

**Morrow County Court
February 18, 2015
Boardman, Oregon**

Present

Judge Terry Tallman
Commissioner Don Russell
Karen Wolff, Executive Secretary/Personnel Director
Roberta Lutchter, Court Executive Assistant

Via Telephone

Commissioner Leann Rea

Excused

Ryan Swinburnson, County Counsel

Judge Tallman called the meeting to order at 8:35 a.m.

City and Citizen Comments – Boardman

No comments

Open Agenda

No items

Department Report

Road Report

Sandi Putman, Public Works Management Assistant

Ms. Putman said additional Public Works personnel will arrive shortly, but she will provide the report in Matt Scrivner's absence:

- Bombing Range Road – most of the crew has been working on this shoulder widening project. Work continues on the west shoulder and a TransCanada inspector is on-site at all times the crew is working near the buried gas line.
- Slaughter House Grade – a sink hole developed during the last rain storm. The crew excavated and replaced the damaged area with two-inch rock.
- French Lane – several loads of rock were hauled here and some blade work done to repair soft spots that developed during the wet weather.
- Ione-Gooseberry Road – sloped banks and added material to the shoulder to fix some drainage areas on the grade south of Ione. The crew has moved to the area on Ione-Gooseberry Road between Dry Fork Road and Lundell Road. This is Phase I of the rebuild of Ione-Gooseberry Road.
- Road Grading – the crew will return to road grading later this spring to prepare for road side weed spraying application.
- Snow and Ice – no de-icing or sanding in the last two weeks due to the warmer weather.

Weed Workshop

Burke O'Brien, Public Works Director

Dave Pranger, Weed Coordinator

Ms. Putman

Janet Greenup, Manager, Morrow Soil & Water Conservation District (SWCD)

Mr. O'Brien said the first draft of the Morrow County Weed Department Policy compiled by Mr. Pranger provided a work outline to begin the process. Mr. Putman said it allowed Mr. O'Brien and Ms. Wolff to generate a more in-depth draft policy.

Commissioner Rea asked if the Court needs to appoint a Weed Advisory Board (WAB). Mr. Pranger said SWCD currently serves as the WAB. Commissioner Rea said she thought the County could appoint SWCD's Board as the WAB. Judge Tallman said our intention, as we talked about it, was we already have the Board acting in that capacity, but we hadn't developed policy. Brief discussion.

2015 Herbicide Bid Award Discussion

During last week's County Court meeting the bid was awarded to Crop Production Services (CPS), however, when Mr. Pranger informed CPS they were the winning bid, the CPS representative said he couldn't deliver an item in the specified quantity (15 gallon containers instead of 30 gallon). Mr. Pranger then contacted County Counsel, Ryan Swinburnson, for direction. Judge Tallman said Mr. Swinburnson advised us due to the inability to adhere to the terms set forth in the bid, CPS' bid is invalidated...the second place bidder could argue a different bid was submitted by CPS.

Commissioner Russell asked Mr. Pranger how package size affects what he does. Mr. Pranger said it doesn't have a great impact, just more containers to handle and he then added everyone had a chance to bid given the specifications presented. Ms. Putman said if the specifications of a bid are changed, it can change the whole bid...and could lead to anybody doing anything. Discussion ensued. Judge Tallman asked Commissioner Rea for her comments on the matter. She said she didn't think container size should make a difference, but Mr. Swinburnson's advice said CPS didn't meet the bid requirements and I'd be willing to go with Wilbur-Ellis on that respect. Mr. O'Brien asked the dollar amount difference between CPS and Wilbur-Ellis; Mr. Pranger said \$285.50.

Mr. O'Brien asked if the Court has to declare they are acting as a Contract Review Board for this discussion. Ms. Wolff said that's a good question for County Counsel...the Court hasn't in the past, but that doesn't mean it's right. She asked Mr. Pranger if the companies were asked if the price changed with the different size containers; he replied he was told it would stay the same. Additional discussion about the Contract Review Board question.

Commissioner Rea moved to rescind the motion made on February 11, 2015 awarding the 2015 Herbicide Bid to Crop Production Services, Timberland Division, because they couldn't comply with the delivery of materials requested. Judge Tallman seconded.

Commissioner Russell asked for discussion before the vote. He said his concern is this bid – the County wanted to accept the Wilbur-Ellis bid based on container size and based on an insignificant difference and I think there's prejudice by staff. I believe the container size is insignificant, it's no more than accepting a generic or a name brand, that's my position. Judge Tallman said he understands the logic of the argument, however, if we don't want to maintain the bid specifications, including container size, then we create problems in our bid process. I don't disagree with Commissioner Russell's logic, but I think the bid specification process does need to be met and it agrees with what County Counsel advised. Commissioner Rea said she fully understands Commissioner Russell's opinion; I was of the same thought until I heard County Counsel's response and we're paying him to give us advice.

Judge Tallman called for a vote – Aye: Judge Tallman and Commissioner Rea. Nay: Commissioner Russell. Judge Tallman said the vote is to rescind the 2015 Herbicide Bid Award of February 11, 2015.

Motion to Award 2015 Herbicide Bid

Commissioner Rea moved to award the 2015 Herbicide Bid to Wilbur-Ellis in the amount of \$39,502.70. Commissioner Russell seconded. Aye: Judge Tallman and Commissioner Rea. Nay: Commissioner Russell.

Weed Workshop, continued

Discussion continued on refining the second draft version of the Policy, including Commissioner Rea's request under Duties of the Weed Coordinator to add citizen's verbal comments be documented in writing for tracking/history purposes. There was also clarification of the Duties of the WAB – public concerns should be directed to the Weed Coordinator first. Ms. Wolff emphasized the WAB is welcome to approach the County Court with any concerns after the concerns have gone through the proper channels.

Ms. Greenup said SWCD would like the Weed Coordinator to attend and report to their quarterly meetings; should that be covered in the Policy or the job description? Ms. Putman said it's in the job description. Ms. Wolff said once this Policy is established, we will look at the job description again and make sure it matches the Policy; we'll come back with step two in this process.

Before the Court agrees by consensus to this, Commissioner Rea said she would like to see the final version of the Policy. Mr. O'Brien said the Court will have it next week.

Road Report, continued

Mr. Scrivner distributed copies of the Road Department's Spring/Early Summer Project Schedule. Mr. O'Brien said Mr. Scrivner has been working with land owners adjacent to the Ione-Gooseberry Road project and has received a good response.

Commissioner Rea asked Mr. O'Brien if the paving of the Fairgrounds is on the work schedule. Mr. O'Brien said he hasn't completed that schedule yet, but there are some flood plain issues to work through first...perhaps the Fair Board could do this.

Correspondence Reviewed:

- Morrow County 2015-2016 Budget Calendar
- Letter from Sanitary Disposal, Inc., Hermiston, advising of their spring clean-up week

9:20 Arrivals:

Greg Close, Parks General Manager
Steve Doherty, Devin Oil

9:30 Bid Opening**Gasoline**

1. Heller & Sons - Lexington Yard: \$123,153.75; Irrigon Yard: \$28,072.50
2. Devin Oil Company, Inc. – Lexington Yard: \$97,065; Irrigon Yard: \$21,870
3. Morrow County Grain Growers – Lexington Yard: \$106,987.50; Irrigon Yard: \$24,900
4. Petroleum Traders Corporation – Lexington Yard: \$124,044.75; Irrigon Yard: \$28,987.50
5. Hattenhauer Energy Co., LLC – Lexington Yard: \$114,615; Irrigon Yard: \$25,770

Diesel

1. Heller & Sons – Lexington Yard: \$148,340.50; Irrigon Yard: \$14,801.25
2. Devin Oil Company, Inc. - Lexington Yard: \$127,050; Irrigon Yard: \$12,525
3. Morrow County Grain Growers – Lexington Yard: \$158,235; Irrigon Yard: \$15,975
4. Petroleum Traders Corporation – Lexington Yard: \$155,170.40; Irrigon Yard: \$15,825
5. Hattenhauer Energy Co., LLC – Lexington Yard: \$139,485.50; Irrigon Yard: \$13,736.25

Lubricants

1. Heller & Sons - \$28,271.57
2. Devin Oil Company, Inc. - \$25,400.25
3. Hattenhauer Energy Co., LLC - \$22,090.65

Aviation Fuel

1. Heller & Sons - \$31,416
2. Devin Oil Company, Inc. - \$13,641.60

Greg Close, Parks Manager, informed the Commissioners he would be happy to take them on tours of the County Parks, or anyone else who would like to go.

9:45 p.m. Arrivals:

Mike Gorman, Assessor/Tax Collector
Rick Worden, Finance Director

Minutes

Commissioner Rea moved to approve the February 11th minutes, as presented. Commissioner Russell seconded. Unanimous approval.

Commissioner Russell said during County College last week, he had the opportunity to ask Rob Bovett, legal counsel for the Association of Oregon Counties, about the Oregon Revised Statute pertaining to Executive Sessions (ORS 192.660(2)(h) - To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. Commissioner Russell said he asked Mr. Bovett under what circumstances would he go into executive session because the “likely to be filed” seems to be a gray area. According to Commissioner Russell, Mr. Bovett said, when the other side has a writ in their hands because it is too much of a gray area. Judge Tallman said Mr. Swinburnson commented like that as well, but I didn’t get a chance to talk to him about it. It’s an area we want to be careful about. Commissioner Russell said his preference would be to avoid them; do public business in an open, transparent public format because it is the public’s business, not our business as the County Court. It’s a personal pet peeve of mine with a lot of special districts or city councils who want to hide from the public by going into executive session, but I am willing to go along with the group. Judge Tallman again said we want to be careful, but we are in basic agreement, we want to be transparent. We can talk further about this with Mr. Swinburnson.

10:00 Public Hearing – Supplemental Budget

Rick Worden, Finance Director

Mr. Worden reviewed the items necessitating the Supplemental Budget action:

The first one involves the Sheriff’s Office contract with the City of Heppner for a vehicle reimbursement (\$24,927).

The second is from the Pacific Ethanol refund - \$82,500 was originally budgeted and the final amount was \$154,130.

The third transfer is for the Road Department – revenue that wasn’t anticipated at budget time, such as reimbursement for work done for the Town of Lexington of about \$50,000.

The fourth category is money for the initial cash outlay for the new Administration Building coming from the Shepherds Flat Fees fund...this is to utilize the beginning fund balance carry over. This category also includes extra revenue in the Community Service Fees and interest. There is also a \$90,000 decrease to the general fund, transferring to vehicles.

Judge Tallman asked for public questions or comments; hearing none, the hearing was closed at 10:07 a.m.

Commissioner Russell moved to approve In the Matter of Adopting the Supplemental Budget and Making the Corresponding Appropriations, Resolution R-2015-1. Commissioner Rea seconded. Unanimous approval.

Mr. Worden distributed copies of the audited financial statement for June 30, 2014 and said he will review it after the Commissioners have had time to read it. Judge Tallman noted it was a clean audit.

Claims

Commissioner Rea questioned a \$10 late fee for a Visa payment from the District Attorney's Office (Victim's Assistance Office). She also asked the purpose of solar panel signs purchased by the Road Department. After some discussion, it was determined the signs will likely be used for construction on Pole Line Road and Homestead Lane.

Commissioner Rea moved to approve the Accounts Payable dated February 19th, in the amount of \$98,333.92. Commissioner Russell seconded. Unanimous approval.

Contracts

Community Connection of Northeast Oregon, Inc.

Public Health Department Director, Sheree Smith's memo explains she has one staff member trained in a pre-diabetes education program working with a Health District employee to provide classes to the community for those who meet eligible criteria. So far, only one insurance provider (Oregon Education Benefit Board) offers payment for this service. This contract provides an avenue for payment to Morrow County for any OEBC eligible participants.

Judge Tallman said his wife, Cheryl Tallman, is one of the instructors. Ms. Wolff asked if she will benefit financially from this. He said just her regular wage from the Health District. Commissioner Rea said it's good to be on the record, but she'll receive no additional funds. Judge Tallman declared a potential conflict of interest and recused himself.

Commissioner Rea moved to approve the contract with Community Connection of Northeast Oregon Inc. for Diabetes Prevention Program reimbursement to come through Oregon Education Benefit Board to Community Connections of Northeast Oregon, Inc., to Morrow County, and authorize Judge Tallman to sign on behalf of the County. Commissioner Russell seconded. Commissioner Russell called for a vote – Aye: Commissioner Russell and Commissioner Rea. Judge Tallman abstained from the vote.

Moda Health – 2015 Vaccines Reimbursement Correction

Ms. Wolff said this is an amendment regarding an increase in the vaccine reimbursement schedule.

Commissioner Rea moved to approve the Moda Health, Commercial Agreement – 2015 Vaccines Reimbursement Correction, Exhibit B-1, and authorize Judge Tallman to initial on behalf of the County. Commissioner Russell seconded. Unanimous approval.

Commissioner Reports

Commissioner Russell discussed some of the sessions he attended at County College. One included a presentation from the Oregon State University Extension Service, Marine Sciences, on invasive species. The presenter put up a slide of the Boardman Coal Fire Plant and asked if anyone knew about a proposal to turn it into the world's largest biofuel plant. I told him I knew the people involved and assumed he would be referring to the Arundo donax (Giant Cane). Ms. Wolff, who also attended County College, said the presenter was at first taken aback but then was truly interested in his comments because they were from a perspective other than academia.

Commissioner Russell said the next day covered education of the Public Health process. Ms. Wolff said she found it very informative.

Commissioner Rea said she was unable to attend last night's Wolf Depredation Advisory Committee meeting and asked Ms. Lutchter to provide a brief summary. Ms. Lutchter reported the Committee determined the monetary amounts to request in the next grant cycle of the Oregon Department of Agriculture, Wolf Depredation Compensation and Financial Assistance Grant Program 2015.

Planning Department Update

Carla McLane, Planning Director

Ms. McLane said the February 11th work session regarding the Boardman to Hemingway (B2H) Transmission Line Draft Environmental Impact Statement was beneficial relative to issues to focus on how to formulate comments for the County. She also discussed the February 12th Military Airspace Advisory Committee (MAAC) meeting saying it also focused on the B2H process and how to site the transmission line, but neither day addressed the concerns of our local agriculture producers. We need to figure out, from the County, what is important and how to balance the various local needs.

Ms. McLane said she commented Friday on the State energy policy regarding renewable energy, which isn't a bad thing, but it doesn't take into consideration how to get the renewable energy from the point of generation to the point of consumption, and this has left local governments "holding the bag." Discussion.

Miscellaneous

Noise Complaint

Ms. Wolff said Circuit Court was holding a hearing last Thursday and someone joining by telephone had difficulty hearing because of the noise caused by the construction of the new Administration Building. This issue was discussed at the regular Tuesday conference call with the contractor, Wenaha Group and others. Several options were discussed. Ms. Wolff said shutting down the work crew on Thursdays is problematic because they work four 10-hour days and don't work on Fridays. If we shut down for a few hours on Thursdays, they will have to work on Fridays and we'd have to pay overtime on their prevailing wage. This would be very expensive and also push back our timeline. Scott Rogers with Wenaha Group and Keith Banes with W.C. Construction met with Judge Roy Blaine and Angeline Williams, Circuit Court Supervisor, and Mr. Rogers asked about the possibility of moving Circuit Court to Friday and was informed that would not be possible. Commissioner Rea asked why that couldn't be an option. Judge Tallman said it was tried in the past and the court appointed lawyers did not want to come to Morrow County on Fridays. He also said there are five judges who come to Morrow County on a rotating basis and two or three of them would rather not come to Morrow County. Mr. Gorman pointed out these are judges voted in office by the people and this noise issue is temporary. Judge Tallman said we think it will only be an issue for the next three months because the exterior walls will be up soon and the noise will be contained inside the new building.

Ms. Wolff said other suggestions were to purchase amplification equipment for Circuit Court's telephone or put up sound dampening material, such as two-inch styrofoam and/or heavy blankets, on the windows. A concern was expressed by Circuit Court representatives that this wouldn't look good and would block the daylight.

Ms. Wolff said in an e-mail communication this morning, Wenaha Group and W.C. Construction asked the County's tolerance level for a shut down; would it be 10 minutes, 30 minutes, two hours? Judge Tallman said Ms. Williams indicated about three hours; I think three hours is asking quite a lot of a construction project, particularly in the next two or three months. Ms. McLane said this is a short term inconvenience for a long term benefit; Commissioner Russell agreed. Judge Tallman said there are two or three judges who view any inconvenience as monumental. Ms. McLane asked which judges, since they are public officials. Judge Tallman said one is Judge Daniel J. Hill and the other is a female judge whose name he could not recall. Commissioner Rea said she would like someone to look into the styrofoam option; either you've got daylight or you've got reduced noise. Judge Tallman said the first question asked was about changing the look of the Courthouse, but Judge Blaine did agree this is a short term problem. Commissioner Rea said it's not up to them to tell us what our Courthouse has to look like.

11:00 a.m. Public Hearing - Zoning Ordinance Amendments, Medical Marijuana Facilities

Ms. McLane

Linda K. LaRue, Ione

Gary D. Walls, Ione

Katherine Leinbach, Ione

Dan Grigg, Heppner

Undersheriff Steve Myren

Judge Tallman said this is the time set for a Public Hearing to discuss zoning and to receive information from the public concerning a zoning ordinance amendment in regard to Medical Marijuana facilities. He then called for abstentions or conflict of interest by the Commissioners. Commissioner Rea: none; Commissioner Russell: none; Judge Tallman: none. The required announcements were made concerning testimony. Judge Tallman asked Ms. McLane if she anticipates a decision today. She said it's possible because the Court has a solid Planning Commission recommendation. Judge Tallman then called for the staff report.

The following is taken from the Final Findings of Fact, Summary of Application and Process:

Oregon has had a medical marijuana program for about 15 years which is regulated by the Oregon Health Authority. It allows for individuals with certain medical conditions to receive a medical marijuana card, as well as, providing for individuals to grow marijuana for medical purposes. During the 2013 legislative session, House Bill 3460 was passed which allowed medical marijuana dispensaries to be established. This poorly written legislation states that a "medical marijuana facility must be located in an area that is zoned for commercial, industrial or mixed use or as agricultural land..." The intent of the legislation was to keep facilities out of residential areas, but the drafters did not consider how this statement would meld with Oregon's land use system and created

more problems than solved them. Also problematic is a conflict between the allowance in the above statement that the use could be on agricultural land and a requirement that the activity not be for profit, a requirement in Oregon's land use system for land zoned for agricultural purposes.

House Bill 3460 was followed by Senate Bill 1531, passed during the 2014 short session which allowed local jurisdictions to enact a moratorium in order to promulgate local regulations for medical marijuana facilities (dispensaries, laboratories and grow sites). Morrow County and the incorporated communities within Morrow County all adopted the moratorium and have been working cooperatively on implementing local ordinances appropriate for each community.

Planning staff have initiated development of proposed regulations that include new definitions, conditional use criteria for medical marijuana facilities, and the identification of appropriate use zones. Initially, both general commercial and general industrial use zones were identified, however based on discussion with the Port of Morrow Commission, industrial use zones have been withdrawn from consideration. Several concerns were identified by the Commission, including but not limited to, conflict with federal laws related to trucking industries and the need to hold a commercial driver's license, and the focus of the Port of Morrow on industries and not service oriented business more appropriate in commercial zones. The Commission agreed by consensus that it would not be appropriate to allow dispensaries, grow sites or laboratories on land zoned for industrial purposes in Morrow County.

The decision to move forward with public hearings to consider this action was made during a joint work session of the Morrow County Court and the Planning Commission held in early December. While there was concern with moving forward, all involved felt that holding public hearings and engaging with affected and adjoining landowners would provide the necessary information to make a final informed decision.

Based on the testimony of those in attendance at the January 27, 2015 Planning Commission Public Hearing and the one letter that was received, the Planning Commission will be recommending that medical marijuana facilities not be allowed in any use zone within unincorporated Morrow County.

Commissioner Rea asked about the definition of a liquor store on page six of the ordinance - what would happen if Oregon changes its regulations, like Washington state changed their (privatization)? Ms. McLane said the way it's written, our definition wouldn't be consistent...this might be a difficult one...should it change, our definition wouldn't be correct. I might have to word this differently. We could say - a store that sells and is licensed to sell alcoholic beverages and not identify who. Commissioner Rea said that might work, please work on the language to make it all inclusive.

Commissioner Rea asked about the second paragraph on page seven of the ordinance which refers to Medical Marijuana Grow Facility - ...A grow facility cannot be located on the same lot or parcel as a medical marijuana dispensary or facility. Ms. McLane said we're trying to further

identify a geographical separation between where marijuana is being grown and dispensed in the medical program. Several minor points were discussed, but no changes suggested.

Judge Tallman called for proponents or those speaking in favor. Ms. McLane said a letter was received from Toni and Brad Emerson, Irrigon, and it was read into the record as part of the Planning Commission Public Hearing.

Ms. LaRue said she couldn't attend the first public hearing and said it's now easier to comment in a positive way about this. Several people in Ione sent information or comments and I agree with most of those comments and feel the changes the Planning Commission made are positive and helpful in allowing us to agree. This will help the City of Ione in their endeavors...it will help in getting ours ready. We think it couldn't happen in Ione so why worry. This will help get people more concerned and involved. The County Planning Commission changes are very positive; I appreciate that.

Judge Tallman called for opponents: none.

Ms. McLane said we do have another letter in favor which in your books; it's from Jerry Rietmann, Ione. Ms. McLane read the letter into the record.

Judge Tallman said there will be no need for rebuttal. Are there comments from the Commissioners? No comments. Does anyone wish a continuation? No response. Judge Tallman closed the Public Hearing at 11:34 a.m.

Ms. McLane said she would point the Court to the Planning Commission Findings, pages four-five. If you are in support, you could find your motion within those bullets...but you need to declare an emergency to make it effective on April 30th or May 1st to coincide with the expiration of the moratorium. Judge Tallman said the Planning Commission Findings and their draft minutes are to be included. He asked the Commissioners if there were any further deliberations; no comments.

Commissioner Rea moved to approve An Ordinance Providing for the Establishment of Zoning, County Ordinance No. MC-C-3-01, Regulations for the Unincorporated Area of Morrow County, Oregon; and on the recommendation of the Morrow County Planning Commission, the County adopt their Final Findings of Fact in totality, and also incorporate their meeting minutes of Tuesday, January 27, 2015 at Heppner City Hall, and incorporate the letter from Jerry Rietmann and public testimony received today, with the modification of wording on page six of the Ordinance, and be effective April 30, 2015, and request staff prepare the necessary documentation for the Court's signature. Commissioner Russell seconded. Unanimous approval.

Ms. McLane said she will return next week with the first reading of the adopting ordinance and the week after with the second reading. We'll declare an emergency because of the moratorium and make it effective April 30th.

Break

New Business

Morrow County Health District (MCHD), Pulse Point AED Program

Dan Grigg, Chief Executive Officer, MCHD

Mr. Grigg said he came to the Court about three months ago about the possibility of the County assisting with the PulsePoint AED project in Boardman. Since that time, the Columbia River Enterprise Zone II Board allocated \$75,000 to MCHD, so \$25,000 of that will be used to purchase PulsePoint. PulsePoint allows AED locations to be linked to the 911 system and to software people might load on their smart phones. The 911 system sends an alert to the smart phones of the people who downloaded the application, advising them of a cardiac event, its location, and the location of the nearest AED.

Mr. Grigg said they will be working with the Radio & Data District to implement this and discussions are taking place with Umatilla County to offer it for their use, since the 911 software is shared between Morrow and Umatilla Counties.

Our initial request asked the County to share the ongoing maintenance fee, which is \$4,000 for each County, \$8,000 total. I'd like to re-extend that invitation; we'll know more about usage as the year proceeds after implementation. The Court could wait and look at usage or decide earlier. We are moving forward with the purchase of the software and will have one year before making a decision about subsequent years.

Commissioner Rea said, for the record, she is a member of the MCHD Board.

Undersheriff Myren said from the Sheriff's Office side, we'll purchase the module that allows PulsePoint to interact with the CAD system in both counties – about \$500, but we're not interested in ongoing maintenance costs. I'm pleased they will be reviewing it because I still have doubts about its efficacy in a rural environment. I hope I'm proven wrong.

Judge Tallman asked Mr. Grigg if he had any data from other entities. Mr. Grigg said others have used this successfully but they are not as small as we are, but Undersheriff Myren was going to make an inquiry. Undersheriff Myren said the entity he contacted hasn't had PulsePoint for long, but they're using it on the same CAD system we use. I didn't ask how well it worked because I was more interested in making sure it wouldn't adversely impact us. They said it worked, but they weren't collecting data. Judge Tallman said we would have time to know more if we choose to wait before disbursing the dollars, but I don't think \$4,000 sounds like a tremendous amount of money as long as it doesn't start escalating on us. Mr. Grigg said they are a few months away before everything is completed.

Commissioner Russell asked how many people in the County will be certified to use the AEDs once they are in place. Mr. Grigg said he doesn't have specific numbers, but the AED Task Force meets on a regular basis. The intent is to have training for businesses hosting the AEDs, their staff and open it up to the community, as well.

Undersheriff Myren said once the program is activated, anyone could learn about it and show up (to an alert) with no training; who accepts the liability for that – it's something we have to

consider. Do they have to be trained or not? Commissioner Russell said I wondered the same thing, but if I'm in need of help, would I want anybody to grab a machine or nobody? Sometimes that's the choice you have in a rural environment. I'd think anybody that showed up you'd want to help.

Mr. Grigg said he doesn't need a decision today, he's just providing an update. Commissioner Russell asked if the training is lengthy. Mr. Grigg said no, it's usually done in conjunction with CPR training. Undersheriff Myren said he supports putting AEDs anywhere we can and I hope we get active, trained participation. Mr. Grigg said there's been great community support in Boardman and we look at them as the pilot project to spread to other communities in the County. Judge Tallman said the Court isn't prepared today, but we invite you back with any data you collect, but if not, that doesn't mean we're against this. Mr. Grigg said once AEDs are in visible public places, people will want to know where to get trained to use them.

School Based Health Clinic in Ione

Mr. Grigg

Barb Huwe, MCHD Board Member

Mr. Grigg said MCHD is part of a multi-agency collaborative working to open up a school based clinic in Ione. There is State funding available and the facility will need to be certified, but they are targeting mid May or early June for an opening. Furnishings will be needed for the clinic and we wanted to see if there is an opportunity to use/borrow some of the furnishings the County has in storage from their recent purchase of federal surplus. Ms. Wolff explained the County needs to maintain ownership for 18 months, which is through this calendar year, but your request is to borrow, which may be doable because the County is a participant in this project.

Mr. Grigg was asked about the location for the clinic and he said identifying a location has been a barrier because it has to be owned by the school, but they are in the process of purchasing a home across the street from the school to be remodeled. Judge Tallman said we could look at this very favorably since it is coming through our Health District. Commissioner Rea said she thinks we could justify it because the County Health District is in charge of ownership of the loaned equipment. Judge Tallman said once we're past the federal audit requirement date, this could change again. Ms. Wolff said after the audit date, we can give property to other agencies. Judge Tallman asked Mr. Grigg to inform Public Health Director, Sheree Smith, of his furnishing needs. Ms. Wolff said she would also assist Mr. Grigg.

Request to fill Associate Planner Position

Ms. Wolff said there is a request to fill an Associate Planner position in the Planning Department and Ms. McLane would like to begin that process. There is no change to the job description or wage.

Commissioner Rea moved to approve filling the vacant Associate Planner position and authorize advertisement. Commissioner Russell seconded. Unanimous approval.

Miscellaneous

Ms. McLane said the County received a notice as an adjoining property owner on actions being taken by the City of Irrigon. While the City of Irrigon was dealing with issues related to medical marijuana dispensaries, they also decided to do some code clean-up in several other areas, one of which is adult businesses.

Noise Complaint, continued

Ms. Wolff said she received an e-mail update from W.C. Construction and they have installed insulation boards on the north and east windows of the second floor of the Courthouse. A test was performed while equipment was operating and it's helped quite a bit, but the hammering and impact gun are still loud. I agreed we wouldn't be shutting down and we will do another live test this afternoon.

12:27 p.m. – Judge Tallman said there is potential for a decision to be made following the Executive Session.

12:30 p.m. – Executive Session

ORS 192.660(2)(e) To conduct deliberations with persons designated by the governing body to negotiate real property transactions.

12:50 p.m. – Closed Executive Session – No Decisions

Adjourned: 12:51 p.m.