

IN THE COUNTY COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF GRANT

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February 27, 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, Commissioners Jim Hamsher and Sam Palmer, Administrative Assistant Laurie Wright, Katy Nelson, Curtis Perry, Sharon Livingston, Billie Jo George, Judy Kerr, Jim Spell, Reporter Rick Hanners, Reporter Logan Bagett, Sheriff Glenn Palmer, Grant School District Superintendent Bret Uptmor, and Pastor Mark Majors. A Pledge of Allegiance was given to the United States Flag. The invocation was given by Pastor Majors.

CLAIMS. The court had reviewed and approved claims and extension district warrant #110 on February 20th.

HAND CHECK. The court had approved a hand check to Bank of Eastern Oregon on February 19th.

AGENDA. MSP: Myers/Hamsher -- to accept the agenda as presented.

ANNOUNCEMENTS. Judge Myers announced Oregon Secretary of State Dennis Richardson has passed away after a long battle with cancer and offered condolences to his family. Myers conducted an employee evaluation on the 14th and on the 19th attended an Airport Commission meeting. Myers decided not to attend two meetings out of town due to weather conditions. March 6th will be the first budget meeting from 9 to 12 pm and at 1 pm he will go to a meeting to discuss the upcoming apron paving project at the Airport. March 7th Myers will participate in a McRae Scholarship meeting.

9:09 am Chrystal Culley, Barbara Brody, Carol Waggoner, Didgette McCracken and Natalie Kinion entered.

Myers will travel to Salem on March 11th for an Association of Oregon Counties Legislative meeting.

Commissioner Palmer advised he spent 3 weeks in Taiwan with his wife (who is from Taiwan) at the beginning of the month. Palmer presented a police officer in Taiwan with a shoulder patch from the Sheriff's Department which they really liked and thought was a great good will gesture. The Taiwan Police Department in turn presented gifts to Palmer to bring back and the newspaper wrote an article about it. On February 20th Palmer met with Economic Development Director Allison Field to discuss her new position and any concerns she might have. Palmer also met with Kim Randleas from the Art Council to discuss projects she is working on. On February 20th Palmer attended a Community Action Committee meeting to familiarize himself on the Local Community Advisory Council and the education and services they provide in the county.

9:12 am Fair Manager Mindy Winegar entered.

Palmer talked with Didgette McCracken about some college classes and Certified Nursing Assistant class ideas to bring to the county. February 21st Palmer discussed City of John Day projects with Greg

Haberly to discuss what projects the City might be asking for county assistance with. Palmer assisted with building beds for the Sleep in Heavenly Peace program on February 23rd at Living Word Christian Center where 10 beds for children were almost completed. Yesterday he went to the 4-H Advisory meeting.

Commissioner Hamsher attended a Northfork John Day Watershed Council meeting with Sharon Livingston. He attended a Farm Bureau meeting and said the City of John Day presented the sewer treatment project and greenhouse to the Bureau. Hamsher assisted the Prairie City 4-H to select High School Seniors for county awards. Hamsher briefly attended the 4-H Advisory meeting last night. Hamsher is working with Representative Findlay's Office and Senator Bentz' Office to ask for letters of support to take with him to Washington, DC. Hamsher will be traveling to Washington, DC, on March 1st to attend a Public Lands Steering Committee for the National Association of Counties and will have several other meetings with various leaders while there. Hamsher also talked with Kim Randleas about her ideas for an art school in John Day. Hamsher advised the new sewer pumps were hooked up in Friday in Prairie City, but the power outage on Sunday caused a power surge that fried the drives to the pumps on Sunday and they will now need to be replaced.

9:12 am Dan Becker entered.

MINUTES. MSP: Myers/Hamsher -- to approve the February 13th minutes as presented.

EXTENSION & 4-H SERVICE DISTRICT. Barbara Brody passed information data to the court members and those in attendance. Natalie Kinion, Regional Director Eastern Region introduced herself and presented a Power Point to the court. Carol Waggoner, Office Coordinator, advised she is a county employee and provides support to the other staff members and explained her general office duties and what she does to promote and support Extension Programs. Barbara Brody introduced herself and said she works out of Malheur County and assists here with the Supplemental Nutrition Assistance Program Education (SNAP-Ed). Brody advised the SNAP-Ed program is fully grant funded through Oregon State University (OSU) and explained the resources available to the community. The program also provides training for school food service employees to provide recipes for non-processed food and to increase consumption of fruits and vegetables. Christal Culley works on 4-H Positive Youth Development to empower young people with intentional, hands-on learning experiences. 4-H enrollment is increasing and current numbers are 190 members and 33 volunteers. Culley summarized the programs offered including the Urban-Rural Exchange which is designed to help urban and rural youth gain understanding of cultural, environmental, economic and social issues in Oregon. Former County Judge Dennis Reynolds is credited with starting the program years ago. There is also an International 4-H Exchange Program, Natural Resource Camp and 4-H Camp held at Lake Creek Camp. Sheriff Palmer said Lake Creek Camp looks forward to the 4-H Camps every year. Culley thanked everyone for their support and encouraged public input for programs they would like to see. Didgette McCracken, OSU Open Campus Coordinator, stated she is the newest member of the Extension Office and she works to locate community needs for education. McCracken identifies barriers to degree completion and ways to implement programs for students of all ages to obtain degrees such as high school, certification/training, and college. OSU offers Ecampus and was rated #6 best online by US News and World Report for online college classes. McCracken also works on community/economic development to provide classes for community needs such as computer classes for Excel, PowerPoint and Word. The Extension Office provides computer access and internet for citizens to utilize for classes and McCracken envisions the office being an educational hub for our community. Commissioner Palmer asked if there are fees for the educational opportunities. McCracken advised there is a cost, but scholarships and

financial aid are available. Costs vary depending on the program. Hamsher asked if McCracken assists with job applications and resumes. McCracken reported she does. Natalie Kinion thanked the court members for the opportunity to present today.

Myers reported the new County website is now live as of February 26th and can be viewed at www.grantcountyoregon.net.

9:50 am Assessor David Thunell and Chief Deputy Assessor Tonya Cates entered.

ASSESSOR. Assessor David Thunell presented a list of uncollectable personal property taxes to the court and requested approval of Order 2019-02 (In the Matter of Cancellation of Personal Property Taxes per ORS 311.790). Assessor David Thunell reported Chief Deputy Tonya Cates has spent a lot of time going through old personal property taxes. Thunell has worked with District Attorney Jim Carpenter on this as well. Thunell isn't sure why the taxes were uncollected, but they are attempting to clean old items up. The order cancels the uncollectable business or personal property taxes. Thunell explained some of the taxes are uncollectable for reasons such as they are for manufactured homes that no longer exist, owners that are now deceased or businesses that have closed. **MSP: Palmer/Myers -- to approve Order 2019-02 for the cancellation of uncollectable personal property taxes and circulate for signatures.**

9:54 am Roadmaster Alan Hickerson and Mechanic Joe Bennett entered.

TRAVEL MANAGEMENT EXEMPTION PETITION. The court reviewed a Petition for USDA Rulemaking to Exempt the Malheur and Wallowa-Whitman National Forests from the Travel Management Rule and Related Actions. The petition is designed to be signed by Harney, Wallowa, Malheur, Grant, Baker and Union Counties. Myers said the county court is joining with the other counties to request exemption from the travel management rule. **MSP: Myers/Hamsher -- to join with the other counties and approve the Petition and circulate for signatures.** Billie Jo George commended the court for this and believes this is huge for all of our counties. Sheriff Palmer also thanked the court.

ROAD DEPARTMENT. Roadmaster Alan Hickerson had two items to discuss with the court. Intern: Hickerson has been approached by Jake Rau from Cooley Associates in Bend inquiring if it might be possible for a displaced timber worker to work at the Road Department to gain occupational skills. This worker would not replace any regular employee and would not be guaranteed a job at the end of the internship. The Hickerson explained all costs associated with an intern would be paid by Cooley Associates. Hickerson is only asking for permission to move forward and would like to decide if this will work after interviewing the individual. **MSP: Palmer/Myers – to approve moving forward with the internship process.**

Truck Purchase: Hickerson wanted to court approval to purchase a used truck for the department. Mechanic Joe Bennett reported the Road Department is working to update the trucks in the fleet and believes this is a good deal. Haggerman in Umatilla, Oregon, has a 2008 Kenworth T-800 Tractor Transport for sale for \$38,500 and would give a \$10,000 trade in for the Road Department's 1989 Kenworth Transport Tractor. The final cost for the used truck purchase would be \$28,500 and would be paid from the Road Department heavy equipment line. Bennett said they will need to pick the truck up and will be allowed to inspect it and use it for one week prior to purchase. **MSP: Hamsher/Palmer -- to approve purchase of the 2008 Kenworth T-800 Tractor Transport from Haggerman in the amount of \$28,500 to be paid from the heavy equipment line.** Several audience members thanked Hickerson

for the good work he and his crew are doing.

10:07 am The court took a short break. 10:16 am Larry Burton, John Morris, Andy Day and Loren Stout entered. 10:19 am Treasurer Julie Ellison entered. 10:20 am The court returned to session.

SHERIFF. Sheriff Palmer wanted to advise the court that there were two search and rescues last week. Palmer summarized the two call outs and the Search and Rescue (SAR) teams efforts. Palmer said the SAR team probably saved one man's life and wanted the court to know that they have good volunteers and staff and gave credit to SAR Coordinator Deputy Dave Dobler for his work on the program. He asked the court and those in attendance to thank the SAR volunteers and employees for their hard work if given the opportunity. Hamsher wished to commend the Sheriff and SAR staff and would like the court to send a letter of thanks to those involved. This is a good time of year to remind people to be prepared when the travel, let someone know where they are going and to stick to the plan and not deviate from it.

10:27 am Shaun Robertson entered.

TREASURER. Treasurer Julie Ellison presented the proposed 2.55% Cost of Living Increase (COLA) for Fiscal Year 2019-2020 to the court and asked for approval to present the COLA to the Budget Committee. **MSP: Hamsher/Myers -- to approve presentation of the 2.55 % COLA increase to the Budget Committee.**

RESOLUTION 19-07. Ellison also requested increased hours for the Veteran Services Office (VSO) Department Assistant. There is enough funding in the Veteran Services budget to increase the employee's hours to 24 instead of the current 16. Veteran Services Officer Katee Hoffman has indicated that she could use the extra assistance in the office due to the ever increasing number of veterans being served. Myers read Resolution 19-07 to those in attendance. The resolution transfers \$2,580 from Veterans Services materials and services to personnel services. **MSP: Hamsher/Myers -- to approve the increase the VSO Department Assistant hours to 24 hours per week effective for the March payroll and to approve Resolution 19-07 and circulate for signatures.**

WILDLIFE ADVISORY BOARD. Wildlife Advisory Board Chairperson Larry Burton presented two proposals to the court.

Wildlife Protection Agent: The board would like the court to establish a permanent budgeted county position for a Wildlife Protection Agent with a maximum annual budget of \$85,000 per year. They further requested that this position be filled with the current contract employee provided by the United States Department of Agriculture (USDA). Burton said something needs to be done because of the problems ranchers are having and the overall reduction in the mule deer population. Burton said the Oregon Department of Fish and Wildlife (ODFW) is not helping. Loren Stout believes the issues are being caused by lack of management by ODFW. Discussion followed about the significant population decline of deer in the county. Stout estimated in the Murders Creek Unit the deer population has declined by 80%. Shaun Robertson and Burton both said they are asking for court assistance for predator control for ranchers and to help out the deer population. Robertson believes the deer population decline and ODFW's policies are a discussion for another time, but having infrastructure at the county level regarding predator control is important. Stout said Senator Bentz advised him that if the county participated in funding a predator control agent and presented the information to his office he would be able to apply for additional funding to support the program at the state level. Myers pointed out the county has been assisting with funding for the current predator control agent. Several members of the audience expressed frustration with ODFW and the policies of the agency. Robertson

again asked the court to recommend continued funding for the predator control agent. Myers said he supports it, but isn't sure at what level yet because the budget process is just beginning. Stout asked if the court could ask ODFW for funding support for wildlife services. Myers advised he can't begin to discuss numbers for funding until the budget process. Myers, Hamsher and Palmer all stated they would support assisting with funding for the predator control program.

10:54 am Assistant Planner Shannon Springer entered.

Natural Resource Officer: The board also requested that the court hire a Natural Resource Officer and that the Officer should also be a member of the Wildlife Advisory Board. Hamsher said as a court they really haven't had the discussion yet about this, but he plans on proposing development of a committee made up of different members with a budget to allow for costs for items like studies. Palmer stated he is open to different ideas for either a committee or natural resource officer. Stout asked if any of the court members have talked to Didgette McCracken from Oregon State about their proposal for a natural resource advisor. Myers has discussed this with McCracken, but the court has not as a body talked about it. Hamsher suggested when this is discussed it would be a good idea to hold an evening meeting to allow for more community involvement. OSU Regional Director Natalie Kinion reported OSU has an opening for an agricultural position in the Extension Office. The position might be able to partner with the court, but this has not been formally presented to the court. Livingston supports what the Wildlife Committee is attempting to do and asked Burton to re-read the request. Burton again read the request for a Natural Resource Officer to be hired and to be a member of the Wildlife Advisory Board. Palmer asked if the board had someone in mind to fill this description. Burton said they had not decided on this yet, but they will discuss it and get back to the court. The court tabled the discussion for now.

PUBLIC HEARING – ORDINANCE 2019-04 – TO ADOPT SANITATION ENFORCEMENT. MSP:

Myers/Palmer to open the public hearing. Judge Myers called the hearing to order at 11:05 am for Ordinance 2019-04 – In the Matter of Implementing Authority to Enforce the Subsurface Program Delegated to Grant County by the State of Oregon for Onsite Septic Systems. Assistant Planner Shannon Springer explained this was brought to the Planning Department from Harney County. This would allow Grant and Harney to partner to offer on-site septic inspection services utilizing a Harney County employee instead of the Department of Environmental Quality (DEQ) in Pendleton. Springer read Ordinance 2019-04 to those in attendance in its entirety. Hamsher expressed concern that the ordinance didn't specifically state septic and used the wording of sewer which might cause issues for municipalities. Hamsher suggested changing the wording. Springer believes cities are covered under different rules and the ordinance was prepared by County Counsel Jim Carpenter. Myers believes this ordinance only pertains to the county and not to cities. Springer advised the ordinances and agreements have been reviewed by Harney County and the DEQ. Hamsher would still like to see wording clarified and changed from sewage to septic. Myers offered public testimony as follows:

Proponent: No testimony received.

Opponent: No testimony received.

Neutral: No testimony received.

MSP: Myers/Palmer -- to close the public hearing. MSP: Myers/Palmer -- to adopt Ordinance 2019-04 as an emergency and circulate for signatures. Palmer believes cities and municipalities fall under different rules. Hamsher would have preferred more clear language in the ordinance but will support it.

PUBLIC HEARING – ORDINANCE 2019-05 – TO ADOPT A SANITATION FEE SCHEDULE. MSP:

Myers/Palmer – to open the public hearing. The hearing opened at 11:30 am for Ordinance 2019-05 – In the Matter of Implementing Fees Associated with On Site Septic Services Provided by Harney County

in Grant County; Declaring an Emergency. Myers said this ordinance sets the fee schedule for the on-site septic services. Springer advised this is another part of the process required by DEQ prior to entering into the agreement with Harney County. Springer read Ordinance 2019-05 to those in attendance in its entirety and advised the fee schedule is the same as what is currently charged by DEQ. Myers offered public testimony as follows:

Proponent: No testimony received.

Opponent: No testimony received.

Neutral: No testimony received.

MSP: Myers/Palmer -- to close the public hearing. MSP: Myers/Palmer -- to adopt Ordinance 2019-05 as an emergency and circulate for signatures.

MEMORANDUM OF AGREEMENT. Court members reviewed a Memorandum of Agreement (MOA) with Harney County, Grant County and the Oregon Department of Environmental Quality (DEQ) for Harney County to provide on-site septic inspections in Grant County. The MOA becomes effective on the date of signature by all parties and terminates on June 30, 2028 unless terminated earlier. **MSP: Myers/Palmer -- to approve the MOA with Harney County and circulate for signatures.** Hamsher again wanted it on the record that he is concerned that Ordinance 2019-04 could still be interpreted to include cities if they had sewage lines that left city limits and that the court passed Ordinance 2019-04 to only pertain to septic services and not city sewage services. Palmer suggested they speak with County Counsel Carpenter for clarification.

BUILDING CODES LETTER. The Planning Department had prepared a letter to the Building Codes Division regarding the lack of services being provided to Grant County by the Building Codes Division and issues they are experiencing. Springer explained how delays from the Building Code Division cause problems for local building construction. **MSP: Palmer/Myers -- to approve the letter and circulate for signatures.**

RESOLUTION 19-06. Resolution 19-06 transfers \$5,000 from the District Attorney Revolving Fund into materials and services. The court agreed to a grant match for the DA Revolving fund in a previous court meeting in late 2018. Myers read Resolution 19-06 to those in attendance. **MSP: Myers/Palmer -- to approve Resolution 19-06 and circulate for signatures.**

WATER RESOURCE COMMITTEE. The court discussed formation of a Water Resource Committee. The following citizens have been working towards a Water Resource Committee and are available to serve on the committee: Jim Driscoll, Doug Ferguson, Lance Zwegardt, Elaine Eisenbraun, Jason Kehrberg, Melanie Dejong, Shaun Robertson, Mike Martin, and Justin Rowell. **MSP: Myers/Hamsher -- to approve appointment of Jim Driscoll, Doug Ferguson, Lance Zwegardt, Elaine Eisenbraun, Jason Kehrberg, Melanie Dejong, Shaun Robertson, Mike Martin, Justin Rowell and Commissioner Jim Hamsher to the Water Resource Committee.** Jim Spell asked if there was any documentation outlining the powers of this committee. Hamsher agreed that this needs to be outlined in writing and will speak with County Counsel Carpenter about developing this. Livingston asked for clarification on whether this was an advisory board or committee and all court members agreed it was a committee.

VICTIM ASSISTANCE. The court reviewed a request from Victim Assistance Director Kimberly Neault to approve application for the CAMI MDT Grant. This is a non-competitive grant through the Oregon Department of Justice. The purpose of the CAMI Program is to support a multidisciplinary approach to child abuse intervention and would be used to pay for child forensic interviews, to provide training to

professionals and to support a portion of the Victim Assistance Director's salary and benefits. **MSP: Hamsher/Myers -- to approve application for the CAMI MDT Grant.**

TITLE III ADMINISTRATION. Myers explained with the departure of Sally Bartlett we do not have an employee trained in the administration of Title III funds at this time. Bartlett is willing to continue to administer the program for six months in order to allow time for Economic Development Director Allison Field to become familiar with the program and to take over its administration. Bartlett requested \$500 per month to administer the program. **MSP: Myers/Hamsher -- for Bartlett to continue to administer the Title III program until August 31, 2019 and to pay her \$500 per month for her services.**

COURT LETTER TO JOINT COMMITTEE ON CARBON REDUCTION. The court members reviewed a letter opposing House Bill (HB) 2020 due to the impact it would have on agriculture and rural communities. Myers said the court was asked to submit a letter opposing this bill. **MSP: Myers/Hamsher -- to approve the letter to the Joint Committee on Carbon Reduction and circulate for signatures.**

PUBLIC COMMENT. Livingston said she sent her own comments in regarding HB 2020. Livingston stated after President Trump visited the Paradise Fire he executed an Executive Order regarding forest management. Livingston obtained a copy of the executive order from Representative Walden's Aide Tucker Billman. Livingston is glad to hear that Commissioner Hamsher is traveling to Washington, DC, and said it is vitally important that Hamsher take the executive order with him to present to Secretary of Agriculture Perdue. Livingston believes if the executive order isn't followed it will be because of the lack of money and she is sick and tired of hearing about money. She urged Hamsher to be prepared when he travels to Washington, DC. Livingston expressed concern about the John Day Basin Watershed Partnership and the money they have received from OWEB for projects in Grant County. Dan Becker asked if the court had an alternative plan for carbon emissions since they are sending a letter opposing HB 2020.

12:13 pm – 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 ******