

**IN THE COUNTY COURT OF THE STATE OF OREGON
IN AND FOR THE COUNTY OF GRANT**

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October 13, 2021

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 Stinnett, Reporters Steven Mitchell, Reporter Logan Bagett, Frances Preston, Katy Nelson, Paula Guthrie, Charlene Morris, John Rowell and Emergency Management Coordinator Eric Bush. A Pledge of Allegiance was given to the United States Flag and prayer was offered by Jim Boethin.

9:06 am- Valerie Maynard entered

Judge Myers advised those in attendance that they, without exception, must mask up due to a recent warning received from OSHA. He does not feel that the taxpayers of Grant County want to pay a \$5000 non-compliance fine. When challenged by John Rowell, Charlene Morris and Francis Preston, Myers asked that they take it up with the Governor. If necessary, they will be escorted out of the courtroom. He asked that they not put himself or Sheriff McKinley in this position. Morris and Rowell exited the room.

CLAIMS. The court had reviewed and approved claims and extension district warrants.

AGENDA. MSP: Myers/Hamsher—to amend the agenda to include policing discussion at 11:30 am.

ANNOUNCEMENTS. Judge Myers attended Rissy Palmer’s Celebration of Life at the Fairgrounds on Friday, October 8th. He attended an Association of Oregon Counties (AOC) Legislative Committee meeting on Monday the 11th; then at 3 o’clock in the afternoon, performed a wedding ceremony at the courthouse. Upcoming events include a wedding on the 21st of October, as well as a Community Connections of Northeast Oregon (CCNO) Board Meeting scheduled for the 26th in La Grande.

Commissioner Hamsher attended the AOC Legislative Committee meeting on Monday the 11th of October, as well as an AOC Natural Resource Steering Committee Meeting earlier in the day. He took part in two weekly Covid updates for Grant County with Public Health Director Kimberly Lindsay. Hamsher attended a Veterans Steering Committee meeting with AOC and a

Regional Emergency Meeting regarding drought relief, along with the Governor's office and Business Oregon. He took part in the National Association of Counties (NACO) Public Lands Steering Committee meeting, a Grant County Community Advisory Team (GCCAT) meeting, met with Senator Finley and attended a meeting with the Governor's office.

Commissioner Palmer was giving a presentation during the first 45 minutes of the meeting and was not present to give a report.

9:12 am- Jacob Bellinger and Steve Fletcher entered

UMATILLA NATURAL FOREST. Paula Guthrie of the Ukiah Ranger District, spoke about a unique opportunity to acquire the largest private land holding adjoining the Umatilla National Forest, the 13,000 acre Desolation LLC property. That proposal has gone to the Regional office where it was prioritized and elevated to the National office in Washington DC. She acknowledged that the people of Grant County and the Forest Service may not view the conversion of private land to National Forest as a positive thing. However, she stated, there are pros and cons. Under the current ownership of ECO Trust Forest Management the lands have been a model of multiple use access to the public, including hunting, recreation and grazing. She stated that recognition of its value by the County would be a significant benefit to the strength of the proposal. Commissioner Hamsher asked about the loss of property tax revenue to which Guthrie replied that they are considering different scenarios to generate revenue for that purpose. Judge Myers said that any letters of support from the public would be appreciated by Guthrie.

EMERGENCY RADIO INFRASTRUCTURE COALITION (ERIC): Steve Fletcher, Emergency Coordinator for the Grant County Amateur Radio Emergency Service (ARES) and Jake Bellinger, Point of Contact for the Emergency Radio Infrastructure Coalition (ERIC), presented a Cooperation Request to the Court. This follows a request presented to the Court in March of 2021 that was tabled at that time. It pertains to the equipment and potential equipment on Eagle Peak, Fall Mountain, Dixie Butte and Monument Mountain, and clarity of the Memorandum of Understanding (MOU) currently approved by the Court. The new ERIC site package and the MOU "seeks to create full understanding of any potential issues, ensure the longevity of a repeater survives the demise of any individual volunteer equipment owner" and states that "the county still remains in charge of access, location of equipment, and the right to terminate the agreement."

MSP: Myers/Hamsher-- to accept the proposal and sign MOU after review by County Counsel.

9:36 am- Roadmaster Alan Hickerson and Mechanic Joe Bennett entered

ROAD DEPARTMENT. Roadmaster Alan Hickerson and Mechanic Joe Bennett presented several requests to the Court.

Vacate Road: Hickerson updated the court on the proposal to vacate 280 feet of County Road 72 (CR72), which is of no benefit to the county. This is the old approach from Highway 26, located at the west end of the road by George Winegar's corral. Winegar would like to see it

vacated, and has signed papers accordingly.

MSP: Myers/Hamsher--to approve partial vacation of CR72 as proposed.

Gravel Packer: Judge Lynn Morley of Wheeler County notified Hickerson of the availability of a used gravel packer at the cost of \$5000, delivered. Joe Bennett found it to be in like-new condition. Hickerson stated that the cost, new, is \$28,000. This equipment would save many man hours, thus yielding a return to the county.

MSP: Hamsher/Myers-- to approve purchase of equipment for \$5000 paid from equipment line.

9:42 am- Commissioner Palmer entered

Truck Tool Cabinet: Joe Bennett requested the purchase of a truck storage cabinet for their service truck. The average cost on the internet is \$300; however, they sell quickly. He would like to request a cap of \$500 to be used for the purchase.

MSP: Myers/Hamsher—to approve online purchase of truck storage cabinet up to \$500.

Exhaust Brake: Joe Bennett explained that the old truck brake could not be used on the new shop truck because of the fuel system. Pendleton Kenworth's price for the new brake is \$1,261.84.

MSP: Hamsher/Myers—to approve acquisition of brake saver (exhaust brake) for shop truck at \$1,261.84.

Shop Equipment: The Road Department would like to update the shop software to allow mechanics to more effectively troubleshoot needed repairs on the equipment. They asked for approval to purchase three (3) diagnostic equipment cables for a total of \$648.00.

MSP: Hamsher/Myers—to approve purchase of diagnostic equipment cables for \$648.

JAIL NURSE CONTRACT. Sergeant Wade Waddel requested modification to the current contract to allow for an increase in nursing hours in the jail. He cited long waits due to the current limited contract hours and, subsequently, increased costs when it becomes necessary to transport Adults In Custody (AICs) to the emergency room or clinic for care.

MSP: Myers/Palmer--to approve modification of contract for increase in nursing hours at the jail, as well as authorization for Judge Myers to sign the contract as soon as it is available.

MINUTES. MSP:Hamsher/Palmer-- to approve the minutes of September 22, 2021 as presented.

9:50 am- The Court recessed for a short break

9:51 am- Tory Stinnett entered

9:58 am- Shannon Springer entered

10:02 am- Returned to session

10:06 am- John Morris entered

GRANT COUNTY ECONOMIC DEVELOPMENT STRATEGIC PLAN. Economic Development

Director Tory Stinnett presented the Grant County Economic Development Strategic Plan developed in collaboration with the Grant County Community Action Team (GCCAT). A team of stakeholders will provide a strong base to promote community, economic and ecological growth in Grant County. The goals for the economic growth of Grant County would range from reducing barriers for affordable housing, to obtaining broadband access, to promoting business opportunities, as well as the County's unique arts, heritage and recreational development. A link can be found on the Grant County website with the updated plan and information. Commissioner Palmer applauded Stinnett for the extent of the effort and quality of work put into the plan.

MSP: Myers/Palmer-- to approve the Economic Development Strategic Plan.

John Rowell questioned the development of "new" strategies when we are losing County positions, such as the Assistant Watermaster. Judge Myers thanked Stinnett and complimented the information and presentation as being well done.

PUBLIC COMMUNICATIONS GRANT. Eric Bush, Emergency Management Coordinator, presented a grant that had been put in motion by his predecessor and is funded by lottery dollars through the Department of Administrative Services. The grant is to be used to upgrade the public safety communications network; primarily for first responders. The current system has been patched together through the years, and while it functions, it is ready for an upgrade. There is no cost share for this grant of \$650,000. Bush, along with the Sheriff and Fire Service members, will be working together to obtain the best system possible. Typically, the grant is available for two years. Myers noted that a resolution is required with the acceptance of this grant.

MSP: Hamsher/Palmer-- to approve and create a resolution to accept the grant.

COMPUTER SERVERS. Reviewed a quote from Robert Waltenberg, Grant County ESD Director, for purchase of new servers, storage and accessories.

MSP: Myers/Hamsher-- to approve purchase of servers for \$7972.00.

COPY MACHINE LEASE. Reviewed the lease for the Economic Development copy machine lease with TEC Copier Systems, LLC.

MSP:Myers/Palmer--to approve the yearly copier renewal lease with TEC Copier Systems, LLC in the amount of \$799.

BOARD OF PROPERTY TAX APPEALS (BOPTA). Judge Myers explained that the board needs to convene only in the case of an appeal that is unable to be resolved within the Assessor's Office.

MSP: Palmer/Myers-- to appoint Shannon Springer, Bob Quinton and Scott Myers to the Board of Property Tax Appeals and attach an order.

FAIRGROUNDS GRANT. The Fairgrounds requested approval to apply for a grant for picnic tables through Cycle Oregon. The quotes for the purchase of twenty (20) metal picnic tables ranged from \$19,040.00 to \$19,414.25. The total grant amount is \$14,900.00.

MSP: Myers/Hamsher-- to approve the grant application process for the Cycle Oregon Grant

for Fairground picnic tables.

OCHOCO NATIONAL FOREST. Shane Jeffries, Forest Supervisor of the Ochoco National Forest and Johanna Kavorik, District Ranger for the Paulina District called in for an Ochoco National Forest and Crooked River National Grassland update. Items on their update included the Black Mountain Vegetation Management Project and the Sunflower Cluster Grazing Authorization. Commissioner Palmer asked if they were seeing an increase in Medusa Head. According to Jeffries, they have found some herbicides that are effective. Commissioner Hamsher stated that we would like to have a say in any projects that take place in Grant County and have Grant Soil and Water Conservation District available to coordinate efforts when working in overlapping areas. Another concern, Jeffries stated, is the entrance of those weeds into the Wilderness Areas, which they are watching carefully. When questioned, he said that he does not have a sense of the impact of the River Democracy Act on their management plan. John Morris questioned the impact of wild horses on their allotments. Jeffries said they just released their herd management plan and have encountered litigation. Loren Stout asked about Murderers Creek horses and the DNA testing done before bringing the horses back and dumping them off. Johanna Kavorik stated that they were pleased that they were able to move forward with 2000 acres of prescribed burning this fall and looked forward to working with the County.

10:30 am- Surveyor Mike Springer entered

10:31 am- Loren Stout entered

RIVER DEMOCRACY ACT. Loren Stout spoke to the court regarding the River Democracy Act (RDA) and the Josephine County Ordinance. Stout stated that Grant County, Eastern Oregon and part of Southeastern Oregon are prime areas for valued minerals. He feels that those pushing the RDA are not taking this into consideration, and is a matter of national security. According to Stout, Wyden had knowledge of the mineral deposits in 2019, and did not disclose this information. Stout believes that we are talking about billions of dollars of mineral resources present in Grant County. Tom Seals also shared information about the presence of minerals in the county, and was noted by Commissioner Palmer to be a professional in the industry. Chrome, cobalt and copper were mined in Grant County before WWII, and is currently included in the RDA area. These are vital and exotic minerals that have not received a lot of exploration.

MSP: Palmer/Myers-- to authorize Palmer to write a letter in support of Stout and Seals.

Billie Jo George, via phone, added that there are mining laws in place; she will try to get them to Palmer to include in the letter.

INDUSTRIAL PARK REPLAT. Surveyor Mike Springer brought a re-plat of the Airport Industrial Park Subdivision with changes from the original. There will be no new streets or changes. The current remnant lot of fifty plus acres will be divided into smaller pieces to accommodate a purchase.

MSP: Palmer/Myers-- to approve the plat and sign when it arrives.

COURTHOUSE DOORS AND SECURITY. Emergency Management Coordinator Eric Bush has

visited with several staff members about obsolete locks and other problems with the Courthouse door locking system. Eric anticipates the need for a new and updated system. He volunteered to facilitate discussion with Ryan Palmer, Todd McKinley and Frank Stinnett to discuss the issue. Comment by Palmer and Myers include the need for updating windows, as well. Bush replied that there are a number of building issues that need to be considered and that it would be more efficient to present them as a package deal.

MSP:Myers/Palmer-- to approve moving forward to explore the best door security system options to meet our needs.

11:30 am- Sheriff Todd McKinley, Under-Sheriff Zach Mobley and Sergeant Wade Waddel entered.

11:31 am- Treasurer Julie Ellison entered

11:32 am- John Day City Manager Nick Green entered

COUNTY POLICING ISSUES. Sheriff Todd McKinley stated that the John Day City Council voted to suspend city policing operations at the October 13th council meeting. Undersheriff Zach Mobley and Treasurer Julie Ellison put together some rough numbers of potential costs to the county to take over these duties. The total cost for salaries of six (6) additional staff members, including one sergeant, four deputies and one civil deputy would be roughly \$513,000. Equipment costs, including uniforms, weapons, tasers, bodycams, radios and body armor totals \$44,000. The addition of patrol vehicles brings the total equipment cost to \$404,000. Additional costs include a part-time secretarial position and an additional \$27,000 a year for calls run through dispatch. McKinley anticipates that the case load will double, as the city and county run an average of 300 criminal cases per year, and the calls for services (barking dogs, deer got hit, 911 hang-up) to be up 2000 per year. John Day City Manager Nick Green reiterated the city's offer to continue to discuss and negotiate an agreement with the county. The city is willing to give 100% of their property tax receipts, \$300,000 a year for three (3) years to assist the county in running additional public safety services. In exchange they need an equivalent amount of the county road funds to build roads in John Day for housing development. Green stated that they're in this situation because of inadequate housing, a declining tax base and declining population and that there has been nothing done to stop this at the county level. While the City of John Day is making strides to address these issues. They cannot give away their funds without an equivalent return to address the core problem. Green stated that this offer has an expiration date, and that one week from now, the money in the city's general fund will be transferred to the city's road fund if the county chooses not to accept. Commissioner Palmer asked what their expectations were for the use of the \$300,000, to which Green replied that they have no restrictions in mind other than general public safety, in the same way that they don't expect restrictions on how the city would spend the funding for roads. Judge Myers asked if they had a detailed proposal to present to the court. Green replied that they would do so if it was of interest to the court, but that he didn't want to spend a lot of time drafting an agreement that the court wasn't going to give their approval. Palmer asked what Green's thoughts were after the three years. Green replied that if really diligent in building houses, they would see what that did to the tax base for both the city and the county. They have 115 home

sites that are already approved by the county and ready for construction. Palmer asked if they wanted dollar for dollar, or in-kind work with county equipment, to which Green replied that no in-kind was under consideration by the council. Disagreement continued over the signing and acceptance of an agreement, with Myers reiterating that he could not sign an agreement without having it in writing and reviewed by County Counsel. Green displayed reluctance to produce a written document if the Court didn't commit to its signing. Palmer confirmed that he would also like to see the proposal in writing to show to County Counsel and the Roadmaster. Green thanked the court and exited the room. Sheriff McKinley stated that they've seen no details from the city as to whether this offer included equipment or vehicles, and have had no discussion about the transfer of case loads, files, and evidence. In the past they have relied on the state and city police to cover them when they have multiple calls, but are unsure as to the effect of the Covid mandate on local state trooper numbers. While McKinley understands that the city deserves county services, he fears that it will get more response than outlying areas. Valerie Maynard, the 911 Dispatch Director, added that John Day's call volume far exceeds that of the outlying areas. Mobley figured that they would now need two deputies for each shift: one for outlying calls and one for inlying calls, as well as a staff supervisor for each 12 hour shift. Palmer asked Paul Smith and Shannon Adair, John Day City Councilmembers, if there was discussion as to transfer of equipment or vehicles. Smith responded that currently, the \$300,000 fund was the only option in the proposal and the rest would need to be negotiated. Adair recognized that frustrations are really high, but that we all need to work together for the sake of public safety. She will push for the information about equipment and vehicles today. Hamsher asked if the Secure Rural Schools (SRS) payments would be included in the \$300,000 or be in addition to that amount. It would be in addition to that, according to Smith. Frances Preston pointed out that the county elected the Sheriff, not the City Council. She stated that the county is not obligated to give the City of John Day one road dollar. We need to support our sheriff and get them what they need to do their job for Grant County. Billie Jo George asked how the Sheriff's Office and Commissioners are going to work with the attitude that just walked out the door. Palmer responded that we are still going to need to have dialogue whether we like each other or not. George replied that he (Green) is unworkable; that he is going to have it his way or he is not going to have it at all. Smith stated that the council has done everything they can to try to save the police department and there isn't any alternative. Myers commented that public safety as a priority, in general, has gone by the wayside. He stated that the city has always had the financial ability to cover their needs for public safety. Smith replied that they have seen this coming for ten years but with no feasible solutions. Adair respectfully disagreed with Myers' assessment. She stated that this decision was one of both Green and the City Council, and that whether certain personalities get along, it is important that we all work on this problem together. Smith said that they don't know the status of the grant application for policing services, or whether there is the possibility of transfer. Paula Guthrie stated for the record that she would be taking information about the policing situation back to their Forest Management Team for input and cooperative opportunity.

DESOLATION CREEK ACQUISITION: Paula Guthrie asked for a letter of support from a member

of the Court and help in obtaining signatures of approval.

MSP: Myers/Hamsher—to approve a letter of support and allow Hamsher to help Guthrie obtain signatures.

11:56 am-- Adjourned.

Respectfully Submitted,

Laurie Stinnett
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 the County Court at 541-575-0059 or GCCourtAdmin@grantcounty-or.gov *******