoy, second by Commissioner Smith, to approve the claims for October.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

Deputy Clerk, Rita Wilson left meeting at this time (12:05 pm).

1:30 pm

<u>Motion</u> by Commissioner McCoy, second by Commissioner Smith, to go into executive session in accordance with ORS 192.660 (2)(h) Legal Rights.

Vote: 3-0

Yes: Smith, McCoy, Thompson

No: 0
Abstain: 0
Motion carried.

### 5.0 **FUTURE AGENDA ITEMS**:

THERE BEING NO FURTHER MATTERS AT ISSUE, COURT WAS ADJOURNED AT 3:00 PM.

ATTEST: Rita Wilson

Rita Wilson, Deputy Clerk

Mike Smith, Sherman County Commissioner

Gary Thompson, Sherman County Judge

Melva Thomas, Court Administrator

Tom McCoy, Sherman County Commissioner