



Court Agenda

August 5, 2020

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Additions to Agenda

1.0 Appointment Schedule

- 1.1 9:00 a.m. Ron McDermid, Justice Court Quarterly Report
- 1.2 ~~9:15 a.m.~~ 9:09 a.m. Erik Glover, Tax Lot 1600, 1700 in Wasco adjacent to the old Wasco grade school and the church.
- 1.3 9:30 a.m. Jeff Wallace, Legal Counsel

2.0 Action Items

- 2.1 Small Business Assistance Grant Fund
- 2.2 EMS Reduced Staffing Exception request
- 2.3 GOBHI NEMT Amendment – Marnene Benson-Wood
- 2.4 Water project Grant
- 2.5 Street/Parking Striping 2020 Invoice

3.0 Discussion Items

- 3.1 County lots in Asher Subdivision
- 3.2 Updates
- 3.3 Commissioner Reports

4.0 Consent Agenda

- 4.1 Minutes of July 15, 2020
- 4.2 Minutes of July 20, 2020
- 4.3 Budget Committee Minutes May 13, 2020
- 4.4 Claims – July 2020



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

MINUTES

AUGUST 5, 2020

Court Opened: 9:00 a.m.

Present: Judge Joe Dabulskis, Commissioner Tom McCoy, Commissioner Joan Bird, Administrative Assistant Tammi Gaskey

A quorum was present. No media was present.

Additions to Agenda

4.5 Treasurer Reports - Feb, March, April and May 2020.

1.0 Appointment Schedule

1.1 9:00 a.m. Ron McDermid – Justice Court Quarterly Report

Present: Ron McDermid, Erik Glover, Jeff Wallace, Michael Wallace

Ron McDermid, Justice of the Peace, gave an overview of his Quarterly Report. Ron explained that revenue is down due to COVID-19. Less tickets have been issued which means less revenue. Ron stated that The Circuit Court resumed in-person first appearances, but encourages written and telephonic appearances as an alternative. Ron also mentioned that until further notice, Justice Court will be conducting hearings by written affidavit or telephonically.

1.2 9:09 a.m. Erik Glover – Tax Lot 1600, 1700 in Wasco adjacent to the old Wasco grade school and the church

Present: Erik Glover, Jeff Wallace, Michael Wallace

Erik Glover, on behalf of The City of Wasco, came to the Court to seek permission to use the parking lot of the County owned tax lots 1600 and 1700, adjacent to the old Wasco grade school and the church, to put a gravel pile to be used during road maintenance. The timeline for the project will be a couple of years. The Court consensus was that The City of Wasco needs to talk to the Parrish and the Wasco Event Center and as long as they are both ok with it, the Court is ok with the County property tax lots 1600 and 1700 parking lots to be used to put a gravel pile on during road maintenance. The Court did ask that the parking lot be restored to its current condition when the project is completed. Erik did say that the parking lot would be restored.

1.3 9:30 a.m. Jeff Wallace – Legal Counsel

Hutchison Class Action Complaint – Jeff Wallace, Legal Counsel, summarized the complaint for the Court. The case statement says that this case seeks to end and remedy an unfair and unnecessary practice by the Defendants. It is the practice – mandated by Oregon statute – of using small, sometimes miniscule, amounts of unpaid real estate property taxes to seize people’s property and evict them and then either take the property for their own benefit or sell it for amounts that may exceed the amount of unpaid taxes, retaining not just the amount owed for unpaid taxes but the entirety of the sale proceeds, including all of the homeowner’s equity in the property.

Jeff also told the Court that Sussman Shank LLP firm has been hired to represent the counties in this class action complaint. The question before the Court today is does the Court want to be part of this joint representation or do they want to hire their own counsel to represent them in this matter. The proposed cost-share would be that all 36 counties split the first \$360,000 in fees, or \$10,000 per county. Any amount after that would be tiered as follows: Counties with 100,000 + population (there are 10) would pay 7% each of the bill each month (Tier 1); Counties with 99,000 – 50,000 would pay 2% of the bill each month (there are 7) (Tier 2); Counties with less than 50,000 would pay 1% of the bill each month (there are 19) (Tier 3)

So if the bill for the month is, let’s say, \$10,000 it would roughly break down something like this:
Tier 1 - \$716 per county x 10 Counties= \$7,000
Tier 2 - \$200 per county x 7 Counties = \$1,400
Tier 3 - \$84 per county x 19 Counties = \$1,600

The above Tier information is according to Senior Multnomah Assistant County Attorney Carlos Rasch, who is heading up the group.

Motion by Commissioner McCoy, second by Judge Dabulskis, to authorize a payment of \$10,000 retainer fee to Sussman Shank LLP firm in the class action complaint against all 36 Oregon counties and authorize Judge Dabulskis to sign.

Vote: 3-0
Yes: Dabulskis, McCoy, Bird
No: 0
Abstain: 0

Jeff also updated the Court on the McCarter case – Move Oregon Borders. The judge dismissed the case and the plaintiff has filed the case again.

Executive Session in Accordance with ORS 192.660 (2) (h) Legal Rights

Entered Executive Session 9:32 a.m.
Exited Executive Session 9:51 a.m.

Commissioner Bird asked Jeff about Broadband RTG. Commissioner Bird wanted to know if Jeff had a chance to review this file yet. Jeff said that he would get back to the Court by Monday, August 10th.

2.0 Action Items

2.1 Small Business Assistance Grant Fund

Motion by Commissioner Bird, second by Judge Dabulskis, to authorize the County Court to create a COVID-19 Small Business Assistance Grant Fund of \$100,000 as proposed. The intent is to use state CRF (Coronavirus Relief Fund) to reimburse the County.

Vote: 3-0

Yes: Dabulskis, McCoy, Bird

No: 0

Abstain: 0

2.2 EMS Reduced Staffing Exception request

Motion by Commissioner McCoy, second by Commissioner Bird, to approve the Sherman County Ambulance Reduced Staffing Exception letter to Oregon Health Authority and authorize Judge Dabulskis to sign.

Vote: 3-0

Yes: Dabulskis, McCoy, Bird

No: 0

Abstain: 0

2.3 GOBHI NEMT (Non-Emergent Medical Transportation) Amendment

Motion by Commissioner McCoy, second by Commissioner Bird, to approve the amendment to the Blanket Purchase Agreement (BPA) between GOBHI and Sherman County to continue the BPA on a month to month basis renewing for an additional month on the first day of each month unless terminated by either party or superseded by a subsequent agreement and authorize Judge Dabulskis to sign.

Vote: 3-0

Yes: Dabulskis, McCoy, Bird

No: 0

Abstain: 0

2.4 Water Project Grant

Motion by Judge Dabulskis, second by Commissioner McCoy, to authorize the release of the balance of the Biggs Service District Water Project Grant in the amount of \$272,000 into the Construction Account.

Vote: 3-0

Yes: Dabulskis, McCoy, Bird

No: 0

Abstain: 0

2.5 Street/Parking Striping 2020 Invoice

Tabled until Judge Dabulskis can talk to Bert Perisho.

3.0 Discussion Items

3.1 County lots in Asher Subdivision

The Court had a conversation about the County lots in the Asher subdivision. The Court received a bid for \$9,000 below the asking price. The Court decided that they did not want to accept a low offer. The lots in the Asher subdivision have not been actively advertised, the Court doesn't want to accept less than what was paid for them and the Court does not want to undercut the other landowners that want to sell property in the area.

3.2 Updates

Broadband – Commissioner Bird asked if the Court should send out a flyer about the changes or at least work with Gorge Net to put a flyer together.

Commissioner Bird suggested that Ryan give the Court an update on the progress of the Broadband project. School is starting September 2.

The Courthouse is on a designated fiber line through Day Wireless.

Looked over County expenses for 2019-2020.

3.3 Commissioner Reports

Judge Dabulskis – Attended FEMA weekly call; Senator Findley weekly call; Biggs Housing project soil sample down to debris layer – no asbestos, removing trees broke water line – working on this issue; Driller getting ready to start well drilling project in Biggs.

Commissioner McCoy – Attended Frontier Telenet meeting.

Commissioner Bird – Attended Community Action Committee, talked to Georgia about questions regarding items from her Quarterly Report such as King Rock Quarry, Race Track uses and the Solar Farm inquiry; Visited with a few residents who had concerns after the 24 hour race at the race track; sent letter to Representative Greg Smith and Senator Bill Hansell regarding ODFW and the PERS redirect.

4.0 Consent Agenda

4.1 Minutes of July 15, 2020

Motion by Commissioner McCoy, second by Judge Dabulskis, to approve July 15, 2020 minutes as corrected.

Vote: 3-0

Yes: Dabulskis, McCoy, Bird

No: 0

Abstain: 0

4.2 Minutes of July 20, 2020

Motion by Commissioner McCoy, second by Commissioner Bird, to approve July 20, 2020 minutes as presented.

Vote: 3-0

Yes: Dabulskis, McCoy, Bird

No: 0
Abstain: 0

- 4.3 Minutes of May 13, 2020 Budget Committee 2020-2021**
Motion by Commissioner McCoy, second by Commissioner Bird, to approve May 13, 2020 Budget Committee 2020-2021 minutes as corrected.

Vote: 3-0
Yes: Dabulskis, McCoy, Bird
No: 0
Abstain: 0

- 4.4 Claims – July 2020**

Motion by Judge Dabulskis, second by Commissioner McCoy, to approve Claims for the month of July 2020, as presented.

Vote: 3-0
Yes: Dabulskis, McCoy, Bird
No: 0
Abstain: 0

- 4.5 Treasurers Report – February, March, April and May 2020**

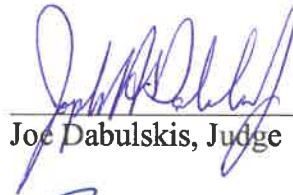
Motion by Commissioner McCoy, second by Judge Dabulskis, to approve the Treasurer's Reports for February, March, April and May 2020.

Vote: 3-0
Yes: Dabulskis, McCoy, Bird
No: 0
Abstain: 0

Future Agenda Items

Being no further business before the Court, the meeting was adjourned at 11:40 a.m.

Sherman County Court



Joe Dabulskis, Judge

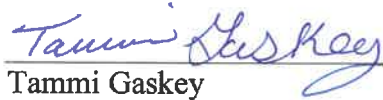


Tom McCoy, Commissioner



Joan Bird, Commissioner

Attest:



Tammi Gaskey
Administrative Assistant