



## **Court Agenda**

**August 1, 2018**

### **1.0 Appointment Schedule**

- 1.1 9:00 a.m. Hayli Sharp, North Central Public Health District/Tri –County Tobacco Prevention; Amy Asher, Prevention – Tobacco Retail Assessment Update and Work Plan
- 1.2 9:30 a.m. Gavenn Lohrey – Boy Scout – Eagle Project Proposal
- 1.3 10:00 a.m. Mark Coles – Road Department – Speed Zone Investigation: Scott Canyon & Hilderbrand Lane
- 1.4 10:30 a.m. Ron McDermid – Steering Committee – Courthouse Facility & Dedication Update
- 1.5 11:00 a.m. Executive Session in accordance with ORS 192.660 (2) (f) Exempt Documents
- 1.6 1:00 p.m. Dan Bubb – GorgeNet – Sherman County Fiber Project
- 1.7 2:40 p.m. Executive Session in accordance with ORS 192.660 (2) (f) Exempt Documents

### **Additions to Agenda**

#### **2.0 Action Items**

- 2.1 USDA APHIS Wildlife Services Work And Financial Plan
- 2.2 Appointment: Sherman County Ambulance Board – Rick Whitaker, Carl Langston
- 2.3 Community Transit Written Quarterly Report

#### **3.0 Discussion Items**

- 3.1 Hemp Facility Name Clarification – Evergreen Holdings, LLC
- 3.2 Biggs Service District Loan Documents
- 3.3 Asher Subdivision Lots
- 3.4 Wireless System Upgrades Outside of Fiber Areas
- 3.5 Prevention Written Quarterly Report
- 3.6 Justice Court Written Quarterly Report
- 3.7 Commissioner Reports

**4.0 Consent Agenda**

4.1 Broadband Joint Work Session Minutes 6/27/18

4.2 Claims – July 2018

**5.0 Future Agenda Items**



**SHERMAN COUNTY COURT  
REGULAR SESSION  
SHERMAN COUNTY HEARINGS ROOM**

**MINUTES**

**AUGUST 1, 2018**

**Opened Court: 9:01 a.m.**

Present: Judge Gary Thompson, Commissioner Tom McCoy, Commissioner Joe Dabulskis, Administrative Assistant Kayla von Borstel

A quorum was present. No news media was present.

**Additions to Agenda**

3.8 Representative for Senior Advisory Council (SAC)

**1.0 Appointment Schedule**

**1.1 9:00 a.m. Hayli Sharp, North Central Public Health District/ Tri-County Tobacco Prevention; Amy Asher, Prevention – Tobacco Retail Assessment Update and Work Plan**

Present: Hayli Sharp, Amy Asher, Brad Lohrey, Gaveen Lohrey, Summer Youth Crew

Hayli Sharp, North Central Public Health District/Tri-County Tobacco Prevention, gave an update of her program which is very policy focused around reducing tobacco use, especially in youth. Hayli and Amy Asher, Sherman County Prevention, performed a tobacco retail assessment in the area, as Oregon does not have retail tobacco licensing or inspections. She collaborated with Amy as part of the assessment was centered on alcohol; Amy's program focuses on all substance use, while Hayli's program is tobacco only. They collected data on where products were being sold (type of store), what type of promotions were seen (price, targeted brand, flavored versus non flavored, placement of promotion), and displays/availability of products (placed at youth eye level, next to child toys, open display versus locked display.) Flavored tobaccos have become more abundant over the years as markets seek the younger generations. Data showed Marlboro was the cheapest with the most price promotions and advertising. Circle K, located in Biggs Service District, had their tobacco promotions placed in the front of the store, as well as, in the back with the alcohol; this is not typically seen. "Juul" is flavored tobacco for use with electronic tobacco devices. Each Juul pod can hold the amount of nicotine found in two packs of cigarettes. Hayli stated Juul used to be only available for purchase online, and the individual had to be 21 or over to sign for the product. While conducting the assessment, Juul was found in Circle K, and was cheaper than purchasing online. Pilot sold a similar brand in their store, while the stores in Wasco, Moro, and Grass Valley did not. Juuling devices look like USB drives, and are hard to distinguish between a nicotine device, and a real USB drive. Hayli stated these devices have been found in the neighboring Counties' schools, and will soon make its way to Sherman County. She sent a letter to the schools to be watchful for these devices. Amy provided one for the Court to look at. There is a misconception that Juuling is

“clean tobacco”. Additionally these devices can be adapted to add THC drops as well. In regards to alcohol, the assessment showed it was not as heavily advertised as they thought it would be. Brief discussion held on third hand smoking, which is residual chemicals left behind on clothes, curtains, etc. and its effects on young children. Hayli and Amy will also help promote the Clean Air Act with businesses and other family friendly establishments as part of their programs.

**1.2 9:30 a.m. Gavenn Lohrey – Boy Scout – Eagle Scout Project Proposal**

Present: Brad Lohrey, Gavenn Lohrey, Summer Youth Crew

Gavenn Lohrey, Community Member, presented his project plan to the Court for approval as he is currently pursuing to become an Eagle in Boy Scouts. Gavenn would like to place clear address markers to be visible from the main road on all the houses that do not have them in Sherman County, so law enforcement and Emergency Services can respond efficiently and effectively during an emergency. Moro Fire Department will supply the numbers, and Gavenn, along with five other Boy Scouts, will install them for each house. To become an Eagle, a Boy Scout must spend many hours, and years, performing Community Service projects. When starting out in the program the individual has no title, and must earn them starting with Scout, and then moving to Tenderfoot, Second class, First class, Star, Life and lastly Eagle; only five percent of Boy Scouts make it to Eagle. This project will complete his requirements to become an Eagle. Before the project can be started, Gavenn needs Court and Scout Board approval. Court approved of the project plan, and asked for an update after the project was complete.

**Motion by Commissioner McCoy, second by Judge Thompson, to approve Gavenn Lohrey’s project as presented to install clear address markers on houses making them visible from the street as part of his Eagle Scout Program.**

**Vote: 2-0**

**Yes: McCoy, Thompson**

**No: 0**

**Abstain: 0**

**1.3 10:00 a.m. Mark Coles – Road Department – Speed Zone Investigation: Scott Canyon & Hilderbrand Lane**

Present: Mark Coles

Kayla von Borstel, Administrative Assistant, asked Mark Coles, Road Department to provide her with Exhibit A as requested by County Counsel for the Finnegan Creek Bridge contract.

Mark spoke to the Court on speed zone investigations for Scott Canyon, and Hilderbrand Lane. Mark submitted one for Hilderbrand Lane; however it didn’t have a high enough traffic count. During this time, Oregon Department of Transportation found a speed zone investigation for the City of Wasco that was already completed in 2005 for Hilderbrand Lane; Mark believed the reason he never saw paperwork was due to the jurisdiction labeled as City of Wasco, and not Sherman County. Mark was unsure as to why the investigation was never acted on, and he was ready for Court approval to move forward. The speed zone investigation for Scott Canyon, has Scott Canyon coming into Clark Street with a suggested reduction from 50mph to 40mph.

**Motion by Commissioner McCoy, second by Judge Thompson, approve the speed zone order #J7742 for Hilderbrand Lane and the speed zone study #8274 for Scott Canyon/Clark Street.**

**Vote: 2-0**

**Yes: McCoy, Thompson**

**No: 0**

**Abstain: 0**

Brief discussion held on the Federal Lands Access Program (FLAAP) grant.

**1.4 10:30 a.m. Ron McDermid – Steering Committee – Courthouse Facility & Dedication Update**

Present: Ron McDermid

Ron McDermid, Steering Committee, gave an update on the Courthouse Facility. The project was on the final two weeks before the finish, turf had been laid, and the Commissioner Meeting Room would possibly be ready for the next Court session. The turf should have been laid two weeks prior; however due to the fires, there was no water available to establish it. Punch list items were being corrected, and a heating, ventilation, and air conditioning system (HVAC) will be put in the storage building; to keep regulated temperature for documents. An item to be worked on after the Courthouse is finished will be to install better lighting for the North East parking lot by an independent contractor. The Courthouse Addition and Renovation will come within the budget of \$9.3 million, and has a one year warranty.

Ron and Kayla von Borstel, Administrative Assistant, have been working on the Courthouse Dedication. He anticipates a quick ceremony, and has planned for a canopy in case of any adverse weather. Justice Court staff will be creating the ceremony program.

**1.5 11:00 a.m. Executive Session in accordance with ORS 192.660 (2) (f) Exempt Documents**

Present: Debbie Hayden, Ron McDermid, Red Hawk

**Motion by Commissioner McCoy, second by Judge Thompson, to enter into Executive Session in Accordance with ORS 192.660 (2) (f) Exempt Public Records.**

**Vote: 2-0**

**Yes: McCoy, Thompson**

**No: 0**

**Abstain: 0**

Entered Executive Session: 11:00 a.m.

Review of the Red Hawk internet security report.

Exited Executive Session: 12:00 p.m.

**1.6 1: 00 p.m. Dan Bubb – Gorge Net – Sherman County Fiber Project**

Present: Carrie Pipinich, Dan Bubb, Mike Smith

Dan Bubb, Gorge Net, stated he reached out to each City, as each City Council had voted to support the project, and gave a sense of urgency to start the project. Gorge Net has a self-imposed deadline to stop construction when winter conditions start, due to inefficiency. He's reached out to Cities for legal and local points of contact, to authorize the head in and basic conduit to the Cities. There will be a need for local resources in each City, such as a place to dump debris and store equipment. Currently they were moving forward with preliminary work in Moro; the number one item needed would be contracts, as they were starting without one, and with no financial commitment from the County or Cities. The construction contract should outline milestones and deliverables from each party, for delivery of a fiber system and financial obligations. Dan would like to have his attorney partner with the County's attorney and City representatives, to create a base agreement for Moro that could be used for each City after that. Commissioner McCoy stated an operating agreement should be put in

place that includes pricing, what happens if the project fails, system ownership, etc. Carrie Pipinich, Mid-Columbia Economic Development District, mentioned an agreement needed to be done with Biggs Service District (BSD) as well. Dan wanted the agreements completed to approve at the next Court Session if possible; Kayla von Borstel, Administrative Assistant, will set up a meeting with the attorneys and representatives from all parties involved.

Brief discussion held on the Regional Infrastructure grant for the Fiber to the Home Project, and the how much the expense gap would be if the grant wasn't received. Court asked Mike Smith, Frontier TeleNet, if the County had access to fiber in BSD; Mike answered no, but Windwave will lay fiber tubes over Zayo fiber. Gorge Net has an interim solution as they have a tower on Stacker, and currently provides service to an Oregon Department of Transportation site in BSD. County Court asked Dan if Gorge Net was going to run cables through the towns, and then figure out which houses want to be hooked up. Dan responded yes, and the County has access to a few strands of fiber that connects each city. Gorge Net will build the distribution system; there will be a fiber head in that lights the fiber in that community, and then there will be multi-service terminals where each port can plug a fiber in and be ran to a house. The ports will be installed on poles and if no poles are available, they will be installed underground; these will be ready to plug in as new customers sign up in the future. Dan stated the Request for Proposal stated "within the city limits", however, it's in Gorge Net's best interest to hook up customers on city limit fringes and beyond through wireless in the future as well. There has been previous discussion on how to update the wireless system County-wide.

Brief discussion held on telephone and TV services.

1.7 2:40 p.m. Executive Session in accordance with ORS 192.660 (2) (f) Exempt Documents

**Motion by Judge Thompson to enter into Executive Session in Accordance with ORS 192.660 (2) (f) Exempt Public Records.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

Entered Executive Session: 2:40 p.m.

Court reviewed the County Counsel Request for Proposal Submissions.

Exited Executive Session: 2:53 p.m.

County Court concluded to set up interviews with each firm after August 15<sup>th</sup>, 2018.

## **2.0 Action Items**

### **2.1 USDA APHIS Wildlife Services Work And Financial Plan**

Funding has already been set in the budget for a Wildlife Services Trapper; Court consensus to continue with Wildlife Services through APHIS for the 2018-2019 year unless otherwise noted.

### **2.2 Appointment: Sherman County Ambulance Board – Rick Whitaker, Carl Langston**

**Motion by Commissioner McCoy, second by Judge Thompson, appoint Rick Whitaker to replace Joseph Belshe as Position 3 Training Officer, and to finish out the remainder of the term to expire**

**December 31, 2019, and appoint Carl Langston to replace Julia Belshe as Position 2 Vice Chair, to the Sherman County Ambulance Service Board to finish out the remainder of the term to expire December 31, 2018.**

**Vote: 2-0**

**Yes: McCoy, Thompson**

**No: 0**

**Abstain: 0**

### **2.3 Community Transit Written Quarterly Report**

**Motion by Commissioner McCoy, second by Judge Thompson, to approve the Transit Periodic Report as presented.**

**Vote: 2-0**

**Yes: McCoy, Thompson**

**No: 0**

**Abstain: 0**

### **3.0 Discussion Items**

#### **3.1 Hemp Facility Name Clarification – Evergreen Holdings, LLC**

There are several entities involved within the Hemp facility in Grass Valley, and information was provided to the Court to clarify which entity was in charge of what aspect of the business. Evergreen State Holdings, LLC is the manufacturing company; GV Farm Services, LLC (replaces the name Aurora Gardens) is the farming company; and GV Property Development, LLC is the company who owns the facility at 212 NE North St., and is also responsible for opening the Grass Valley County Market.

#### **3.2 Biggs Service District Loan Documents**

Sherman County will be loaning Biggs Service District (BSD) interim financing for the Water Systems project. Carrie Pipinich, Mid-Columbia Economic Development District, presented a draft loan document of the interim financing for the Court for review. Once the project is closed out, the bonds issued by United States Department of Agriculture (USDA), and funds come into BSD, BSD will then be required to repay the County. The loan was set at a 4.1% interest rate as requested by the County. Court asked how much of the funds would be designated as grant, and how much would be considered a loan. Carrie responded that number is unknown until the financing was approved by USDA; she is hoping to have everything resubmitted at the beginning of the federal fiscal year. Court told Carrie to take the next step by reviewing the document with County and Bond Counsel.

Recessed: 2:00 p.m.

Reconvened: 2:40 p.m.

#### **3.3 Asher Subdivision Lots**

County Court has surplused the County owned lots in the Asher Subdivision, and has sold one lot for \$34,200; lot value was given by a realtor. It was brought to the Court's attention the County set a selling price below other listings, creating competition. County Court concluded to advertise the lots for sale with price based off market value and to be negotiated by the County Judge.

#### **3.4 Wireless System Upgrades Outside of Fiber Areas**

Mike Smith, Frontier TeleNet, submitted a memo bringing to the Courts attention that homes outside of the Cities would not benefit from the Gorge Net Fiber to the Home project. The wireless system is old, and a newer version would have the ability to provide more bandwidth, while allowing for multiple providers. A rough estimate was set for \$75,000 for Day Wireless to provide the work. Mike asked Court if this was something they would support and fund. Commissioner McCoy stated that if funds were being given to the Cities to upgrade to fiber, it did not seem outlandish to provide funding to help the rural residents; however, the question arose would the County be responsible for maintaining the rural broadband system. FTN should be providing some funding however that is not feasible due to e-rate dollars yet to be received. Judge Thompson reported the rural wireless system was set up separately from FTN; the County owned the system, and then gave it to FTN. Commissioner McCoy stated for the record that he would have a possible conflict of interest as he is a rural wireless user. The County was interested in looking at the system and obtaining a quote from Day Wireless for the upgrade. They would also like Mike to submit a FTN business plan.

### **3.5 Prevention Written Quarterly Report**

County Court accepted the written report.

### **3.6 Justice Court Written Quarterly Report**

County Court accepted the written report.

### **3.7 Commissioner Reports**

Judge Thompson – Attended National Association of Counties Convention; two post Substation Fire meetings; had Kayla von Borstel, Administrative Assistant, publish a Community thank you for fire agency collaboration; working on fire management assistant grant money.

Commissioner McCoy – Attended NORCOR meeting on hiring an Administrator; Mid-Columbia Community Action Council; Tri-County Court; two Substation fire meetings; Governors Council Economic Advisors.

### **3.8 Representative for Senior Advisory Council (SAC)**

The Senior Advisory Council is looking for someone to take the place of Sharon Chard and represent Sherman County on the Council. Commissioner McCoy would like the County Court to brainstorm on who could be asked to join.

### **4.0 Consent Agenda**

#### **4.1 Broadband Joint Work Session Minutes 6/27/18**

**Motion by Commissioner McCoy, second by Judge Thompson, to approve the Broadband Joint Work Session minutes of June 27, 2018, as corrected.**

**Vote: 2-0**

**Yes: McCoy, Thompson**

**No: 0**

**Abstain: 0**

#### **4.2 Claims – July 2018**



**Motion by Judge Thompson, second by Commissioner McCoy, to approve the Claims for the month of July 2018 as presented.**

**Vote: 2-0**

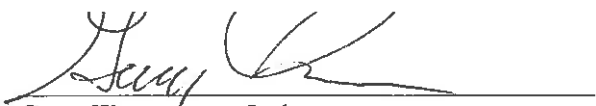
**Yes: McCoy, Thompson**

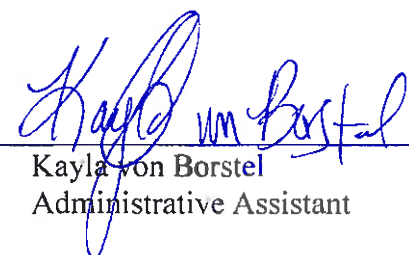
**No: 0**

**Abstain: 0**

Being no further business before the Court, the meeting was adjourned at 2:55 p.m.

**Sherman County Court**

  
Gary Thompson, Judge

Attest:   
Kayla von Borstel  
Administrative Assistant

  
Tom McCoy, Commissioner

  
Joe Dabulskis, Commissioner