



Court Agenda

December 4, 2013

1.0 Appointment Schedule:

- 1.1** 9:00 a.m. Dee Lane – 2013 OYCC Program; 2014 OYCC Application
- 1.2** 9:30 a.m. Jaclyn McCurdy – Biggs Service District – Audit Review
- 1.3** 10:00 a.m. Ben Gordon – Oregon Natural Desert Association – Presentation on John Day River Conservation Proposal
- 1.4** 11:00 a.m. Milt Ketchum, DiLoreto – Ketchum Enterprises/DiLoreto Architecture – Wasco Annex Roof
- 1.5** 1:30 p.m. Ron McDermid – Justice Court – Security Update
- 1.6** 2:00 p.m. Executive Session in Accordance with ORS 192.660 (2) (h) Legal Rights and ORS 192.660 (2) (e) Property

Additions to Agenda:

2.0 Action Items:

- 2.1 Donation Request: Vietnam Veterans Memorial Highway Committee
- 2.2 Courthouse Grounds Landscape Design Proposal

3.0 Discussion Items:

- 3.1 Letter of Concern: Rural Technology Group Customer Service
- 3.2 Sherman County Wireless Internet Subscriber Stats
- 3.3 Early Learning Hub – Update
- 3.4 Safety Committee Recommendation Re: Fairgrounds Grandstands
- 3.5 Commissioner Reports

4.0 Consent Agenda:

- 4.1 Minutes of November 6, 2013
- 4.2 Claims – November
- 4.3 Revenue/Expenditure Summary – October
- 4.4 Treasurer’s Report - October

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

December 4, 2013

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

SUMMARY OF ACTIONS TAKEN:

Motion by Commissioner Smith, second by Commissioner McCoy, to authorize Dee Lane to prepare a Letter of Intent for the 2014 Oregon Youth Conservation Corps (OYCC) summer program and prepare a contract for personal services to write and administer the 2014 grant for OYCC. Vote: unanimous.

Consensus of the Court to move forward with drafting a letter to the railroad regarding rerouting access to Biggs Service District facilities, which is on ODOT property.

Motion by Commissioner McCoy, Second by Commissioner Smith, to accept the Biggs Service District audit as presented. Vote: unanimous.

Consensus of the Court to move forward with the development of the proposal of the scope of the project.

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

Motion by Commissioner McCoy, second by Commissioner Smith, to authorize the payment of \$61,339.55 to Pinnacle Public Finance to cover half of Wheeler County's 2013 payment for Motorola Digital Switching Equipment. Vote: unanimous.

Motion by Commissioner Smith, second by Commissioner McCoy, to approve a donation in the amount of \$1,000 to Vietnam Veterans of America Oregon State Council in support of the Vietnam Veterans Memorial Highway signage project and request a sign within the boundaries of Sherman County. Vote: unanimous.

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Courthouse landscape plan as proposed by F. L. I. Landscape. Vote: unanimous

Motion by Commissioner Smith, second by Commissioner McCoy, to authorize the expenditure of up to \$3,379 for plant material and mulch for the Courthouse grounds. Vote: unanimous

Motion by Commissioner Smith, second by Commissioner McCoy, to authorize the expenditure of up to \$4,635 for labor costs to install plant material and mulch for the Courthouse landscape plan as proposed by F. L. I. Landscape. Vote: unanimous.

Motion by Commissioner Smith, second by Commissioner McCoy, to declare as surplus one 1996 Brother Intellifax 1270. Vote: Unanimous

Motion by Commissioner Smith, second by Judge Thompson, to authorize the expenditure of up to \$3,500 to move wireless internet equipment from Moro grain elevator to the fairgrounds. Vote: Unanimous

Motion by Commissioner McCoy, second by Commissioner Smith, to authorize expenditure of \$3,900 to cover tuition at the Oregon County Leadership Institute for Commissioner Smith and Judge Thompson. Vote: unanimous.

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the claims for November 2013. Vote: unanimous.

Motion by Commissioner McCoy, second by Commissioner Smith, to approve the Minutes of November, 2013, and Treasurer's Report for October as presented. Vote: Unanimous

1.0 APPOINTMENT SCHEDULE

1.1 Dee Lane – 2013 OYCC Program; 2014 OYCC Program

Theresa Olsen also present. Dee presented a review of the 2013 OYCC summer program. Crew members included: Caitlin Blagg, Crew Leader, Audrey Kaseberg, Junior Crew Leader, Janet Guzman, Cierra Holzboog, Mikala Hays and Katie Poirier. The crew was required to work 1050 hours, but because of additional funding provided by Sherman County they were able to work 1228 Crew Member hours at 16 different job sites. A new requirement this year was to provide work on a waterway, which was met by their work at both the Cottonwood State Park and Deschutes State Park.

Skills learned and positive outcomes for the youth and community must be reported. Crew members can earn a one-half school-to-work credit for their participation and can receive a CRLE (Career Related Learning Experience). This was the first year that Sherman County had an all girl crew, and it proved to be one of the most successful crews yet. Dee said that she believes another thing that made this crew so successful was that they all that began work on the same day, thus building a positive team from day one.

The program budget was reviewed. There is \$1,088.15 remaining.

Letters of intent for 2014 are due January 15, 2012. Dee is willing to write the grant application.

Motion by Commissioner Smith, second by Commissioner McCoy, to authorize Dee Lane to prepare a Letter of Intent for the 2014 Oregon Youth Conservation Corps (OYCC) summer program and prepare a contract for personal services to write and administer the 2014 grant for OYCC. Vote: unanimous.

Dee will provide a personal services contract for approval at the December 18 County Court meeting.

1.2 Jaclyn McCurdy – Biggs Service District – Audit Review

Brad DeHart, from ODOT also present.

Brad was present to update the Court on rerouting access to Biggs Service District facilities as part of the Biggs Interchange Project. He has gotten no response from the railroad and said he believes it is within the allowed use of the Biggs Service District's easement to do this project. It was suggested that the Court write a letter to the railroad clearly describing the proposal and the reason for it and giving them a deadline to respond. If, after that deadline, there is no response, proceed with the project which involves rerouting the access into the Biggs Service District from the corner of the intersection to an easement that Jim Stroud is willing to provide on his property. Then rebuild the roadway within Union Pacific's easement to the Service District. Brad will help draft this letter,

prepare exhibits and/or drawings showing where fill would be placed on the railroad's easement as part of the Biggs Interchange Project.

Consensus of the Court to move forward with drafting a letter to the railroad regarding rerouting access to Biggs Service District facilities, which is on ODOT property.

Jaclyn presented the Biggs Service District audit. There were no significant findings.

Motion by Commissioner McCoy, Second by Commissioner Smith, to accept the Biggs Service District audit as presented. Vote: unanimous.

Jaclyn said that she had been approached by Rick Wolfe from CH2 about the continuing problem of litter on the bank behind Dinty's Motel and she wondered if picking up this litter is something the OYCC crew could do in the summer. The Court said that because this is private property OYCC can't do it.

Judge Thompson signed checks for Jaclyn.

Brad DeHart talked with the Court about the Mud Hollow meeting to be held this evening. One letter of concern has been received and it's noted that the northern most house on Mud Hollow would be most impacted by a closure. Several options have been discussed and the Court is hopeful that some alternatives will meet the approval of those with an interest in the matter.

Brad asked how the meeting tonight will be run. It is the plan to have Judge Thompson open the meeting and then turn it over to Brad to explain ODOT's position and why they are even considering taking out the bridge. No decision will be made at this meeting; options will be discussed and feedback considered. The decision will be made jointly by ODOT and Sherman County. If the decision to remove the bridge/close the road is reached, there is a formal process that will be followed. It was noted that ODOT strongly supports removal of the bridge. Brad has reconfirmed that using left-over bridge funds from this project can be applied toward improvements on alternate routes on the county roads.

1.3 Ben Gordon – Oregon Natural Desert Association - Presentation on John Day River Conservation Proposal

Ben Gordon came to the Court looking for support for Oregon Natural Desert Association's Lower John Day Proposal to have the northern most region of the John Day River; 5,400 acres of public lands from Clarno to the Cottonwood bridge, reassigned from a wilderness study area to a wilderness area. He presented a handout with information regarding the proposal.

Any existing livestock grazing allotments are grandfathered in but there would be no new allotments in these areas. Commissioner Smith asked about road maintenance. Ben said that road maintenance would continue to be as it now exists; if they are now maintained by the county, they will continue to be maintained by the county, if they are maintained by the landowner, that will continue. When asked about existing roads, Ben said that any existing roads would stay open as long as they play a role in helping people get to where they need to go safely. Concerning energy exploration, Commissioner Smith asked about site distance. If you have private land surrounded by wilderness land and want to put wind towers on, can you? Yes, outside sites and sounds do not impact the wilderness character of the wilderness lands themselves. Commissioner Smith said that neighboring landowners need to be comfortable with this and know that the rules won't change later. A positive aspect of the wilderness area designation is a 2000' fly over zone; as the Navy is proposing 200' over the southern portion of Sherman and Gilliam Counties, which would have a huge negative impact on future wind projects. Ben said that it's important to know that a wilderness area is not like Cottonwood State Park; this area would remain primitive. Commissioner McCoy asked what impact a designation reassignment would have on the residents of Sherman County. Ben said that he feels there would be no adverse impact; an upside might be the potential to create new wilderness orientated businesses, etc. He doesn't see it as a threat to anyone.

Spring Basin Wilderness south of Clarno and Badlands outside of Bend are two areas that have been successfully converted. Spring Basin involved some land exchanges with local landowners which can be time consuming and expensive. In general the landowners are happy with the outcomes; however because it is still ongoing for them because they've done land exchanges they are probably frustrated.

Fire and emergency service access is a concern of the County. There are only two public accesses to the John Day River in Sherman County. BLM would still manage the area.

The Court concluded that there doesn't appear to be a downside to the proposal given the information they received today, and a big upside would be the fly over zone regulation. They feel that it is important to bring the landowners together to hear the details of the proposal so they can ask questions or voice concerns. Late January or early February was suggested to hold a couple of public information gathering sessions, possibly at the Senior Center. Ben will contact landowners before the meetings to let them know about his organization's proposal and upcoming meetings. He was told he can get landowner contact information from the Assessor's Office.

1.4 Milt Ketchum, DiLoreto – Ketchum Enterprises/DiLoreto Architecture – Wasco Annex Roof

Milt Ketchum, Chris DiLoreto and Roger Whitley present. Milt reported that it was difficult to make a recommendation from the quotes received because of all of the variables involved in roofing projects. He had Chris DiLoreto look at the project with him and they feel that the existing roof is in fairly good shape. Milt said the Court needs to determine the short and long term plans, needs and usage for the building before they consider putting a large sum of money into a roof. He said that there are sizable challenges in upgrading the building. Once you start using an old building for anything other than its original purpose it is required that the building be brought up to the most recent building codes, including seismic upgrades.

A much less expensive roof could be applied to the building that would be adequate for five to ten years while the County determines exactly what they want to do with the Wasco property. Commissioner Smith relayed that the Court's plan for the building was for the community to be able to use it as it now exists. Milt reiterated that once the building is being used for anything but its original purpose it is going to be very costly to upgrade the Old Wasco School. The County needs to develop a master plan for the building

It costs 15%-20% more to repurpose an old building than it does to tear one down and rebuild. He said that there is a movement now integrating commercial use with senior housing. This is an ideal location for senior housing, and office space, possibly a physical therapy center, gym, etc.

Chris DiLoreto told the Court that the building looks to be at the end of its useful life without considerable investment. The gym, however, still has more useful life.

Commissioner Smith said he liked the idea of a master plan and asked how what needs to be done to move forward. Chris and Milt said that the needs and wants of the community need to be determined through community input gathering meetings. The County needs to look at what they are currently spending on the building operations.

Milt said that a lot needs to be considered in doing the roof and he recommends a design bid process. He said that the existing roof has some exposure now, but if the County goes to building codes for permits it might open a can of worms. We might consider continuing patching it for the short term.

If the Court decides to go ahead with a re-roofing project they need to hire someone for the initial planning phase, prepare a design stating the general conditions, and limitations on the dollar amount. A basic roof could be installed for about \$30,000. DiLoreto could prepare drawing of the roof project for \$3,000 - \$5,000.

Consensus of the Court to move forward with the development of the proposal of the scope of the project.

1.5 Ron McDermid – Justice Court – Security Update

Ron provided an update on Region 4B-Central Oregon Court Security Systems. Project specifications recommended by the Oregon Judicial Department were released recently and members of the Sherman County Court Security Committee, as well as representatives from ASET will review the proposed improvements. A pre-bid meeting is scheduled for sometime after the first of the year.

Ron wants to know what level of participation the Court wants in terms of granting final approval of the project. Commissioner McCoy said that the Sherman County Court Security team should make recommendations to the County Court.

1.6 Executive Session in Accordance with ORS 192.660 (2) (h) Legal Rights and ORS 192.660 (2) (e) Property

Motion by Commissioner Smith, second by Commissioner McCoy, to go into Executive Session in accordance with ORS 192.660 (2) (e) Property and ORS 192.660 (2) (h) Legal Rights. Vote: unanimous (1:10 pm)

Out of Executive Session: 1:34 pm.

Motion by Commissioner McCoy, second by Commissioner Smith, to authorize the payment of \$61,339.55 to Pinnacle Public Finance to cover half of Wheeler County's 2013 payment for Motorola Digital Switching Equipment. Vote: unanimous.

2.0 ACTION ITEMS

2.1 Donation Request: Vietnam Veterans Memorial Highway Committee

Motion by Commissioner Smith, second by Commissioner McCoy, to approve a donation in the amount of \$1,000 to Vietnam Veterans of America Oregon

State Council in support of the Vietnam Veterans Memorial Highway signage project and request a sign within the borders of Sherman County. Vote: unanimous.

2.2 Courthouse Grounds Landscape Design Proposal

The Court reviewed the plans for courthouse landscaping and discussed the tree removal project.

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Courthouse landscape plan as proposed by F. L. I. Landscape. Vote: unanimous.

Motion by Commissioner McCoy, second by Commissioner Smith, to authorize the expenditure of up to \$3,379 for plant material and mulch for the Courthouse grounds. Vote: unanimous.

Motion by Commissioner Smith, second by Commissioner McCoy, to authorize the expenditure of up to \$4,635 for labor costs to install plant material and mulch for the Courthouse landscape plan as proposed by F. L. I. Landscape. Vote: unanimous.

2.3 Declare as Surplus: 1996 Brother Intellifax 1270

Motion by Commissioner Smith, second by Commissioner McCoy, to declare as surplus one 1996 Brother Intellifax 1270. Vote: Unanimous.

This fax machine will be donated to Little Wheats Daycare.

2.4 Request to do a rework of the equipment on the Moro grain elevator.

Commissioner Smith requested that the Court authorize up to \$3,500 to move the equipment off of the Moro grain elevator and place it at the fairgrounds as planned. This will be done as soon as weather permits.

Motion by Commissioner Smith, second by Judge Thompson, to authorize the expenditure of up to \$3,500 to move wireless internet equipment from Moro grain elevator to the fairgrounds. Vote: Unanimous

2.5 AOC Oregon County Leadership Institute

Both Commissioner Smith and Judge Thompson would like to attend the Oregon County Leadership Institute sponsored by AOC. This is eight one-day leadership sessions beginning January 2014 and ending in October.

Motion by Commissioner McCoy, second by Commissioner Smith, to authorize expenditure of \$3,900 to cover tuition at the Oregon County Leadership Institute for Commissioner Smith and Judge Thompson. Vote: unanimous.

3.0 DISCUSSION ITEMS

3.1 Letter of Concern: Rural Technology Group Customer Service

Reviewed a letter from Brett and Trena Gray concerning some issues they have experienced with RTG. One being the slowness of their internet and another being the lack professional customer service. Commissioner Smith said that there have been some problems in the north end of the county and they are trying to find stronger access points for a number of customers. He also said that he talked to Dan Devlin about the complaints from customers, telling him that it reflects badly on the County and need to be resolved. RTG has hired a new technician who is working out well. Commissioner Smith will contact Brett and Trena Gray.

3.2 Sherman County Wireless Internet Subscriber Stats

Reviewed.

3.3 Early Learning Hub – Update

No update. Melva was contacted by the state offering to assist Amber and Molly in completing the application for the next round coming up in March.

3.3 Safety Committee Recommendation Re: Fairgrounds Grandstands.

The Court agreed to have a structural engineer inspect the grandstands. Melva will contact Mark Seder about getting structural engineer to look at the structure. The cost of this will come out of the Fairgrounds Building Reserve Fund.

3.5 Commissioner Reports

McCoy – Emergency NORCOR meeting regarding property.

Smith – Commented that the sessions he attended at the AOC conference were very informative. Mid Columbia Community Action Council will be in Sherman County signing people up for heating assistance.

Thompson – Attended AOC conference. Monday he will accompany five Sherman High School students to the Oregon Business Summit in Portland. Will meet with the Navy concerning flyover zone on December 13th. Will meet with CREA the same day to discuss the possibility of reducing lighting on the wind turbines in Sherman County.

4.0 CONSENT AGENDA

4.1 Minutes of November 6, 2013

4.2 Claims – November

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the claims for November 2013. Vote: unanimous.

4.3 Revenue/Expenditure Summary - October

4.4 Treasurer's Report – October

Motion by Commissioner Smith, second by Commissioner McCoy, to approve the Minutes of November 6, 2013, Revenue/Expenditure Summary for September and Treasurer's Report for October as presented. Vote: unanimous.

5.0 FUTURE AGENDA ITEMS:

THERE BEING NO FURTHER MATTERS AT ISSUE, COURT WAS ADJOURNED AT 2:27 pm

ATTEST: Rita Wilson
Rita Wilson, Deputy Clerk

Gary Thompson
Gary Thompson, Sherman County Judge

Tom McCoy
Tom McCoy, Sherman County Commissioner

Mike Smith
Mike Smith, Sherman County Commissioner