

WASCO COUNTY COURT
REGULAR SESSION
SEPTEMBER 9, 2009

PRESENT: Dan Ericksen, County Judge
Sherry Holliday, County Commissioner
Bill Lennox, County Commissioner
Kathy McBride, Executive Assistant

At 9:05 a.m. the meeting was called to order by Judge Ericksen.

Rob Kovacich, representing Home At Last, stated that Home At Last would like to have the Agreement amended with Wasco County to include an escalator clause for funding. They do not have anything prepared to present at this time but he indicated that they would be back by Halloween. Mr. Kovacich stated that 73% of the shelter's budget comes from donations with the remainder coming from the Agreement with the County and City of The Dalles.

Some brief discussion occurred.

At 9:08 a.m. Celeste Morgan, Administrative Assistant, presented to the Court a handout on Culture/Diversity Training presented by the Board of Police Standards and Training (BPST) (Attached as Exhibit A). Mrs. Morgan noted that 22 hours are spent during the 16 week training course in culture/diversity.

Some discussion occurred. Mrs. Morgan noted that most of the Sheriff's Office's Supervisors are signed up for the sexual harassment training this month. She has spoken to Chief Deputy Sheriff Steve Conover who indicated that the Sheriff's Office sends their staff to various training.

Tyler Stone, Employee & Administrative Services Director, stated that we had another water leak downstairs over the weekend. Luckily Fred Davis, Facilities Manager, was in after hours checking on the cooling tower and discovered it. It could have been significantly worse if it had gone all weekend. The break was in the boiler room. Mr. Stone noted that the funding is in this year's budget to relocate the IT Room to the old guard shack located on the west side of the Courthouse. It is just a matter of writing the Request for Proposal and contracting out the work.

Molly Rogers, Youth Services Director, stated this is the Tenth Year Anniversary of the opening of the Northern Oregon Regional Correctional Facilities (NORCOR). Prior to Laura Pryor leaving she made a suggestion that we needed to recognize the anniversary of the regional jail. The anniversary celebration will be held on October 15, 2009.

Monica Morris, Staff Accountant/Budget Officer, stated that she will be calling NORCOR to reserve the meeting room for next year's budget session. This year there was some discussion on changing the meeting location to the Columbia Gorge Discovery Center, however, she has no money in her budget for renting the facility.

Rob Kovacich suggested the Northern Wasco County PUD Meeting Room. The remodeled meeting room was enlarged as a community meeting facility at no charge.

Commissioner Holliday reported that she attended the City Council's meeting last month in Maupin where they were discussing the Palomar Gas Transmission latest alternative. The new proposal was discussed. The City of Maupin is not interested in the pipeline coming through the City. Dennis Ross, Mayor of the City of Maupin, contacted her to suggest that if the Court would write a letter in support of the first proposal that the City Council would probably support the Court if we asked them to.

Some discussion occurred. The Court felt that we needed to have a discussion with Tim Lynn, Wasco County Assessor/Tax Collector, to get a better understanding of the tax benefit to Wasco County.

*****It was the consensus of the County Court to write a letter to the City Council of Maupin indicating the County's support of the first proposal for the location of the Palomar Gas Transmission Pipeline***.**

A letter will be drafted by Commissioner Holliday for the Court's consideration.

Judge Ericksen briefly discussed the issue of replacing a propane tank in the Murray's Addition Area, which is located in the National Scenic Area. He stated that we have tentatively resolved the issue under the prosecutorial discretion section of the County's Ordinance. At this point in time we will use that discretion. Keith Cleveland, Wasco County Code Compliance Officer, will go out and make sure that the tank is in compliance with the safety issue. Mr. Cleveland will review the matter and report back to the complainant. Hopefully that will deal with the issue and in the future the Planning & Development Department will use that discretion as a guideline. The Department will be asking the Court for their direction. Judge Ericksen stated that the propane tank is not an accessory, new or additional use, or is non-essential. Without the propane tank the building does not function. It is part of a building. It is just a replacement. That is how it will be handled for now. The cost of the review would have been more than the cost of the tank.

Some discussion occurred in regards to the anonymous complaint received on property located along Mill Creek Road and the easement issue near Clem's Attic in The Dalles.

At 9:46 a.m. Mr. Stone reported that they received the official report on the Fairground's well. The contamination is being caused by either organic material in the casing or the casing is bad. He plans to come back to the Court with an emergency declaration which will allow the County to drill a new well. Mr. Stone is working with the Mid-Columbia Economic Development District to identify potential grant or loan opportunity for replacing this well.

Some discussion occurred.

At 9:51 a.m. Judge Ericksen stated he met with Wil Carey yesterday in regards to the wind energy project in Wasco County. Mr. Carey went through the process that they used to do the Strategic Investment Program (SIP) for the Counties of Harney, Morrow, Umatilla, Sherman and Gilliam. The first \$25 million goes straight on the tax roll, the next \$500,000 in revenue is considered as a community service fee which is distributed. Anything above that is discretionary, which is dependent upon the size of the project. Paul Woodin developed a formula to establish the fee per megawatt. The fee is based on the value of the construction and the tax rates of the districts that the project falls within. Everything is negotiated on the megawatt value. It includes all of the cost for the negotiation team in putting together an agreement, which needs to go to the Oregon Economic and Community Development Department where a public hearing is held. The Department needs to approve the agreement before the SIP can be finalized. After the Department approves the Agreement we have 90 days to establish all agreements with the taxing districts.

Judge Ericksen noted he then met with Steve Ostrowski yesterday afternoon. They are now looking at a 150 megawatt project since they cannot get enough wind since they had to back further away from the Deschutes River. They have lost a fair amount of capacity but they are calculating it to be a feasible project.

Judge Ericksen stated that he will be talking to Paul Woodin to get the proposed megawatt amount. We will put together a team which will probably consist of the County Judge, County Assessor and Wil Carey. We will need one other person on the team.

Commissioner Holliday suggested John Arens.

Judge Ericksen suggested Tyler Stone.

Mr. Stone stated that he would be interested in serving on the Negotiating Team.

Some discussion occurred.

The issue of appointing the negotiating team will be discussed at the County Court's meeting of September 16, 2009.

Judge Ericksen stated that once we start the process the statute requires that the process remain confidential. Everything is done in executive session. All negotiations will be kept confidential until it goes to public hearing.

The Court recessed at 10:02 a.m.

The Court reconvened at 10:10 a.m.

The Court began the discussion on the structure of the Wasco County Court.

There were 13 people in attendance.

Judge Ericksen stated that this issue has been talked about for some time. The Commissioners had an informal discussion at last week's meeting since he was not in attendance. They put the issue of abolishing the Office of the County Judge on today's agenda. This would not change the powers of the County Court. The Board of County Commissioners would have the same powers; it would change the makeup of the County Court to a Board of Commissioners.

Judge Ericksen stated that this is a work session of the County Court to discuss the issue. After the Court has discussed the issue it will be open to public comments.

Commissioner Lennox stated as we understood the on-going discussion in the community is to look at restructuring County government. We are looking at that, not for the same reason. He is looking at this as a County Commissioner; how can we become more efficient as a County and be more efficient for less cost. We looked at the law where it allows the abolishment of the Office of County Judge. We realized that there is a provision in the statute. The County Court is misunderstood. He looks at this as a name change. It would maintain us as a general law county and not home rule.

Commissioner Lennox stated this is a preliminary first step. It would allow us to continue with Dan Ericksen as chair, but it would broaden the ability of the Court to redesign how the Court is compensated or allow for the provision of hiring a full time administrator. The Court is here to talk about that further.

Commissioner Holliday stated it is hard to explain to citizens about the County Court. It would be clearer if the County Court were a Board of County Commissioners. She noted that former Jefferson County Commissioner Bill Bellamy told her that when his County changed to a Board of County Commissioners it worked very well for them. He always said that we should take a look at it.

Commissioner Holliday stated that she would like the County Court to become a Board of County Commissioners. We all know how hard Judge Ericksen works to do the political part of his job, as well as being the Administrator of Wasco County. Commissioner Holliday does not think she could keep his hectic schedule.

Judge Ericksen stated one advantage he sees is the ability to rotate the chair. When the County goes through the next budget process we could look at rearranging the compensation and how we divide up the responsibilities. Umatilla County has it equally divided. Jefferson County rotates their chair and responsibilities.

Judge Ericksen also noted that another advantage is that you have the elected Commissioners who would then elect the chair. This would eliminate someone coming in as County Judge with no experience or knowledge of the County. It is not only efficiency with spreading out the workload it is with the capability of the members of the Board of Commissioners.

Commissioner Lennox stated that he would have to defer to the County Judge. It would take off some of the responsibilities of the Judge and disperse them to the County Commissioners. This is a different time; all of the Departments are more complex with their relations with state and federal agencies. We are all scrambling to bring in more funding. We are looking at alternative funding from other sources. All of this becomes somewhat overwhelming for one person to carry. He feels this would be an incremental change.

Commissioner Holliday stated that she likes the idea of the Commissioners being half time; we could save a little money. We talked about bringing on board a Chief of Staff instead of an Administrator. Judge Ericksen cannot be here all the time making decisions.

Commissioner Lennox stated there could be some consistency of being an advocate to develop infrastructure in the County. Each Department has to look at human resource and liability issues. We almost need a full time position to help make the government work better.

Commissioner Lennox stated that one piece he keeps going back to is our financial position. He does not want to make it more complex by adding more or taking away public programs or services to the public. He is being really cautious. The only way we can do a change is doing it within our current financial situation.

Judge Ericksen stated that the last four years it seems there have been a lot more issues coming before us. The complexity has grown. There is definitely a division of labor that would be beneficial. That is why he asked for this discussion.

Judge Ericksen feels it would be really beneficial for the long term having the ability to rotate the chair person. Having the chair rotation would insure consistency; the leader of the Board of County Commissioners being familiar with what is going on in the County.

Commissioner Lennox agreed. That is one of the concerns; no matter who would be replacing Dan Ericksen as County Judge there is that incredible learning process. He was astounded to learn that there was a provision in the statute and how simple it was and what it required.

At 10:27 a.m. the Court opened the meeting for public comments.

Joan Silver stated that she serves on the Wasco County Home Rule Charter Committee. She does not see that exercise in conflict with what the Court is discussing today. That is a broader change; this is a statutorily allowed change. The world is more complex now. We are dealing with issues outside the limits of the County. When you say you are a County Court; the public knows what a Chairman of a Board of Commissioners is. From that standpoint you have a clearer access to people. Ms. Silver stated that she has watched it take place in Jefferson and Baker Counties. It did not cause ripples. The one thing she suggests is to do it within steps. Change to Board of Commissioners; give some time for them to determine how they want to establish themselves. She is glad to see that we are willing to discuss the issue and she hopes that the Court moves forward on this.

Georgia Murray stated she is also on the Wasco County Home Rule Charter Committee. She was one of the Chief Petitioners. The charter is written and the County Court has knowledge of that. It was a great deal of work to go through the process. It bothers her that the Court came to this before the charter is presented. She would like the Court not to move on this matter until they have an opportunity to present the charter to the people. Mrs. Murray stated that it seems that the Court is trying to protect your salaries. The charter is written so that the Commissioners are going to receive a stipend and not a salary. She does not see that a Home Rule Charter turns the cart upside down. It takes a lot of time to formulate what we want to do. Mrs. Murray asked that the Court not thwart the efforts of the Committee. It will be confusing enough to put it to the vote. People will have to vote for the County Judge and a Commissioner and then be asked to vote on a proposed charter. It will be confusing.

Mrs. Murray stated that she wished the Court would have jumped in the beginning of the Home Rule Charter process. Keep talking but wait until the charter is objected to.

Judge Ericksen asked if the Committee's current timeline is the November General Election.

Mrs. Murray stated that the Committee has not decided; it has to be a primary or general election on an even year. It is still up in the air. The Committee needs to have a public hearing before presenting it. They have had five public meetings, not a public hearing.

Bobbie Miller asked why. We have a Committee that went out in the community; they had to have signatures to get this program set up. It is appalling that we would take away the right to vote. Mrs. Miller suggested that we chuck this until the citizens get the right to vote. She cannot believe we would do this to this Committee.

Judge Ericksen stated that the citizens are still going to vote on changing to a charter County. What the County Court is looking at is a minor change to what we are doing now. If the Court decides to go forward it would not affect the charter vote. The reorganization of County government would not affect that vote. Whatever we do here would not affect what the committee has done. That is still a valid document and process. It would still be voted on. This would be the elimination of the County Judge Position it would not affect the operation of the County. It would affect the labor within the County Court; we would be a Board of County Commissioners. The charter, if passed, would take precedent. The County will still be a general law County.

Mrs. Miller stated that she feels we are confusing people. We are coming in after. She believes in the citizens; they have worked hard on this.

Commissioner Lennox stated that he commends all the work that has been done. They have through their work opened up and presented a lot of information that we all as a community have taken a look at; looking at flaws and the benefits. He would concur that this should have no bearing on what happens if they chose a home rule or general law government. This is addressing how to redistribute the work load and share the load amongst the Commissioners. The reason why this is being brought up now is because we have a year and four months left in Judge Ericksen's term. Who would be best at this time to reorganize the Court then the Judge himself, versus a person who would run for the position of Judge?

Richard Murray stated that Commissioner Lennox said that this would cost more money; Home Rule would cost less. What the people are trying to do is stay in office; change the name and hire an administrator. You would be doing the same thing; we would have five commissioners instead of three.

Doris Flint stated that her husband is on the Wasco County Home Rule Charter Committee. If the Court were to go ahead and change over to a Board of County Commissioners don't you think the people of the County would be confused that they had another thing on the ballot to form a Board of Commissioners? They would think that we have already done that. They don't understand the difference between statutory and home rule charter.

Judge Ericksen commented on something Richard Murray said. As to hiring a County Administrator; he does not think we are heading there in the short term. We are talking about dividing up the responsibilities. This paves the way to move towards a County Administrator. If there is turn over it provides for the Commissioner with the most experience or leadership capability to serve as chair. He does not hear that is where we are going too immediately. There is not a lot of definition where we are going with this other than abolishing the Position of County Judge. It would develop over time; this is the first step. We can evolve the system from there.

Judge Ericksen noted that Commissioner Lennox stated if we are going to do it we need to do it right away for those who are considering running for office. Advice from County Counsel was if we are going to consider this we need to get it right out and consider it with the upcoming election. The Court will continue this discussion. The Court hopes that we get some newsprint out on this so that people are aware of what we are thinking. Judge Ericksen stated that he understands the timing is odd with the charter issue. It is on the advice of County Counsel to move forward. We will put this on our agenda for another discussion.

The Court considered the approval of the Regular Session Consent Calendar of September 9, 2009 (Attached as Exhibit B).

{{{Commissioner Holliday moved to approve the Regular Session Consent Calendar of September 9, 2009, as presented. Commissioner Lennox seconded the motion; it was then passed unanimously.}}}

{{{Commissioner Lennox moved to approve the Regular Session Minutes of September 2, 2009, as presented. Commissioner Holliday seconded the motion; it was then passed by a vote of 2 to 0, Judge Ericksen abstained from voting.}}}

Some discussion occurred in regards to the approval of minutes to be included in the Land Use Board of Appeals Transmittal of Record. It was noted that Commissioner Lennox will not be in attendance next week so the minutes will be submitted in the record as draft.

Also discussed was the hiring process for the Secretary I Position in the Office of the County Court. The Court will conduct a similar process as last year.

The NORCOR inspection is tentatively scheduled for Wednesday, September 23, 2009. Molly Rogers, Youth Services Director, would like to attend the inspection since there have been many positive changes to the juvenile side of NORCOR.

Some discussion occurred regarding the comments received this morning in regards to the Court's discussion on abolishing the Office of County Judge and becoming a Board of County Commissioners. The Court will schedule this matter for further discussion on October 7, 2009.

The Court signed:

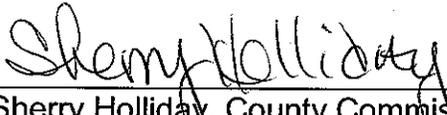
- Amendment 1 to Oregon Commission on Children and Families 2009-2011 County Intergovernmental Agreement WAS0911 between the Oregon Commission on Children and Families and Wasco County Commission on Children and Families.
- Oregon Commission on Children and Families 2009-2011 County Healthy Start – Medicaid Administrative Activities Intergovernmental Agreement #WAS9811-MAC.
- Regular Session Minutes of September 2, 2009.

The Court adjourned at 11:20 a.m.

WASCO COUNTY COURT



Dan Ericksen, County Judge



Sherry Holliday, County Commissioner



Bill Lennox, County Commissioner

Rec'd
9/9/09

Exhibit A

OTHER / GENERAL TRAINING SUBJECTS

DPSST Course #	SUBJECT AREA	Category	SUB-CATEGORY	Course Title
	COMMUNITY, CULTURE, DIVERSITY			
		ACTS Child Safety Seat Courses		
09-0642				Child Passenger Safety Standard Training
09-0643				Child Passenger Safety Technician Certification
09-0644				Child Passenger Safety Technician Update
		Community		
09-0645				Working with Tribal Communities
09-0646				Community First Aid & Safety
09-0647				Community Policing
09-0648				Connecting Our Schools & Communities*
09-0649				Crime Prevention*
09-0650				Pedestrian Safety
09-0651				Vice for Patrol
09-0652				Volunteers in Policing (VIPs)
09-0653				Community - Other
		* Culture / Diversity		
09-0654				Arab Muslim Sikh Protocols
09-0655				Spanish for Law Enforcement
09-0656				Bias-Based Profiling
09-0657				Cultural Diversity
09-0658				Racial Profiling
09-0659				Understanding the Arabic Culture
09-0660				Culture / Diversity - Other
		Gangs		
09-0661				Gang Enforcement
09-0662				Outlaw Motorcycle Gang Investigation*
09-0663				Gang Training - Other
		School / Child		
09-0648				Connecting Our Schools & Communities*
09-0664				D.A.R.E Officer Training
09-0665				Gang Resistance Education And Training (GREAT)
09-0666				Internet Crimes Against Children*
09-0667				Missing & Exploited Children*
09-0668				Parent / Adolescent Mediation
09-0669				Parent Aid
09-0670				Partnerships for Safe Schools

In the academy (16 weeks) 22 hours are spent in cultural diversity courses (however the above courses are not included in the academy training)

OTHER / GENERAL TRAINING SUBJECTS

DPSST Course #	SUBJECT AREA	Category	SUB-CATEGORY	Course Title
09-0671				Protecting Children
09-0672				School Resource Officer (SRO) Training
09-0673				School Violence
09-0674				Thurston High School Shooting*
09-0675				Traffic Safety for SRO's*
09-0676				Youth Traffic Safety Training
09-0677				School / Child Training - Other
		Special Needs		
09-0678				Alzheimer Search Techniques
09-0679				Americans with Disabilities - ADA
09-0680				Autism
09-0681				Communicating with Hearing Impaired People
09-0682				Coping with Special Needs
09-0683				Crisis Intervention*
09-0684				Effective Contacts with Mentally Ill Citizens
09-0685				Special Needs Training - Other
		Suicide		
09-0686				Suicide Intervention Training
09-0687				Suicide - Other
		Youth / Juvenile		
09-0688				Enforce Underage Drinking Laws (EUDL)*
09-0689				Juvenile Firesetter*
09-0690				Juvenile Issues
09-0691				Juvenile Law Update*
09-0692				Juvenile Peer Court
09-0693				Juvenile Procedures
09-0694				Juvenile Supervision
09-0695				Underage Drinking*
09-0696				Youth Services
09-0697				Youth/Juvenile - Other

OTHER / GENERAL TRAINING SUBJECTS

DPSST Course #	SUBJECT AREA	Category	SUB-CATEGORY	Course Title
09-0596		Seminars		CIS LE Seminar - Ethics
09-0597				CIS LE Seminar - Policies & Procedures
09-0598				CIS Records Management for Users
09-0599				Code Enforcement
09-0600				Cultural Competency Seminar
09-0601				Financial Investigations Seminar
09-0602				Gordon Graham Seminar
09-0603				NPEA Polygraph Seminar
09-0604				Train-The-Trainer Seminar
09-0605				Vehicle ID & Theft Seminar
09-0606				Western States Hostage Negotiations Seminar
09-0607				Seminar - Other

**WASCO COUNTY COURT
REGULAR SESSION
SEPTEMBER 9, 2009**

CONSENT CALENDAR

1. Amendment 1 to Oregon Commission on Children and Families 2009-2011 County Intergovernmental Agreement WAS0911 between the Oregon Commission on Children and Families and Wasco County Commission on Children and Families.
2. Oregon Commission on Children and Families 2009-2011 County Healthy Start – Medicaid Administrative Activities Intergovernmental Agreement #WAS9811-MAC.