

IN THE COUNTY COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF GRANT

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February 13, 2019

Pursuant to notice made to the newspaper of general circulation throughout Grant County, the radio station, county website, and e-mail distribution list, a regular meeting of the County Court was held at the County Courthouse in Canyon City, OR.

9:00 am -- Call to Order. Present were Judge Scott W. Myers, Commissioner Jim Hamsher, Administrative Assistant Laurie Wright, Curtis Perry, Katy Nelson, Kris Beal, Reporter Rick Hanners, Jim Spell, Rick Minster, Billie Jo George, Judy Kerr, Frances Preston, Mary Ellen Brooks, Howard Geiger, Didgette McCracken, Irene Jerome, and Pastor Levi Manitsas. A Pledge of Allegiance was given to the United States Flag. The invocation was given by Pastor Manitsas. Commissioner Palmer was absent due to being out of the country.

CLAIMS. The court had reviewed and approved claims and extension district warrants # 98-109.

HAND CHECK. The court had approved a hand check for insurance payment reimbursement on January 30, 2019.

AGENDA. MSP: Myers/Hamsher -- to accept the agenda as presented. Judge Myers advised the court received a resignation on Monday from the budget committee and this needs to be discussed during the appointment of volunteers' portion of today's meeting.

ANNOUNCEMENTS. Judge Myers met with Courtney Crowell of Oregon Solutions on January 28th and attended a department head meeting later that afternoon. Myers traveled to Baker City on January 29th for a Community Connections Board of Directors meeting. January 30th Sally Bartlett retired as Economic Development Director to go to work for the Burns Paiute Tribe and Myers said she will be missed. Myers met with Sharon Livingston on February 4th and they sat in on a webinar regarding Waters of the US (WOTUS). On February 6th Myers participated in a meeting at the Airport regarding the Joint Facility Use Agreement between the Forest Service and County. He attended the Road Advisory Committee meeting on the 7th. Myers traveled to Salem on Sunday for an Association of Oregon (AOC) legislative meeting on Monday.

9:11 am Reporter Logan Bagett entered.

Yesterday Myers remained in Salem for Capital Day where leaders meet with the Governor to discuss the State Budget. The rest of the day Myers spent watching legislative meetings and viewing legislative offices. Myers will conduct an employee evaluation on February 14th and will attend the Airport Commission meeting on the 19th.

Commissioner Hamsher attended two AOC meetings via telephone on Monday. Hamsher met with Congressman Walden's Aide, Tucker Billman, to discuss the upcoming Forest Revision Plan. Hamsher said the AOC meeting was a good one and the Regional Forester was there. Hamsher has been speaking with several department heads regarding their wants and needs for the upcoming budget

year. Hamsher has talked with Commissioner Owens from Harney County and discussed similar issues facing Grant and Harney Counties. Hamsher and Laurie Wright have been working on a Wolf Depredation Grant.

MINUTES. MSP: Myers/Hamsher -- to approve the January 23rd minutes as presented.

FIREWISE & TITLE III. Irene Jerome presented an update to the court on the Firewise program and Title III history. Jerome summarized the history of Title III and said it comes from the Secure Rule School Act and has three sections, Title I, Title II and Title III. Jerome believes the Act was put in place in 2000 and portions of it were to supplement counties for timber receipts they were no longer receiving.

9:19 am Alec Oliver entered.

Jerome reported that around 2008 Congress tightened the rules on how Title III money could be spent and there are now many restrictions on how the funding can be used. Jerome contracts with the County to coordinate the Firewise Program and Community Wildfire Protection Plan. The only way Firewise funding can be used is if there are Firewise communities within the county. Grant County currently has 4 Firewise communities (Pine Creek, Ritter, Middle Fork, and Upper Laycock Creek Road). Jerome explained some of the upcoming projects, including one the Upper Laycock Creek Road community will be implementing on the national forest. Annually an Emergency Services Day is held which includes several Fire Departments and the Sheriff's Department. Jerome explained a simulation suggested by Sheriff Palmer that was conducted to show what would happen if a fire occurred in the Ritter area. A live drill is planned for the Middle Fork community and said communication is a huge issue in that area. Jerome reported the Pine Creek community is extremely involved and has projects planned for the upcoming year. She is very interested in the Top Road area in Monument and getting this area cleaned up. Jerome said Firewise has influence with federal agencies. Howard Gieger said Pine Creek was the first Firewise Community in Oregon and explained the massive amount of slash and brush he removed from his property.

9:35 am Eva Harris and Airport Manager Haley Walker entered.

Gieger reported when the Canyon Creek Fire hit his property the fire came in from the east and once it hit his treated area it laid down. Gieger said this year the Pine Creek community is going to GPS every turnout, water source, bridge, pumping station and turn-around of the entire area. He said the map will be given to the rural fire departments, federal and state firefighting agencies. Gieger said thousands of tons of slash and debris have been removed and the program has been successful thanks to Jerome. He believes we need Firewise Communities throughout the entire county. Jerome reported the Firewise Program has been proven to save lives and also builds community involvement and there is power in numbers. Jerome summarized the Community Wildfire Plan Revision (CWPP) which includes fuel reduction and emergency services. Jerome said she has been working with Grant County Soil and Water conservation on a GIS mapping system. Jerome explained during the Canyon Creek Fire she was contacted from a firefighting team to get maps of the area. During the fire it became apparent that there were not good records of where homes were located in rural areas. The Oregon Department of Forestry (ODF) has a grant to compile this information on land protected by ODF. Jerome explained she reached out to the schools to see if any students might be interested in assisting with gathering information, but unfortunately the only school that expressed any interest was Prairie City. Katy Nelson said if funding sources could be found the Oregon Youth Conservation Corp (OYCC) could be another source of students for the program. Jerome answered questions from those in attendance. It was pointed out that the Dog Creek and Marysville Area is a high risk area. Ideas for outreach to citizens and how Firewise funding is allocated was discussed. Jerome explained the numerous ways she is working to locate funding sources.

Jim Spell asked if homeowners' insurance companies reduce rates for Firewise communities. Jerome said the insurance companies do reduce rates in these communities.

JOINT FACILITY USE AGREEMENT – AIRPORT. The court reviewed the Joint Facility Use Agreement between Grant County and the US Forest Service for the Airport facility. This is an annual contract.
MSP: Myers/Hamsher -- to approve the Joint Facility Use Agreement and authorize Judge Myers to sign.

PUBLIC HEARING – ORDINANCE 2019-03. Judge Myers called the hearing to order at 10:00 am for Ordinance no. 2019-03 - In the Matter of Rescinding Ordinance 2018-06, Adopting a Tax on the Retail Sales of Marijuana Items Within Unincorporated Areas of Grant County. MSP: Myers/Hamsher – to open the public hearing. Myers said an Ordinance was passed a couple of months ago to impose a local tax on retail marijuana sales and afterwards it was discovered the Ordinance was found to be incorrectly passed. County Counsel recommended rescinding Ordinance 2018-06. Myers read the Ordinance in its entirety to those in attendance.

10:06 am Jonna Bishop entered.

Myers offered public testimony as follows:

Proponent: Eva Harris is in favor of the ordinance

Opponent: No testimony was received.

Neutral: Billie Jo George and Judy Kerr indicated they are neutral on the process.

MSP: Myers/Hamsher -- to close the public hearing. MSP: Myers/Hamsher -- to adopt Ordinance 2019-03 as an emergency and circulate for signatures.

10:12 am The court took a short break. 10:15 am Fair Manager Mindy Winegar and Fair Groundskeeper Dusty Williams entered. 10:19 am Clerk Brenda Percy and Treasurer Julie Ellison entered. 10:20 am The court returned to session

CLERK. County Clerk Brenda Percy requested approval for the purchase of a new microfiche/film scanner to replace the old and outdated scanner in her office. Percy explained parts and service are no longer available for the old Canon scanner and it does not have the capability of reading old film because of fading. Percy advised the machine is used almost daily by the Clerk's Office, Assessor's Office, Watermaster's Office and members of the public. The ScanPro 3000 machine Percy is recommending prints directly to the copy machine, reads and digitizes old faded film and saves old documents in a digitized and readable format which meets Oregon Revised Statutes for permanent retention requirements. The total quote for the ScanPro 3000 through the Education Service District (ESD) is \$12,707. **MSP: Hamsher/Myers -- to approve purchase of the ScanPro 3000 through ESD to be paid from equipment reserve.**

WOLF GRANT PROGRAM. The court members reviewed a letter to the Oregon Joint Committee on Ways and Means, Subcommittee on Natural Resources expressing support for the Agriculture's Wolf Grant Program for this biennium. Myers read the letter to those in attendance. Hamsher said Grant County will be applying for \$20,000 from this program. **MSP: Myers/Hamsher -- to approve the letter and circulate for signatures.**

VICTIMS ASSISTANCE. Victim Assistance Director Kimberly Neault requested court approval to send 5 MDT members to the Clackamas County Sheriff's Office Child Abuse and Family Violence Summit in Portland in April. This is an annual training the team members attend. The cost will be paid from several

grand funds and District Attorney Office funding and was included in each grant budget. The estimated cost for the training is \$8,569. **MSP: Myers/Hamsher -- to approve the training and waiver of per diem lodging charges.**

COMMITTEE VOLUNTEERS. Volunteer applications were reviewed by the court along with member resignations.

Planning Commission: The Planning Commission recommended appointment of Steven Baldwin to an alternate position and moving current alternate Pat Holliday to the regular vacant position. **MSP: Myers/Hamsher -- to re-appoint Rick Henslee, Pat Holliday and Steve Parson to the Planning Commission with terms to expire December 31, 2022. MSP: Myers/Hamsher -- to appoint Steven Baldwin to the alternate position with a term expiring December 31, 2019.** (Judge Myers spoke in error when he announced the alternate position expiration date of December 31, 2021. Baldwin is completing the term of Pat Holliday who was moved to a regular Planning Commission position).

Southeast Area Commission on Transportation (SEACT): Sally Bartlett had resigned from the SEACT and recommended Economic Development Director Allison Field be appointed in her place. **MSP: Hamsher/Myers -- to appoint Allison Field to the SEACT with a term expiring December 31, 2021.**

Budget Committee: Karla Averett resigned from the Budget Committee on February 11th. Bob Quinton volunteered to serve on the committee. Myers advised the first budget committee is scheduled for March 6th so there is little time to appoint. **MSP: Myers/Hamsher -- to appoint Bob Quinton to the Budget Committee with a term expiring December 31, 2020.**

10:31 am Carol Waggoner and Christal Culley entered.

FAIRGROUNDS. Fair Manager Mindy Winegar presented a PowerPoint to the court showing the year in review. Winegar reported over 30,000 people were served at the Fair and RV Park last year. Winegar summarized some of the different events held in Fairgrounds facilities along with the estimated number of attendees at the events.

Winegar advised there are already 27 or 28 events booked at the Fairgrounds for this year. Winegar also requested court assistance and input on several items as follows:

Parking Lot Lighting: The pavilion parking lot needs lighting and is a safety issue. The Safety Committee has also expressed concern over the lack of parking lot lighting. Winegar estimated the cost to be approximately \$20,000 to \$25,000 and would illuminate the entire parking lot. She would like court permission to go out for bids on this and also asked for county financial assistance for the project.

MSP: Hamsher/Myers – to move ahead with the lighting installation. Myers advised a funding source will need to be located for the lighting.

Keerins Hall: Winegar reported they would like to move forward with the remodeling of Keerins Hall. They would like to start with windows, doors and hardy board siding. The court suggested that Winegar obtain estimates for this project. Winegar also requested that an engineer be hired to complete a drawing for remodel of the interior of the building and said they would like to update the interior in order to eventually have the Extension and 4H Office located in Keerins Hall. The court recommended Winegar research this further. Winegar also pointed out that the electric heaters in the north room of the hall have stopped working.

RV Park: Winegar requested court approval to replace the picnic tables in the RV Park and provided 3 quotes: Uline \$6,383.03; AAA State of Play \$7,420; and Park Warehouse \$8,002.81. Winegar recommended purchase of the tables from Uline in the amount of \$6,383.03 which includes shipping. The tables are metal and wouldn't require maintenance and the existing picnic tables are falling apart. The fair reserve budget has funding for this purchase, but the funds would need to be moved to capital outlay. Hamsher suggested Winegar get all of the pricing for projects together to present to the budget

committee.

Winegar also provided a list to the court of the events already scheduled for 2019 at the Fairgrounds.

The following people were in attendance for the public hearing: Katy Nelson, Curtis Perry, Joe Letosky, Stan Gates, Jim Spell, Rick Minster, Dan Bishop, Meredith Ediger, Ken Ellison, Everett King, Teena Ballard, Didgette McCracken, Mike Christensen, Marsha Christensen, Howard Gieger, Eva Harris, Billie Jo George, Judy Kerr, Mary Ellen Brooks, Alec Oliver, Jonna Bishop, Tim Reese, Joan Reese and Frances Preston.

PUBLIC HEARING – ORDINANCE 2019-02 - AMENDMENTS TO GRANT COUNTY LAND

DEVELOPMENT CODE. MSP: Myers/Hamsher – to open the public hearing. The hearing opened at 11:02 am for Ordinance 2019-02 – An Ordinance Providing for Amendments to the Grant County Land Development Code of April 1997, Last Revised June 2013, to Provide for Updates Compliant with the Model Code Project; Declaring an Emergency. Myers asked Planning Director Hilary McNary to conduct the hearing. McNary declared there is a quorum of the County Court in attendance and asked if any court member has a conflict of interest or ex parte contact. Both Myers and Hamsher indicated they did not have a conflict and no ex parte contact. McNary explained the farm and forest zones in the Land Development Code must follow state statutes. A contractor paid for by the Department of Land Conservation and Development (DLCD) reviewed the current plan and indicated where changes needed. The Planning Commission recommended adoption of Ordinance 2019-02. Myers offered public testimony as follows:

Proponent: Eva Harris supports adoption of the ordinance.

Opponent: Mike Christensen is against the ordinance because he believes new uses will increase the fire hazard in forested areas. Christensen would prefer if this was adopted that it be more site specific for different Forest Zones. Myers asked McNary if site specific designations were possible. McNary explained a Type II Application process would need to be followed which includes notice to neighboring landowners and if objections are received Planning Commission hearings. Billie Jo George requested clarification about the ordinance. McNary explained the ordinance brings statutorily allowed uses into the Grant County Land Development Code so everything is included in one document. The ordinance ensures the county is in direct alignment with state statutes. Assistant Planner Shannon Springer explained that in order to amend the existing Grant Co. Land Development Code it must be done by ordinance. Howard Geiger asked if this just means business as usual. McNary said it simplifies work for the Planning Department.

Neutral: Meredith Ediger asked if there are now new uses that will be allowed. McNary clarified that these are not actually new uses that are allowed because they are statutorily allowed; they are simply new additions to the Grant County Land Development Code.

Proponent: Eva Harris reported she is in favor because she has been on the Planning Commission and knows the process and that the community is encouraged to be involved.

Opponent: Marsha Christensen asked if this doesn't pass does anything actually change. McNary advised if it doesn't pass she uses the statute if the request isn't something that is currently in the Grant County Land Development Code.

Neutral: Everett King believes this is a house keeping item and this simply brings the County Land Development Code into alignment with state statutes.

Tim Reese asked if any of this changes zoning laws. McNary explained this simply codifies existing laws into the current Land Development Code.

Proponent: Eva Harris again indicated her support.

Opponent: Marsha Christensen wanted to know who has the final say in approving the Ordinance.

McNary said Judge Myers and Commissioner Hamsher.

MSP: Myers/Hamsher -- to close the public hearing. MSP: Myers/Hamsher -- to adopt Ordinance 2019-02 as an emergency and circulate for signatures.

PUBLIC COMMENT. Judy Kerr said we are lucky to have Hilary McNary and Shannon Springer in the Planning Department and appreciates that they listen to the public.

11:36 am -- Adjourned.

Respectfully Submitted,

Laurie Wright
Administrative Assistant

******* Please note the court minutes are a summary of the court proceedings. An audio recording of each court session is available, after approval of the minutes, by contacting Laurie Wright at 541-575-0059 or wrightl@grantcounty-or.gov *******