



## Court Agenda

May 1, 2019

### Additions to Agenda

- 1.2 Dan Meader – Hearing Appeal Process
- 2.4 ~~Sherman County Withdrawing as fiscal Agent for Early Learning Hub~~
- 3.4 RV Park Policies
- 3.5 Finnegan Road Bridge Replacement

### **1.0 Appointment Schedule**

- 1.1 9:00 a.m. Dan Meader, Consultant – Housing Analysis
- 1.2 9:15 am. Dan Meader – Hearing Appeal Process

### **2.0 Action Items**

- 2.1 Sherman County Broadband Fiber Project – RS1601 – Amendment Number 1
- 2.2 Previous Surplus: Minimum Bids for Drivers Education 2008 PT Cruiser and Sheriff's Department 2014 Dodge Charger
- 2.3 Oregon Department of Transportation Grant Agreement No. 32211, Amendment Number 2
- 2.4 ~~Sherman County Withdrawing as fiscal Agent for Early Learning Hub~~

### **3.0 Discussion Items**

- 3.1 Ambulance on County Property
- 3.2 Written Quarterly Report Substitute for In Person Report – Justice Court
- 3.3 2019-2021 STIF Application
- 3.4 RV Park Policies
- 3.5 Finnegan Road Bridge Replacement
- 3.6 Commissioner Reports

### **4.0 Consent Agenda**

- 4.1 Minutes of April 3, 2019
- 4.2 Minutes of April 4, 2019 Work Session
- 4.3 Minutes of April 17, 2019
- 4.4 Minutes of April 19, 2019 Work Session
- 4.5 Minutes of April 24, 2019 Special Session
- 4.6 Claims – April 2019

### **5.0 Future Agenda Items**

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*\*\*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 COMMISSIONERS MEETING ROOM**

**MINUTES**

**MAY 1, 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**

- 1.2 Dan Meader – Hearing Appeal Process
- 2.4 ~~Sherman County Withdrawing as Fiscal Agent for Early Learning Hub~~
- 3.4 RV Park Policies
- 3.5 Finnegan Road Bridge Replacement

**1.0 Appointment Schedule**

**1.1 9:00 a.m. Dan Meader, Consultant – Housing Analysis**

Present: Dan Meader, Georgia Macnab

Dan Meader, Consultant, spoke with the Court on the Grass Valley Housing Needs Analysis, and about the next project in line. The analysis for Grass Valley went well, and he is already seeing some action as a result; there are two to three inquiries on additional housing. County Court had indicated they would like an analysis completed on the remaining three Cities. Dan suggested completing the Cities individually as opposed to a lumped project. He explained he was over his \$2,000 budget for Grass Valley by an additional \$3,000. Graphics, meetings and general cost raised the overall price. City of Wasco would be the next proposed project, and is much larger than the rest, therefore the cost would be higher. This would be a beneficial update as the last analysis was completed in 2007. In these analysis' he compares populations with current zoning, and lists out what could be done if zoning was changed away from Residential Ag. Residential Ag allows for residential or agriculture implementation as defined; this was a loophole Department of Land and Conservation Development didn't anticipate. Currently there are approximately 135 acres of Residential Ag; if this was divided into 5 acre parcels it would total 27. Dan explained Grass Valley would need more than 27 houses. Essentially there could be 1 acre parcels, however Dan does not believe the Cities would like that long term. The County cannot justify an urban growth boundary amendment until the population projections outnumber the land available, which it does not. His proposal to complete the City of Wasco Housing Needs Analysis would be no more than \$7,500. Brief discussion was held on getting streets named properly on mapping.

**Motion by Commissioner McCoy, second by Commissioner Bird, to hire Dan Meader to complete a Housing Analysis on the City of Wasco for no more than \$7,500.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Bird**

**No: 0**

**Abstain: 0**

**1.2 9:15 am. Dan Meader – Hearing Appeal Process**

Present: Dan Meader, Georgia Macnab

Dan Meader, who was assisting the Planning Department/Commission, with the Mass Gathering Appeal, went over the standard procedures from the Planning Commission and of the Hearing Appeal Process with the Court. First the Judge would open the hearing, explain the rules, and qualify the decision makers (County Court). Next would be the staff report from Dan Meader and/or Georgia Macnab, Planning Commission, followed by the right to speak by the Applicants/Proponents, ending with the Opponents (Planning Commission) who would speak explaining why the request for the festival was denied. The Court was reminded to weigh evidence submitted during the Hearing, but could use own prior knowledge of the situation as well, as this would be a Quasi – Judicial Hearing. Dan explained the Judge does most of the talking, and the Judge will state his name, title, that it was an Appeal Hearing, and continue to read the rest of the first paragraph. Dan also stated the second paragraph, and the paragraph that states “failure to provide testimony”, are very important to read aloud, and should not be skipped. After this the decision makers must disclose if they had a conflict of interest, had any relatives who would make money from the situation, if they had a vested interest in voting yes or no, or if there had been any ex-parte contact. County Court was also reminded they did not have to make decision during the Hearing; deliberation could be continued at a later date, however, the Court must state a date and time of the deliberation and decision making as it all must be on record. If someone involved in the Hearing left the room, the Court cannot make a final decision. Commissioner Bird asked if there has been changes to their plans from what was presented to the Planning Commission, would they be allowed to present it; Dan responded they could. Georgia will provide the Court with the Staff Report, and all of the submitted plans to the Court prior to the Hearing. If the request was denied by the Court during the Appeal Hearing, they could go appeal to Land Use Board of Appeals (LUBA), however that would be a two year process. Brief discussion was held on the application.

Recessed Court Session: 10:02 a.m.

Reconvened Court Session: 10:07 a.m.

**2.0 Action Items**

**2.1 Sherman County Broadband Fiber Project – RS1601 – Amendment Number 1**

**Motion Commissioner McCoy, second by Commissioner Bird, to approve the Sherman County Broadband Fiber Project RS1607, Amendment 1, between Sherman County and Oregon Business Development Department, to extend the timeframe of the Sherman County Broadband Fiber project from April 30, 2019 to December 31, 2019, and authorize Judge Dabulskis to sign.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Bird**

**No: 0**

**Abstain: 0**

Brief discussion was held on when and where the Request for Proposal for this project was advertised.

**2.2 Previous Surplus: Minimum Bids for Drivers Education 2008 PT Cruiser and Sheriff's Department 2014 Dodge Charger**

**Motion by Judge Dabulskis, second by Commissioner Bird, to approve a minimum bid of \$3,500 for the previously surplused Drivers Education 2008 Chrysler PT Cruiser, and a minimum bid of \$10,000 for the previously surplused Sheriff's Department 2014 Dodge Charger.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Bird**

**No: 0**

**Abstain: 0**

**2.3 Oregon Department of Transportation Grant Agreement No. 32211, Amendment Number 2**

**Motion by Commissioner Bird, second by Commissioner McCoy, to approve Oregon Department of Transportation Grant Agreement No. 32211, Amendment Number 2, between the State of Oregon and Sherman County, to extend the Grant Agreement period and grant balance through December 31, 2019.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Bird**

**No: 0**

**Abstain: 0**

~~**2.4 Sherman County Withdrawing as Fiscal Agent for Early Learning Hub**~~

**3.0 Discussion Items**

**3.1 Ambulance on County Property**

County Court had previously stated that a certified letter giving a 30 day notice to remove the ambulance from County property would be sent to the owner. Sheriff Lohrey informed the Court it would be easier, and more efficient, to have the Sheriff's Office tag the ambulance and volunteered to take care of the issue on behalf of County Court.

**3.2 Written Quarterly Report Substitute for In Person Report – Justice Court**

County Court accepted the Written Quarterly Report in place of an In Person Report. Justice Court will report in person at a later date.

**3.3 2019-2021 STIF Application**

County Court reviewed the STIF application, and held a Special Session on April 24, 2019; during the Special Session the Court moved to allow Marnene Benson-Wood, Transportation, to continue completing and submitting the application and authorized the Court to sign.

**3.4 RV Park Policies**

Judge Dabulskis stated he was told the policy for the RV Park was changing so no long term stays would be allowed. He inquired what this meant for one the Weed District employees who has been living there. Georgia Macnab, Planning Department, stated long term stays tend to create issues, and reminded the Court that it was an RV Park not a mobile home park. She stated for those who are there long term already will not be kicked out, however, no new long term stays will be allowed. The Judge inquired if there was a written set of policies; she

replied there was an application for long term and a set of rules, however, this was hard to enforce. This originally was intended for construction workers staying in the County due to jobs. The Court would like to see some written policies, and suggested to include a maximum length of stay. Georgia would look again into what she had and pass it onto the Court.

### **3.5 Finnegan Road Bridge Replacement**

Court previously reviewed the Finnegan Bridge replacement plans; seeing no issues, Mark Coles, Road Master was given the go ahead to proceed forward.

### **3.6 Commissioner Reports**

Judge Dabulskis – Attended CAPCO Tour; Morrow County Local Public Safety Coordinating Council; Distance Learning Meeting; North Central Regional Solutions Advisory Committee; Hemp Tour with Representative Walden’s Office; Starvation Lane Site Visit for Federal Lands Access Program Grant; Special Session; Tri-County Court; Frontier TeleNet; Windwave Work Session.

Commissioner McCoy – Attended Northern Oregon Corrections Budget and Board; Windawave Work Session; Mid-Columbia Housing Authority; Tri-County Court; Frontier TeleNet; Special Session.

Commissioner Bird – Attended Senior Center Advisory; CAPCO Tour; Association of Oregon Counties County College; Hemp Tour with Representative Walden’s Office; Special Session; Tri-County Court; Working on helping Veteran’s Officer find a dentist for the Veteran’s fair.

### **4.0 Consent Agenda**

#### **4.1 Minutes of April 3, 2019**

**Motion by Commissioner Bird, second Commissioner McCoy, to approve minutes of April 3, 2019, as corrected.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Bird**

**No: 0**

**Abstain: 0**

#### **4.2 Minutes of April 4, 2019 Work Session**

**Motion by Judge Dabulskis, second by Commissioner McCoy, to approve minutes of April 4, 2019 Work Session, as presented.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Bird**

**No: 0**

**Abstain: 0**

#### **~~4.3 Minutes of April 17, 2019~~**

#### **4.4 Minutes of April 19, 2019 Work Session**

**Motion by Commissioner Bird, second by Commissioner McCoy, to approve minutes of April 19, 2019 Work Session, as presented.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Bird**

**No: 0**

**Abstain: 0**

**4.5 Minutes of April 24, 2019 Special Session**

**Motion by Judge Dabulskis, second by Commissioner McCoy, to approve minutes of April 24, 2019 Special Session, as presented.**

**Vote: 3-0**

**Yes: Dabulskis, McCoy, Bird**

**No: 0**

**Abstain: 0**

**4.6 Claims – April 2019**

**Motion by Judge Dabulskis, second by Commissioner McCoy, to approve the Claims for the month of April 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 11:06 a.m.

**Sherman County Court**

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Joe Dabulskis, Judge

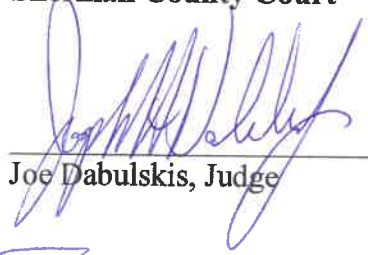
\_\_\_\_\_  
Tom McCoy, Commissioner

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Joan Bird, Commissioner

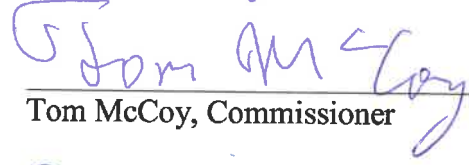
Attest:

\_\_\_\_\_  
Kayla von Borstel  
Administrative Assistant

**Sherman County Court**




Joe Dabulskis, Judge



Tom McCoy, Commissioner



Joan Bird, Commissioner

Attest:   
Kayla von Borstel  
Administrative Assistant