



Court Agenda

April 3, 2019

Additions to Agenda

- 2.2 Oregon State University (OSU) Technology Use Intergovernmental Agreement
- 2.3 Intergovernmental Agreement for Installation of Broadband Network & Grass Valley Broadband Operating Agreement
- 3.4 Ambulance Located on County Property

1.0 Appointment Schedule

- 1.1 9:00 a.m. Shawn Payne, Emergency Services – Quarterly Report, Valid Emergency Operations Plan Letter
- 1.2 9:15 a.m. Carrie Pipinich, Mid-Columbia Economic Development District – Quarterly Report
- 1.3 10:00 a.m. Jeff Wallace, Timmons Law: County Counsel – Rufus to Wasco Fiber Build, Biggs Service District Water/Sewer System, Frontier TeleNet Dark Fiber
- 1.4 10:30 a.m. Rod Asher, Weed District – Quarterly Report, Tour of Weed District

2.0 Action Items

- 2.1 Window Cleaning for Sherman County Courthouse, Senior Center, and Burnet Building
- 2.2 Oregon State University (OSU) Technology Use Intergovernmental Agreement
- 2.3 Intergovernmental Agreement for Installation of Broadband Network & Grass Valley Broadband Operating Agreement

3.0 Discussion Items

- 3.1 Commissioner Reports
- 3.2 Frontier TeleNet
- 3.3 Thank you to Sherman County Court – Don Hilderbrand
- 3.4 Ambulance Located on County Property

4.0 Consent Agenda:

- 4.1 Minutes of March 20, 2019
- 4.2 Claims – March 2019
- 4.3 Treasurer's Report – February 2019

5.0 Future Agenda Items



**SHERMAN COUNTY COURT
REGULAR SESSION
SHERMAN COUNTY COMMISSIONERS MEETING ROOM**

MINUTES

APRIL 3, 2019

Opened Court: 9:00 a.m.

Present: Judge Joe Dabulskis, Commissioner Tom McCoy, Commissioner Joan Bird, Administrative Assistant Kayla von Borstel

A quorum was present. No news media was present.

Additions to Agenda

- 2.2 Oregon State University (OSU) Technology Use Intergovernmental Agreement
- 2.3 Intergovernmental Agreement for Installation of Broadband Network & Grass Valley Broadband Operating Agreement
- 3.4 Ambulance Located on County Property

1.0 Appointment Schedule

- 1.1 9:00 a.m. **Shawn Payne, Emergency Services – Quarterly Report, Valid Emergency Operations Plan Letter**

Present: Aaron Cook

Shawn Payne, Emergency Services, was unable to attend Court as she was on an ambulance call. County Court accepted her written report/notes in place of her in person report due to the emergency. The Emergency Operations Plan was updated by Judge Dabulskis and Shawn the week prior, and a Promulgation Letter could now be signed. This letter stated the Court confirmed the Plan was up to date, and has been distributed to the Fire Districts.

Motion by Commissioner McCoy, second by Commissioner Bird, to recognize the Emergency Operations Plan updated as of April 3, 2019 as a valid plan, and authorize Judge Dabulskis to sign a Promulgation Letter to Andrew Phelps, Director of the Oregon Office of Emergency Management.

Vote: 3-0

Yes: Dabulskis, McCoy, Bird

No: 0

Abstain: 0

- 1.2 9:30 a.m. **Carrie Pipinich, Mid-Columbia Economic Development District – Quarterly Report**

Present: Aaron Cook, Carrie Pipinich

Carrie Pipinich, Mid-Columbia Economic Development District (MCEDD), reported that Gorge Net was supposed to have Grass Valley connected to fiber service in the next few weeks. There are a few minor details to finish including paperwork from Grass Valley sent to the County Court. As soon this paperwork is approved he could move forward on hooking up to dark fiber. Judge Dabulskis also noted at the next County Court session, the Court would be discussing the passing of a resolution for the Regional Infrastructure Fund (RIF) Agreement for the \$200,000 to put forth on the Sherman Cities Broadband Project.

Carrie met with the John Day River Territory (JDRT) on collaboration and future goals. Their RARE student focused on agri-tourism more on the east side, and she hopes to have a more formal update in next few months. Carrie participates in the JDRT on behalf of Sherman, and hopes to get a representative from Sherman to attend instead. Regarding housing programs, Marla Harvey, MCEDD, has been working on a marketing plan for the program, and has had some interest in both the rental and rehabilitation program.

Another Economic Opportunities Analysis meeting was held recently in which it was reported Rufus and Wasco land base was covered well; the consultant for Grass Valley excluded pieces that were in the flood plain for inventory purposes, which puts the City in a deficit for Commercial and Commercial Industrial Zoning. The Moro inventory had an appropriate amount of land, however, the Industrial Park by the High School may not be the most appropriate place for it, and may need to be rezoned. Commissioner Bird passed out copies of the Grass Valley Housing Analysis that was completed. It states there was enough residential land in Grass Valley to meet their needs. Some recommendations were to rezone some Residential Agriculture, to have a variety of eligible lot sizes - minimum size of one acre with no maximum listed, and to rezone the RV Park as Commercial as it is currently zoned Residential. Discussion on completing an analysis on each of the Cities.

1.3 ~~10:00 a.m.~~ 9:35 a.m. Jeff Wallace, Timmons Law: County Counsel – Rufus to Wasco Fiber Build, Biggs Service District Water/Sewer System, Frontier TeleNet Dark Fiber

Present: Aaron Cook, Jeff Wallace

Jeff Wallace, County Counsel, gave an update on drafting the fiber agreement; if Frontier TeleNet (FTN) does not want to pay for the 10 Gbps wave, the County could provide a document to FTN stating the County will make the payment to Windwave and it would then be clear that ownership of the capacity on the line between Wasco and Grass Valley belongs to Sherman County. County Counsel informed Commissioner Bird there was prior consensus for him to draft an agreement between all Counties and entities, to establish ownership of Sherman County's capacity on the fiber line that Sherman County paid to have built. Blake Lawrence, the manager of Windwave, volunteered to provide the County with that document instead. Commissioner McCoy does not believe FTN or any of its other member counties have any legal claim to ownership of the 10 Gbps wave, as FTN was only helping facilitate the management of building the line from Wasco to Grass Valley. County Counsel stated that once FTN relinquished the fiber lines, Windwave would come in and prepare the above document mentioned, and the County would accept it; Windwave agreed Sherman County owned the line. The County previously received a letter from Mike Smith, former FTN manager, asking the County to pay the \$42,000 for capacity, to which the County declined, as they felt FTN should have been able to market the line to cover this costs. County Counsel stated it may take a couple months to get everything in place; Judge Dabulskis reported he was working on setting up a work session with Windwave to get the process started, and a work session with Day Wireless was scheduled for tomorrow.

FTN has defaulted on an agreement with Sherman County to issue the Request for Proposal (RFP) for the new fiber line from Wasco to Rufus. The RFP was never released and Sherman County is now working to develop and issue this RFP.

County Counsel addressed the Biggs Service District Sewer and Water System Operating Agreements with CH2M Hill. He had not moved forward as he was awaiting information from Judge/Chairman Dabulskis on a potential lead with a local operator. Judge/Chairman Dabulskis reported the person was interested in the operator position, however more clarification was needed; Counsel responded the next step would be to make contact with CH2M Hill to see about negotiation on the contract.

County Counsel had not completed the Wasco to Rufus RFP at this time. Judge Dabulskis reported an extension on the contract for grant money through the State/Business Oregon was in progress. This job would need to be completed by the end of October or November, and he reiterated this was first priority.

The possibility of the Intergovernmental Agreement for Installation of Broadband Network & Grass Valley Broadband Operating Agreement of arriving during the Court Session to be approved was mentioned, however, it was not addressed as an addition to the agenda at the beginning of County Court. Counsel advised the Court they may announce the addition of the item by name and time of the addition in order to take action later on; County Court should also announce the same addition to the agenda statement at the beginning of the following Court meeting on April 17, 2019 that was announced during the current session, April 3, 2019. Judge Dabulskis stated a possible addition to the agenda, 2.3, for the Intergovernmental Agreement for Installation of Broadband Network & Grass Valley Broadband Operating Agreement took place at 9:58 a.m. on April 3, 2019 as the County Court was not aware of the document submission until after the Court Session had started; County Court was in the process of still receiving all documentation.

Recessed County Court: 10:26 a.m.

Reconvened at Sherman County Weed Department: 10:32 a.m.

1.4 10:30 a.m. Rod Asher, Weed District – Quarterly Report, Tour of Weed District

Present: Rod Asher

County Court met at the Sherman County Weed District to tour the facility, and to hear a quarterly report from Rod Asher, Weed District. Rod reported weed control starts about mid to late spring every year, and the requests for work done has increased over the years to keeping them busy well into the fall. This year the late snow fall has put them behind schedule. They have been working weekends when the weather cooperates to catch up. Rod currently has eight employees who work at the District including seasonal employees. A map was shown with data by weed type, including skeleton weed, over the last two years. Blackberry bushes are very invasive and the crew has been working to clear out large patches to increase water flow in those areas. Rod has been working on better documentation of work done in the Lower Deschutes area that they have been treating for many years to prove that work done is still effective as the Court has requested a report/documentation. Commissioner McCoy would like to see aerial spraying occur as he does not believe individuals with backpack sprayers will be effective overtime; Rod disagrees as there are many small isolated areas that would be impossible to treat with a plane. Brief discussion on weeds coming back after the fire last summer.

Recessed at Weed Department: 11:00 a.m.

Reconvened County Court: 11:22 a.m.

2.0 Action Items

2.1 Window Cleaning for Sherman County Courthouse, Senior Center, and Burnet Building

Motion by Commissioner McCoy, second by Commissioner Bird, to approve Torres Window Cleaning to perform window cleaning services to the Sherman County Courthouse, Sherman County Senior Center, and Steve Burnet Extension and Research Building in the amount up to \$3,150, contingent upon window replacement at the Burnet Building.

Vote: 3-0

Yes: Dabulskis, McCoy, Bird

No: 0

Abstain: 0

2.2 Oregon State University (OSU) Technology Use Intergovernmental Agreement

Motion by Commissioner Bird, second by Commissioner McCoy, to approve the Intergovernmental Agreement between Sherman County and Oregon State University (OSU), for its Extension Service Technically Use Agreement, and authorize Judge Dabulskis to sign.

Vote: 3-0

Yes: Dabulskis, McCoy, Bird

No: 0

Abstain: 0

2.3 Intergovernmental Agreement for Installation of Broadband Network & Grass Valley Broadband Operating Agreement

Motion Commissioner McCoy, second by Commissioner Bird, to approve the Intergovernmental Agreement for Installation of Broadband Network, and Grass Valley Broadband Operating Agreement, contingent upon further review with the right to revoke the approval no later than Monday April 8, 2019.

Vote: 3-0

Yes: Dabulskis, McCoy, Bird

No: 0

Abstain: 0

3.0 Discussion Items

3.1 Commissioner Reports

Judge Dabulskis – Attended Tour of Sherman County Cities with Business Oregon; Mid-Columbia Economic Development District (MCEDD) Business Luncheon; Frontier TeleNet; Biggs Service District Waste Water Tour; Local Public Safety Meeting in Morrow County; MCEDD Board Meeting; Representative Walden Town Hall Meeting; Lower John Day ACT.

Commissioner McCoy – Attended Northern Oregon Regional Correctional Board & Budget; Center For Living; Frontier TeleNet; Biggs Service District Waste Water Tour; Regional Community Action Council; Soil & Water Conservation District Annual Meeting; Representative Walden Town Hall Meeting; Sherman Experiment Station Liaison meeting;

Commissioner Bird – Attended the Economic Opportunity Analysis; Frontier TeleNet; Biggs Service District Waste Water Tour; Mid-Columbia Community Action Council; Representative Walden Town Hall Meeting; Grass Valley City Council; Multiple Contacts Regarding Fiber Build; Spoke with Mid-Columbia Economic

Development District – an individual contacted her about a business loan; Seeking Funding Options to Fix Old Building in Grass Valley; Soil & Water Conservation District Annual Meeting.

3.2 Frontier TeleNet

Judge Dabulskis stated he received the new Frontier TeleNet (FTN) budget, and FTN has a loan with the County that would be due at the end of June 2019. The County always kept in mind that FTN would not be able to pay back the loan on time. Looking at the budget it seemed as if FTN could pay the loan back, however, a large bill from Jim Deason, FTN attorney, has yet to be received or paid, which would deplete their fund significantly and may not allow them to pay the loan back on time. Commissioner McCoy produced figures that projected FTN could pay Sherman County back, and still have \$80,000 in their account at the end of the year.

Recess County Court: 11:52 a.m.

Reconvened County Court: 12:52 p.m.

3.3 Thank you to Sherman County Court – Don Hilderbrand

Don Hilderbrand, Community Member, thanked the Court for allowing him time to speak and thanked each of the Court members for doing a great job for Sherman County. He was happy to see Commissioner Bird chosen as the new appointed Commissioner as she had made a great contribution to the Community over the years, and thanked her for stepping up and taking on the position. Judge Dabulskis thanked Don for being a good neighbor.

3.4 Ambulance Located on County Property

Judge Dabulskis reported there is an ambulance located on County property. Three years prior an out of state individual bought the ambulance from South Sherman Rural Fire & Rescue; the ambulance was left in Moro and has not been dealt with since. County Court consensus to send the individual a certified letter stating she had 30 days to remove the ambulance or it would be impounded. Further action would be taken at a later date if it has not been removed during the specified time.

4.0 Consent Agenda:

4.1 Minutes of March 20, 2019

Motion by Commissioner McCoy, second by Commissioner Bird, to approve minutes of March 20, 2019, as presented.

Vote: 3-0

Yes: Dabulskis, McCoy, Bird

No: 0

Abstain: 0

4.2 Claims – March 2019

Motion by Commissioner McCoy, second by Commissioner Bird, to approve the Claims for the month of March 2019, as presented.

Vote: 3-0

Yes: Dabulskis, McCoy, Bird

No: 0

Abstain: 0

4.3 Treasurer's Report – February 2019

Motion by Commissioner McCoy, second by Commissioner Bird, to approve the Treasurer's Report for the month of February 2019, as presented.

Vote: 3-0

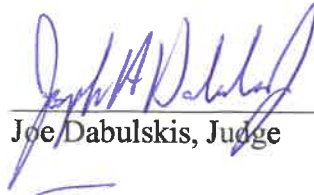
Yes: Dabulskis, McCoy, Bird

No: 0

Abstain: 0

Being no further business before the Court, the meeting was adjourned at 12:56 p.m.

Sherman County Court



Joe Dabulskis, Judge



Tom McCoy, Commissioner



Joan Bird, Commissioner

Attest: 

Kayla von Borstel
Administrative Assistant