



## Court Agenda

August 15, 2018

### Additions to Agenda

- 2.3 Sherman County Coordinated Transportation Plan
- 3.3 E-News Frontier TeleNet Editorial

### 1.0 Appointment Schedule

- 1.1 9:00 a.m. Ron McDermid – Steering Committee – Courthouse Project Update
- 1.2 9:30 a.m. Bryan Hunt – Veterans Officer – Northern Oregon Regional Corrections Contact & Veterans
- 1.3 9:45 a.m. Rod Asher – Weed District – Vehicle Purchase Approval; Emergency Weed Control Funding on Deschutes Burned Land
- 1.4 10:00 a.m. Carrie Pipinich – Mid-Columbia Economic Development District – Fiber Next Steps
- 1.5 10:45 a.m. Mark Coles – Road Department – MORE Agreement: Interagency Agreement
- 1.6 11:00 a.m. Executive Session in accordance with ORS 192.660 (2) (e) Real Property Transactions

### 2.0 Action Items

- 2.1 Appointment: Senior Advisory Council (SAC) – Mike McArthur
- 2.2 Eastern Oregon Counties Association (EOCA) 2017-2018 Residual Expenses
- 2.3 Sherman County Coordinated Transportation Plan

### 3.0 Discussion Items

- 3.1 Wildlife Damage and Pest Control Proposal
- 3.2 Building Codes
- 3.3 E-News Frontier TeleNet Editorial
- 3.4 Commissioner Reports

### 4.0 Consent Agenda:

- 4.1 Special Session Minutes of 7/10/18
- 4.2 Revenue/Expenditure Summary – July 2018
- 4.3 ~~Treasurer's Report – July 2018~~

**5.0 Future Agenda Items:**



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

**MINUTES**

**AUGUST 15, 2018**

**Opened Court: 9:02 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**

- 2.3 Sherman County Coordinated Transportation Plan
- 3.3 E-News Frontier TeleNet Editorial

**1.0 Appointment Schedule**

**1.1 9:00 a.m. Ron McDermid – Steering Committee – Courthouse Project Update**

Present: Ron McDermid

Ron McDermid, Steering Committee, gave a Courthouse Project update. The project will be coming in under the \$9.3 million County budget. The majority of funds were provided by the County, however there was \$100,000 awarded outside the County, from the Energy Trust of Oregon and Court Security dedicated funds. The hope will be to have \$10,000 – \$100,000 remaining from allocation after project completion. Installing the new Weed District shop, as it had become displaced, took \$400,000-\$500,000 that wasn't originally part of the budget. The storage shed will also be remodeled to allow sufficient room to store documents, and extra items, with a heating and cooling system, including a workshop for the County Custodian. Carpet work had not yet been completed, and one of the drinking fountains still needed work. The sod turned out great despite the concerns on the delay due to the fires. The general mail drop box and ballot box have been nice additions to the facility; the drop box is checked every morning.

Courthouse dedication was previously set for September 7<sup>th</sup>, 2018. No ribbon cutting will be done as the building has been in use for many months. Pamphlets were being made with the agenda by Justice Court staff to include Courthouse history, description of project and its features such as the cupola, solar panels, link, lightening protection, fire suppression system in vaults, and listed acknowledgment to all parties involved with the project. Throughout this project the County achieved the path to net zero energy efficiency standard, which means the project included enough environmentally conscious elements. The installation of the dual function elevator versus two separate elevators, saved \$0.5 million.

Ron presented a resolution to dedicate the Courthouse facility to the people of Sherman County honoring those who preceded us taking great care of the facility never letting it go into disrepair, and to inspire future generations.

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve the resolution in the matter of dedicating the Sherman County Courthouse Facility to the community on September 7, 2018 in honor of those who have preceded us and to inspire future generations and authorize County Court to sign.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**1.2 9:30 a.m. Bryan Hunt – Veterans Officer – Northern Oregon Regional Corrections Contact & Veterans**

Present: Mike Smith, Seth von Borstel, Bryan Hunt, Daniel Son, Rod Asher

Bryan Hunt, Veterans Officer, spoke with the Court on his difficulty reaching someone at Northern Oregon Regional Correctional (NORCOR) facility. Bryan has emailed the NORCOR Administrator, multiple times and has not received a response. Bryan would like to spend time doing outreach from our County within the NORCOR facility, and to see what he can do for the inmates that are veterans. It was mentioned inmates are listed on the NORCOR website, however it does not state if they were in the military. He would like their intake form to add that option of marking if they have been in the service. It was suggested Bryan speak with Sheriff Lohrey on the intake process. Wasco County does not have much for Veteran's outreach; Judge Thompson believed it would be a good idea for Bryan to reach out to all Veteran's, not just those who belong to Sherman County. It was suggested he speak with Sheriff Lohrey on the intake process, try contacting NORCOR again to see how Bryan can fit into the programs already being implemented as he needs to provide services, and to request to be on the next NORCOR agenda.

Bryan stated he has an overabundance of funds from last year; the State of Oregon gave more funds this year, and he has to figure out how to spend it as to not return it to the State.

Brief discussion held on how to get the information out and finding Veteran's as well as Court meeting in Compensation Board for the Veteran's Officer on September 15<sup>th</sup>, 2018.

**1.3 9:45 a.m. Rod Asher – Weed District – Vehicle Purchase Approval; Emergency Weed Control Funding on Deschutes Burned Land**

Present: Rod Asher, Daniel Son, Mike Smith, Seth von Borstel, Carrie Pipinich

Rod Asher, Weed District, spoke to the Court on his concerns that the Substation fire burned the Lower Deschutes, and with how aggressive weeds are reemerging. Currently, Daniel (Dan) Son has been working with a group on the Lower Deschutes project using grant funds which has gained multiple partners over the years. Due to the devastation of the fire, Rod was in need of extra employees for a ten week period, to help with weed control on the Lower Deschutes. Oregon Department of Fish and Wildlife, and Bureau of Land Management, own a significant amount of land in that area, and plan to areal broadcast this fall to help prevent the return of Cheatgrass and Medusahead Rye.

Rod was seeking an emergency request for approval from one to three additional employees; if three were hired, it would cost the County \$21,000, which would make a crew of six. Rod presented pictures of weeds returning

two weeks after the fire on the Lower Deschutes. Many skeletonweed and rosettes are reemerging and flowering in the burned area of the riparian zone. Rod will focus on the Rufus fire area in the winter. County Court asked Rod for a report again on documentation that the Lower Deschutes Weed Program has been successful on the area after many years of treatment; Rod will present a report in the fall.

Discussion held on obtaining a warrant for entry after denial of access on property.

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve hiring an additional three seasonal employees to work from September 4, 2018-November 9, 2018 in the amount of \$21,000 to assist the Weed District in controlling noxious weeds on the Lower Deschutes due to regrowth post wildfire.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

#### **1.4 10:00 a.m. Carrie Pipinich – Mid-Columbia Economic Development District – Fiber Next Steps**

Present: Mike Smith, Seth von Borstel, Carrie Pipinich

Carrie Pipinich, Mid-Columbia Economic Development District, gave an update on the meeting held the week prior with the attorneys, Gorge Net, County, and the Cities representative on the Fiber project next steps. The meeting primarily focused on creating construction and operating agreements with Gorge Net, County, Cities, and Biggs Service District. These agreements will detail out such things as expectation from the Cities, space for equipment, and operations. Dan Bubb, Gorge Net, and his attorney, will be providing the operating agreement for review, while County Counsel provides the construction agreement, and the Cities agreements with the County for financing, as the County will be the fiscal agent. The Cities are required to pay the County 10% of the total cost for their specific community as match funds to Gorge Net. County Court stated if the Regional Infrastructure grant is not awarded, the Cities will need to implement some sort of fee to help offset total costs. Seth von Borstel, Cities Representative, voiced some concerns on the County requiring Cities to pay back more than the 10% originally set if the grant doesn't come through; the Cities thought the County agreed to fill any expense gap which solidified all Cities joining the project. Commissioner McCoy respectfully disagreed and stated the County would get the project implemented as Gorge Net was ready to start, not to fully fund the project. Seth suggested the County and Cities need to figure out the financial pieces as he does not want a City to back out of the project now, due to unknowns and the inability to pay an amount they were not aware of. Kayla von Borstel, Administrative Assistant, will go back through minutes to clarify. Discussion was held on the Cities providing funds to help offset the cost only if funds come back to the Cities from Gorge Net if Gorge Net reaches their 70% threshold rate.

Gorge Net has started construction in Moro in good faith until the contracts can be completed; once Moro is completed they will work on Grass Valley until the construction window closes for the year. Gorge Net presumes it will cost \$40,000 upfront to get started and purchase equipment for Moro and Grass Valley. The County will be billed by per community system completed. A conflict of interest will also need to be signed as Counsel represents two of the Cities and the County as well.

#### **1.5 10:45 a.m. Mark Coles – Road Department – MORE Agreement: Interagency Agreement**

Present: Mark Coles

Mark Coles, Road Department, spoke to the Court on the MORE (Managing Oregon Resources Efficiently) Agreement which is the ability under statutes and ORS for interagencies to share man power, equipment,

material, knowledge, etc. legally, and allows interagencies to come up with a price or the ability to deny a request. The agreement gives the County more flexibility gaining help from others, which will be needed on the Helm Springs project as it is something new being tried in the County. County Court asked if this is something that can be used for the Federal Lands Access Program (FLAP) grant; Mark responded he believed so.

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the MORE (Managing Oregon Resources Efficiently) Intergovernmental Agreement between Sherman County Road Department and 68 total agencies for resources and services, pending legal counsel approval, and authorize County Court to sign.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**1.6 11:00 a.m. Executive Session in accordance with ORS 192.660 (2) (e) Real Property Transactions**

**Motion by Judge Thompson to enter into Executive Session in Accordance with ORS 192.660 (2) (e) Real Property Negotiations.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

Entered Executive Session: 11:03 a.m.

Discussion held on the Golden Hills SIP renegotiation.

Exited Executive Session: 11:28 a.m.

**2.0 Action Items**

**2.1 Appointment: Senior Advisory Council (SAC) – Mike McArthur**

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to appoint Mike McArthur to the Senior Advisory Council to fulfill the remaining term for Sharon Chard.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

**2.2 Eastern Oregon Counties Association (EOCA) 2017-2018 Residual Expenses**

**Motion by Commissioner Dabulskis, second by Commissioner McCoy, to approve payment of the residual expenses for 2017-2018 in the amount of \$244.14 for the Eastern Oregon Counties Association.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

### 2.3 Sherman County Coordinated Transportation Plan

County Court asked that Marnene Benson, Transportation Director, to come to the next meeting to give more detail on the Transportation Plan work to be completed Mid-Columbia Economic Development District.

### 3.0 Discussion Items

#### 3.1 Wildlife Damage and Pest Control Proposal

Bob Thomas, Wildlife Trapper, submitted a hiring proposal to the Court; Bob started the trapping program in Sherman many years ago. Currently, Wildlife Services through APHIS, does not have someone to replace Dean Dark's position in Sherman County. There are Federal and Department of Agriculture funds that go to Wildlife Services, which the County should be able to obtain for a private trapper. Brad Lohrey, Sheriff, is highly in favor of a Wildlife Services Program, as the County has had predator problems, and the Sheriff's Department relies on a Trapper to take care of issues with dogs within city limits. He believes the Cities should provide some funding for this position as they benefit greatly from trapper services. There was recently a case in Rufus where it was believed a horse was attacked by a cougar; the Sheriff's Department has no means to help this individual without the aid of a trapper. Commissioner McCoy inquired as to how much the County paid for APHIS services; Judge Thompson stated the newest APHIS contract said not to exceed \$79,000. Bob's proposal was within the same range, and he was asking for a five year contract for stability. Discussion held on what was included in his proposal: wages, equipment, etc. Bob has always worked for an agency in which all vehicles and equipment were provided; now working independently, he will need to purchase all these items which were once given. Discussion held on terms of contract years.

**Motion by Commissioner McCoy, second by Commissioner Dabulskis authorize to hire Bob Thomas as a contract employee to be the County Trapper, and authorize Judge Thompson to negotiate terms of a 5 year contract including a 1 year probationary period.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

Brad would like to see more over sight of the program along with communication in the future. He stated in the past it seems some communication had been lost between the Trapper and the County as far as what services the Trapper was actually providing. He stated there needed to be a point person the Trapper answers to, and to make sure work is being completed. A quarterly report may not be frequent enough to receive this information. Commissioner Dabulskis agreed to be the point person for the County Trapper.

Discussion held on acres burned by the fires thus far during summer 2018.

#### 3.2 Building Codes

The County needed to talk with the State, and let them know the County is out of options for Building Codes. Commissioner McCoy reached out to the State, however, the calls were never returned. Kayla von Borstel, Administrative Assistant, will write a letter to the State Building Codes Office stating Sherman County cannot solely take on building codes, there are no partners at this time to help, and the State will need to provide Building Codes services until further notice.

#### 3.3 E-News Editorial on Frontier TeleNet

Mike Smith, Frontier TeleNet (FTN), spoke to the Court about an E-News editorial that he stated was incorrect regarding FTN, the Cottonwood Canyon project, and a few other items. Mike came to answer any questions and clear up any misinformation; County Court was unaware of the article. Cottonwood Canyon State Park will not be ready by fire season, which Mike was disappointed in. The State gave \$375,000 in 2014, and the Park held onto the funds as it wasn't enough to build the project as originally planned based on a quote by Motorola; this quote only included Motorola's own expenses and nothing else, which was unknown at the time. Mike helped Parks approximately one year ago, and found partners to provide items like a hut, generator, and a tower, which unfortunately wasn't compatible. Landowner locations were then sought, permitting was in place, a taller tower was found out to be needed, and a bid was in place for tower construction. Working through some issues National Environmental Policy Act (NEPA) has slowed the process down. It was reported there were concerns on why there was talk about cell phones and internet, when that was not part of the charter; this happens to be what would help pay costs so the County and Fire Departments do not have to supply large amounts of money to cover expenses. The State has been working with a cell phone provider, and is excited to have cell phone service and internet at the Park.

### 3.4 Commissioner Reports

Commissioner Dabulskis – Attended no meetings due to wheat harvest.

Judge Thompson – Attended the Safety Committee; Senior Advisory Committee; Federal Energy Management Agency.

Commissioner McCoy– Attended Northern Oregon Regional Corrections interviews to hire an Administrator; Met with Barb Seater from North Central Public Health District; Gorge Net/Attorney Fiber Discussion; Community Renewable Energy Association.

### 4.0 Consent Agenda:

#### 4.1 Special Session Minutes of 7/10/18

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve Special Session minutes of July 10, 2018, as presented.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

#### 4.2 Revenue/Expenditure Summary – July 2018

**Motion by Commissioner McCoy, second by Commissioner Dabulskis, to approve the Revenue/Expenditure Summary for the month of July 2018, as presented.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Thompson**

**No: 0**

**Abstain: 0**

#### ~~4.3 Treasurer's Report July 2018~~

~~**Motion by \_\_\_\_\_, second by \_\_\_\_\_, to approve the Treasurer's Report for the month of July 2018, as presented.**~~

~~**Vote: 3-0**~~



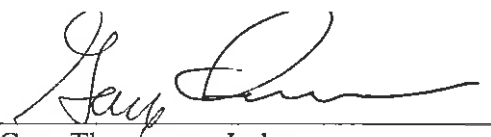
~~Yes: Dabulskis, McCoy, Thompson~~

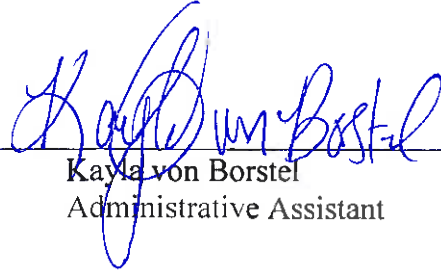
~~No: 0~~

~~Abstain: 0~~

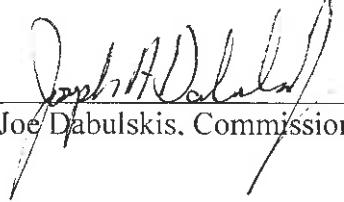
Being no further business before the Court, the meeting was adjourned at 11:56 a.m.

**Sherman County Court**

  
\_\_\_\_\_  
Gary Thompson, Judge

Attest:   
\_\_\_\_\_  
Kayla von Borstel  
Administrative Assistant

  
\_\_\_\_\_  
Tom McCoy, Commissioner

  
\_\_\_\_\_  
Joe Dabulskis, Commissioner