

IN THE COUNTY COURT OF THE STATE OF OREGON

IN AND FOR THE COUNTY OF GRANT

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June 26, 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 Kim Puckett, Laurie Wright, Ted Williams, Frances Preston, Katy Nelson, Bret Uptmor, Dan Becker, Judy Kerr, Billie Jo George, Carol Waggoner, Shannon Adair, Beth Spell, Jim Spell, Reporter Rick Hanners, Reporter Logan Bagett, and Pastor Levi Manitsas. A Pledge of Allegiance was given to the United States Flag. The invocation was given by Pastor Manitsas.

CLAIMS. The court had reviewed and approved claims and extension district warrants # 155-158 on June 19th. The court approved extension district warrant 159 for year- end payroll prior to court.

HAND CHECK. The court approved a final pay check on June 20, 2019 and another final paycheck on June 25, 2019.

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

ANNOUNCEMENTS. Judge Myers went to the Bark Project Pre-Scoping with the United States Forest Service (USFS) on June 12th. On June 18th he went to a safety meeting and an emergency shelter/donations meeting. June 25th he traveled to Community Connections of Northeast Oregon (CCNO) directors meeting in LaGrande. Today Myers is going to Land Title to sign over the Health Building to Community Counseling Solutions (CCS). He will be attending a Planning meeting tomorrow in regards to pollutions on the John Day River and will conduct a performance review for the Planning Director and then attend meeting with Economic Development.

Commissioner Palmer also attended the Pre-Scoping for the Bark Project. Palmer and Amanda Lindsay, Silviculturist will be going out to review portions of the project. On June 15th he participated in the Bunk's Across America Build (Sleep in Heavenly Peace) project and helped build 31 beds. This is a volunteer organization that builds beds for children. Palmer had a phone meeting with Kimberly Lindsay regarding Public Health items they have been working on. He attended the Health Fair and prior to that went to look at the Pavilion in regards to questions on flooring and safety issues. He also met with Todd McKinley from Parole & Probation about some juvenile matters. Palmer also attended a hearing on the Torrefaction Plan.

Commissioner Hamsher talked with Walden's Aide, Tucker Billman, regarding potential future power issues with Oregon Trail Electric Cooperative (OTEC). Billman hasn't heard anything, but was in route to an OTEC meeting and would address this with them. Pacific Power is planning some planned outages for Oregon for parts that they service. Hamsher spoke with the Fair Manager and they reviewed the

Fairgrounds and identified several issues that need immediate attention. He met with the Veteran's Service Officer and she is doing a great job. She is working on ways to reach out to more Vets to prevent suicide, and take more active roles in the prevention as we had another suicide in the County. They did get approval for some more state funding for the suicide prevention. He attended a telephonic meeting with the Training & Employment Consortium (TEC) Board to approve their budget. He met with Economic Development. On Monday Hamsher traveled to LaGrande for a meeting with Eastern Oregon Counties Association (EOCA) on how to move forward with addressing the Forest Service Plan Revision.

MINUTES. MSP: Myers/Hamsher to approve the June 12th minutes as presented.

RESOLUTION 19-20 ADOPTING COUNTY BUDGET. The court reviewed Resolution 19-20 to adopt the annual budget, impose taxes and make appropriations for the county budget for fiscal year 2019-20. Treasurer Julie Ellison handed the court members some small changes that were just completed. Myers read the first page of the Resolution to those in attendance. Ellison explained some final changes to the budget. **MSP: Myers/Palmer-- to adopt the annual budget for fiscal year 2019-20 and circulate Resolution 19-20 for signatures.**

SUICIDE PREVENTION POLICY – This policy is supposed to be reviewed every other year and adopted. The last review was June 2017. **MSP: Myers/Hamsher—to adopt the policy as presented.**

INTERGOVERNMENTAL AGREEMENT (IGA) FOR RIGHT-OF-WAY USE. – This is an agreement between Grant County and The City of John Day for improvements of a portion of the right-of-way commonly known as Davis Creek Road or as County Road 50. The improvements are all a part of the Charolais Heights intersection improvement project. **MSP:Myers /Palmer –to approve & sign agreement.**

EXTENSION & 4H RESOLUTION 19-21. The court reviewed Resolution 19-21 to adopt the annual budget, levying of taxes and making appropriations for fiscal year 2019-20 for the Grant County Extension and 4H Service District. Myers said the required budget hearing was held for the district. Myers read a portion of the resolution to the audience. **MSP: Hamsher/Myers -- to adopt and approve budget Resolution 19-21 as presented.**

WILDLIFE DAMAGE PREVENTION – The court reviewed the agreement with the United States Department of Agriculture for a predator control agent. The County will contribute up to \$40,000 for these services. This agreement shows how this will be structured. **MSP:Myers /Palmer –to approve and sign agreement.**

COMMUNITY GARDEN – The court reviewed a real estate lease agreement with The John Day Community Garden for property located on the Third Street Extension in John Day. The lease term shall terminate on February 28, 2028. Some questions arose in regards to planting, this is all in the agreement. **MSP:Myers /Hamsher –to approve agreement.**

MEDICAL INSURANCE – The court reviewed rate proposals for employee medical insurance coverage. The proposed rates ranged from an increase of 3.3% to 8.9%. After negotiations from the insurance agent, the current medical provider offered a combined increase of 2.84%. Myers will contact her and will accept MODA's offer. Palmer asked if this is locked in for a certain time and, Myers advised it is

evaluated yearly. **MSP: Myers/Hamsher –to accept MODA’s offer.**

9:25am – Kathy Stinnett entered

NATIONWIDE DEFERRED COMPENSATION PLAN – The court reviewed a fixed account amendment for the Nationwide deferred comp plan. **MSP: Myers/Palmer –approve amendment.**

FAIR ENTERTAINMENT – The court reviewed an entertainment contract with Giddy Up Production and a contract with Jessie Leigh to provide entertainment at Fair. Giddy Up Productions will receive 3,600.00 for performances and Jesse Leigh will receive 1,500.00 for performing. **MSP:Hamsher /Myers –to approve the contract with Giddy Up. MSP:Myers/Hamsher-to approve the contract with Jessica Elliot/Jessie Leigh.**

DEPARTMENT OF JUSTICE AGREEMENT - The court reviewed an agreement with The Department of Justice for the District Attorney to provide child support services. **MSP:Myers /Hamsher –to approve contract.**

EMERGENCY OPERATIONS PLAN. Emergency Management Coordinator Ted Williams requested the court adopt revisions to the Emergency Operations Plan. There were several changes within the plan and Williams expects significant changes again next year. Once complete Williams will send to State to review. **MSP:Myers/Palmer-to approve revisions & send to state emergency management.**

PROPERTY TAX REFUND ORDER 2019-03 - The court reviewed order# 2019-03 and tax refund #4. The refund is due because of an overpayment of property tax in the amount of \$1427.27. The refund will be paid to Oregon Affordable Housing Assistance Corp in Salem. **MSP:Myers / Hamsher-- to approve Order 2019-03 and Tax Refund #4 to Oregon Affordable Housing Assistance Corp in the amount of \$1427.27 and circulate for signatures.**

PROPERTY LEASE. The court reviewed a renewal of the property lease with the Grant County Food Bank for Suites 8 & 9 at the L-Building. **MSP:Myers/Palmer—to approve the lease with the Food Bank.**

9:40 – Mindy Winegar, Dusty Williams, & Haley Walker entered

COUNTY COURT – Commissioner Hamsher recused himself from this discussion. Judge Myers stated we will discuss court roles and additional compensation for a Commissioner. Palmer said that if the Judge becomes incapacitated he feels there should be a plan in place to deal with the situation. Myers advised the Commissioners have the ability to make decisions as necessary. An affidavit would need to be signed by a physician & submitted to the Governor if a Judge would be incapacitated for a long term. A citizen stated that the Court should have a plan in place in the absence of County Judge or Commissioner. Myers said we take Oath of Office to follow the Laws of the Constitution and the State of Oregon and the United States of America. Myers read County Counsel’s opinion to those in attendance. The opinion of County Counsel is only the Governor can appoint a County Judge. Myers stated that this is structured to protect the other Court members. Myers suggested that we leave this matter alone and not create a local law as this is already covered by State Law. Palmer asked to discuss compensation for Commissioner Hamsher. Palmer feels that a person should be compensated for additional duties. Palmer also questioned what a timeline would be in the event of incapacitation of one of the court members and when is the Governor’s office notified. Myers thinks Human Resources would contact the County Court members and would follow the ORS(Oregon Revised Statutes). Myers reported he continued on as County Judge for several weeks from home and that no one needed to

perform his Judge duties during his absence. He also said that the remaining two Commissioners have the ability to take over and run the business of the day for however long that might be. A discussion on additional compensation for Commissioner Hamsher was brought up. Myers believes that as an elected official we know what our job duties are and the compensation for those duties along with the expectations of the position. Judge Stinnett advised she is speaking as a department head and fellow elected official. Stinnett asked the court to consider the fact as elected officials we are public servants. Stinnett stated volunteers, other employees & elected officials sometimes put in well over 40 hours a week. Stinnett said that as elected officials when it comes to extra compensation we should be at the bottom. Stinnett feels that it is unethical to accept extra compensation for our duties. Another issue is making changes after already holding the position. Stinnett referenced the Oregon Government Ethics Commission Guide which outlines the rules for compensation for Public Officials. Stinnett read a portion of the ethics guide to those in attendance and expressed her opinion that additional compensation doesn't pass the ethics test and may cause future problems. Stinnett stressed her comments are not directed at any one individual but rather at the position. **MSP: Myers /Palmer – to hold and respect the Laws of Oregon & Constitution thereof.**

10:25 - Sheriff Palmer entered.

FAIRGROUNDS PAVILION SAFETY ISSUES. Safety issues regarding the pavilion floor were discussed. Wright (Safety Committee) advised the floor is cracked & raised & the walls are also cracking. The facility is being used more and more. Palmer's issue is the liability and, said this is not a risk he is willing to take. Myers discussed estimates of repairing the floor and the removal of trees. Myers suggested trying to find a contractor for estimates. Hamsher feels like we should move right away with getting the floor leveled and the quotes. Myers will make some calls to see if we can get the floor ground. Palmer asked if building replacement, maybe something similar to the Heritage Barn/Metal Building.

AIRPORT PROJECTS AND CONSULTING ENGINEERS RFQ. Request for Qualifications: (RFQ) Airport Manager Haley Walker requested court approval to publish an RFQ for Airport Engineering Design and Construction Administrative Services. The current consulting engineer five year contract expired in 2019, we are required by Federal Aviation Administration (FAA) to use a consulting engineer for all Airport Improvement Projects (AIP). **MSP: Myers /Palmer – to move forward with publication of RFQ.** Apron Reconstruction Project: Walker further requested approval of a grant agreement with the FAA for the Apron Reconstruction Project. **MSP: Myers /Hamsher – to follow recommendations of airport commission & authorize Judge Myers to sign the required documents.** Supplemental Funding FAA: The Grant County Airport received supplemental funding from the FAA in amount of 6.35 million. It has been requested that Grant County fund the design and environmental fee that takes place prior to the grant being issued. Once the grant is issued the County can ask for reimbursement for the design and environmental analysis fees. Walker is requesting approval to proceed with the project including County funding design and environmental analysis costs prior to the FAA grant being issued. **MSP: Myers / Palmer – to proceed with project & fund the environmental analysis fees with reimbursement to be issued in 2020 with the construction grant award.** Walker talked about a press release and we are on the list for over 10 million dollars.

Break – 10:55am Return to session – 11:13am

PUBLIC HEALTH. Policies: The court reviewed public health policies required by the state. **MSP: Myers / Palmer –to adopt policies 2019-01 – 2019-04.**

Community Counseling Solutions (CCS): The court reviewed a contract with CCS to provide public

health services for 2019-2021. **MSP: Myers /Palmer -- To approve the contract with CCS and circulate for signatures.** Public Health Administrator (PHA): Myers explained the state requirements to employ a Public Health Administrator. Palmer stated that when this process started he thought with his Nursing background it would be a good fit. He is finding that this position is taking more time than he anticipated and he has other County issues that he prefers to work on. Palmer talked to Kimberly Lindsay about resuming her role as PHA she has agreed. Myers talked about the compensation of a salary of \$500.00 a month. **MSP: Myers/Palmer -- to employ Kimberly Lindsay as the Public Health Administrator at 0.1 FTE (\$500/mo. salary)**

ROAD DEPARTMENT. The Road Department was previously approved to purchase a Kenworth T-800 Tractor Transport but unfortunately the truck had engine issues that could not be easily fixed. Mechanic Joe Bennett located a 2013 Kenworth T-800 which will cost \$57,500 after trading in the current 1989 Kenworth. The 2013 model has the emissions equipment that would be required if the Oregon Legislature passes the proposed "Clean Diesel Bill". The purchase will be paid for from the Road Department heavy equipment capital outlay line. **MSP: Myers/ Hamsher --to approve purchase of 2013 T-800 in the amount of \$57,500 to be paid from the heavy equipment capital outlay line.**

OREGON HEALTH AUTHORITY (OHA) # 154111-14. The court reviewed an agreement with OHA for the financing of public health services. **MSP: Myers/Palmer -- to approve OHA agreement #154111-14.** **OREGON HEALTH AUTHORITY (OHA) # 154957-1.** The court reviewed an agreement with OHA for the financing of public health services. This agreement is effective from July 30, 2019 to June 30th, 2021 and outlines the funding that will be provided. **MSP: Myers / Palmer -- to approve OHA agreement #154957-1.**

Judge Myers recited the State Attorney General's Sample Script to Announce the Start of Executive Session.

EXECUTIVE SESSION. 11: 30am - The court members met in executive session pursuant to ORS 192.660(2)(e) to conduct deliberations with persons designated by the governing body to negotiate real property transactions. Judge Myers recited the State Attorney General's Sample Script to Announce the Start of Executive Session. Present were Judge Myers, Commissioner Hamsher, Commissioner Palmer, Administrative Assistant Kim Puckett, Human Resources Manager Laurie Wright, and Reporter Rick Hanners. The court left executive session at 11:38 am. The court returned to regular session at 11:40 am. **MSP: Myers / Palmer—to have County Counsel prepare a Quitclaim Deed to Grant County Child Center for the Kiddie Castle building (Barth Hall).**

11:44am Adjourned

Respectfully Submitted,

Kim Puckett
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 Kim Puckett at 541-575-0059 or puckettk@grantcounty-or.gov ****