

02/05/25

Gilliam County Court
Regular Meeting Minutes
February 5, 2025

1.0 CALL TO ORDER/ESTABLISH A QUORUM/FLAG SALUTE

Judge Patnode called the meeting to order at 10:00 a.m. and a quorum of the Court was established. Present were Judge Patnode, Commissioner Watkins, Commissioner Wilkins, and Executive Assistant Anja Mundy.

Judge Patnode led the flag salute.

2.0 EXECUTIVE SESSION

At this time the regular meeting closed and the Gilliam County Court and entered into Executive Session under ORS 192.660(2)(f), to consider information or records that are exempt from disclosure by law.

Judge Patnode re-opened the regular meeting.

Judge Patnode made a statement regarding a financial review report, stating the report included no adverse finding and that a press release would be issued soon.

3.0 ADDITIONS/REVISIONS TO AGENDA

None.

4.0 CORRESPONDENCE/PUBLIC COMMENT

Public comment:

Marta Mikkalo, Arlington Oregon. There is a group working on preserving the Rock Creek Schoolhouse. It has been well-loved and needs repairs. The group is working on becoming a non-profit organization, but in the meantime need funding to maintain it.

The group is meeting on March 8, 2025 at 3:00 at the Rock Creek Schoolhouse and everyone is invited.

02/05/25

The Schoolhouse was build in either 1910 or 1912 and the last year it was used as a school was 1967. It needs new windows, septic, and floors, but the roof is in good condition. There was a newer furnace installed about 15 years ago. Marta Mikkalo is personally paying the electrical bill each month.

Judge Patnode stated the Rock Creek Schoolhouse is an iconic building in Gilliam County.

Marta stated it is one of the only preserved schools in the area – including other counties. Marta said lots of folks are donating their time, but funding is needed to complete the necessary upkeep.

Judge Patnode wondered if the historical society supports buildings that are not on the museum property. Brooklynn Griffith suggested the Rock Creek Schoolhouse group come talk to the society. If nothing else, the historical society may help with grant applications.

Shannon Coppock, Executive Secretary for the South Gilliam County Rural Fire Protection District and Kathryn Greiner, City Administrator for City of Condon.

Kathryn met with the Oregon Department of Revenue last week and potential refund credit tax appeal law was enacted in 1974. It is going to be a long process to get the law changed and it will not happen in this legislative session.

ORS 311.392 allows the County Court to give taxes to districts in advance of the tax appeal being completed.

Over the last three years the following amounts were withheld:

South Gilliam County Cemetery District \$10,345.52

South Gilliam County Rural Fire District \$7,845.76

Coppock brought with her the tax collection information. The SGCRFD receives the least amount of tax dollars out of all of the districts in the County. She compared the small budget of the SGCRFD to the large budget of the NGCRFD. She is hoping that the County can make the small taxing districts whole.

Judge Patnode would like requesting districts to submit a proposal so it can be reviewed by the Court and put on the agenda for discussion.

02/05/25

Commissioner Wilkins asked if Greiner could resend the figures she talked about at the January 22, 2025 meeting.

Kathryn believes this is an archaic way to distribute taxes and it's going to take a long time to fix it.

Judge Patnode said these appeals are through the Department of Revenue, not the County Assessor, so local assessment is not allowed under the law.

4.1 Correspondence:

Les Ruark email regarding executive sessions.

Marta Mikkalo email expressing concerns about the right of way application.

Kimberly Davis email also expressing concern about transmission lines being right in front of their house.

4.2 Waste Management, Inc. December 2024 Tonnage Summaries

No comments.

4.3 Pro.Tem Justice Appointments

Judge Patnode requested that this item be moved to the consent agenda.

4.4 Treasurer's Financial Report for December 2024

No comments.

4.5 Update from SWCD – Annual Report

Herb Winters, District Manager, Gilliam County Soil and Water Conservation District gave the annual report.

The SWCD is 100% grant funded. The SWCD is here to help Gilliam County with conservation efforts through best management practices, focused investment, and working with Oregon State University.

02/05/25

The SWCD is working with nine landowners in the County and has found that it is so easy to work with them. Nobody else in the region has this level of participation from landowners. Herb stated that Gilliam County should be really proud of that. Other counties are watching what Gilliam County is doing. As to virtual fencing, Gilliam County has become the model that people are using across the western United States.

The SWCD annual dinner will be held on March 11, 2025 at 6:00 pm. Details to follow.

4.6 Update from Gilliam County Road Committee

Dewey Kennedy, Roadmaster and Frank Bettencourt, Road Committee Member, gave the Gilliam County Road Committee annual report.

Bettencourt reported the committee has spent two years studying the road issues in Gilliam County. There are 428 miles of county road - 133 miles of paved roads the rest is gravel (almost 300 miles). Any paved road pays for itself because there is virtually no maintenance for ten years. The gravel roads are terribly expensive to maintain. The roads are very important to agriculture. It would be a huge benefit to the people and agriculture if there were better roads.

The committee is recommending that the Road Department hire two more people because they are short on help. They also need a bigger budget to pay for more paved roads.

Over the last twenty years the average number of miles paved is four miles per year. We are getting further behind every year. The longer we wait the more expensive it will get. The increase in budget is very important to the Road Department.

Dewey Kennedy stated that the biggest issue is that there is no dedicated source of funding for the Road Department. The Department gets most of its budget money from the state through HB 2017, as well as DMV and gas taxes. The Road Department will not be able to finalize their budget until those funds come in.

Judge Patnode asked if there is a ten year road plan.

Dewey responded that every year the Road Department submits a plan to the budget committee. Nothing is set in stone because of material availability, weather, etc. However, there is a working road plan. There is also a crusher plan to try and keep it out ahead of the

02/05/25

paving so there are materials available for paving. The Road Department is also trying to keep its equipment more up to date.

Commissioner Wilkins asked if it would be hard to come up with a plan if the Road Department were to get the funding needed. Such as identifying the worst of the roads that need the most attention. He also asked what percent of the existing paved roads need work.

Dewey responded that most of the paved roads are in pretty good shape. The others will be addressed this summer which should hold them for another 10-15 years. The Road Department has the equipment, it needs the vision and funding to get it done.

Commissioner Watkins asked if the Road Department is looking to pave roads to one or two homes. Dewey responded that they are looking at agricultural areas and the most landowners along the roads. Currently they have been maintaining the roads and fixing drainage. Then paving can start.

Frank said they think everyone in the County is important and everyone needs good roads. Paving costs a lot of money but it is less expensive in the long run. He also suggested that in the budget there should be a fixed sum of money dedicated to the Road Department each year.

Judge Patnode said Association of Oregon Counties confirmed that it is less expensive to pave than to maintain a gravel road.

Commissioner Watkins mentioned that the ODOT funding is really undecided. Dewey confirmed that if the Road Department loses even a portion of ODOT funding, it will be in trouble.

4.7 Update from Finance Department

Brooklynn Griffith, Finance Director gave an annual report.

The Finance Department was created in 2023 and Brooklynn was hired in May 2024. At that time the only administration staff were Commissioner Watkins and Brooklynn and there was a very steep learning curve which meant lots of experiential learning.

02/05/25

In December 2023 the transition to PayPro (a payroll program) started which came with many challenges that we are still working through. However, the program has simplified payroll quite a bit.

In September 2023 the transition to Caselle (accounting software) started which began a very long process. The transition was paused in spring of 2024 during the recall election. A live training finally occurred last month. Caselle will be used for budgeting and reconciliation. Caselle has a lot more functionality, and there are a variety of reports that are really easy to get.

Transitioning the PayPro information into Caselle has not been a smooth process whatsoever, but once it is done it will be a great.

Judge Patnode wants to commend Brooklynn for getting us through the last year. Judge Patnode stated that Brooklynn has had a lot of challenges and she has handled all of them really well.

Brooklynn shared that the 2024 financial audit deadline has been extended through the end of February. She does not know the reason for the extension. The County selected new auditors for this fiscal year. Some noncompliance issues are expected, but the Finance Department will move forward with them.

Last week Brooklynn participated in a SAIF audit. The Finance Department is beginning the work on the budget for Fiscal Year 2025-2026. The first budget meeting is in the beginning of April.

Brooklynn stated that for eight months she has worked hard to build relationships with departments and employees. She has an open-door policy, she supports team-work and collaboration, and she has been working on building back relationships that may have been lost in the past. Department heads now have easy access to their accounts payable.

Brooklynn said that two individuals that have been instrumental in her success – Ellen Wagenaar, County Clerk, and Nathan Hammer, Treasurer. She stated that she owes a great deal to them. Brooklynn also thanked the County Court. The County has a really great team of people who get along well. Brooklynn said she appreciates the team under the new County Court's leadership.

02/05/25

Commissioner Watkins stated that all this was right in the middle of one of the worst fire seasons. (Brooklynn Griffith is on a fire team)

Commissioner Wilkins thanked Brooklynn for her effort. He stated that the County is very fortunate to have someone of her caliber and work ethic.

5.0 CONSENT AGENDA

5.1 – Consider Approval of Minutes for the January 15, 2025 Town Hall Meeting, and the January 8, 2025, and January 22, 2025, Regular Meetings.

5.2 – Consider Approval of January 2024 Bills Pending Review.

The Consent Agenda is amended to add Agenda Item 4.3 – Pro.Tem Justice Appointments.

Motion by Commissioner Watkins, seconded by Commissioner Watkins. “I move to approve the consent agenda.”

Judge Patnode – yes; Commissioner Watkins – yes; Commissioner Wilkins – yes.
Motion carries 3-0.

6.0 UNFINISHED BUSINESS

6.1 Consider Approval of Award of Contract for Cedar Springs Lane Relocation Engineering Services (Continued from January 22, 2025)

Dewey shared with the County Court that the scoring between Anderson Perry and Tenneson Engineering was very close, but Anderson Perry scored higher. Dewey, Brian Johnson, Commissioner Wilkins and Anja Mundy reviewed and scored the bids.

Dewey would like to negotiate the contract in four phases, starting with the environmental assessment.

Motion by Commissioner Wilkins, seconded by Commissioner Watkins. “I move to award the Cedar Springs Lane Relocation contract to the top ranked proposer Anderson Perry, contingent upon successful negotiation of the contract; and to delegate contract negotiation authority to the Gilliam County Roadmaster.”

02/05/25

Judge Patnode – yes; Commissioner Watkins – yes; Commissioner Wilkins – yes.
Motion carries 3-0.

7.0 NEW BUSINESS

7.1 Consider Approval of Award of Bid for Construction of the Gilliam County Bus Barn (contingent on there being no protest to the award)

Todd Lake, Director, Gilliam County Transportation and Jeff Schott, Pillar Consulting presented.

Jeff Schott shared that the County received six bids on the project and he has not seen that many bids in over ten years. Kirby Nagelhout was the apparent low bidder.

Notice of intent to award has gone out. The waiting period is then seven days to allow any protests to the bid award. Jeff asked the Court to approve award of the project contingent on there not being a protest of the bid. After the waiting period, the notice of award will need to be signed by Judge Patnode. Then the contract documents will be put together, which will also need the Judge's signature. The clock begins on March 3 and the project will likely continue through October/November.

Motion by Commissioner Watkins, seconded by Commissioner Wilkins. "I move to award the construction contract for the Gilliam County Transportation Bus Barn to Kirby Nagelhout Construction Company based on their bid dated January 29, 2025, in the amount of \$1,334,600 including the base bid and additive alternate #1. This award is contingent on there being no protest to the award for seven days following the issuance of the notice of intent to award pursuant to Oregon local public contracting rules. Should there be a protest to the notice of intent to award, this award shall be nullified."

Judge Patnode – yes; Commissioner Watkins – yes; Commissioner Wilkins – yes.
Motion carries 3-0.

7.2 Consider Scope of Work Change Order Request for Additional Services for Condon Early Learning Center

Jeff Schott, Pillar Consulting presented.

02/05/25

The mandatory walk through of the project took place last week. Ten general contractors showed up for it. Jeff is asking for a change order on the scope of work that that Pillar Consulting is doing. It was anticipated that the work would be turned over to CELC and that hasn't happened so that is why I'm asking for a change on the project.

The bid deadline has been extended to February 25, 2025.

Commissioner Wilkins voiced concerns that the CELC is moving forward with this expansion project when not all of the funding has been secured.

Jeff responded that one potential outcome is the project is not built. Another option is making the project smaller, which would mean a design rework which does have costs associated with it. The bid phase needs to be completed so CELC has a project amount to use to get additional grant funding.

Judge Patnode confirmed that a \$10,000 change order is all that is being requested today. Jeff confirmed that this is correct. The County Court will likely get that bill in March. He anticipates the last invoice from Pillar Consulting would be issued at the end of March.

Judge Patnode asked about the costs because of the deadlines associated with Gilliam County COVID money previously designated for these expenses. Pillar has already been approved to receive this federal funding.

Motion by Commissioner Watkins, seconded by Commissioner Wilkins. "I move to approve the scope of work change order request from Pillar Consulting for the Condon Early Learning Center for a \$10,000 increase which will be expended from the COVID/ARPA funds."

Judge Patnode – yes; Commissioner Watkins – yes; Commissioner Wilkins – yes.
Motion carries 3-0.

Leah asked Jeff to provide the status of the event center.

Jeff stated that it is anticipated that the bid will go out at the end of February. There are some changes to the bid as the Fair Board is adding a generator. They are also looking at adding air conditioning and ceiling insulation to the old exhibit hall. These changes will add some required extra power capacity to the project.

02/05/25

7.3 Consider Appointment of Cultural Trust Coalition Members

Judge Patnode shared that Rachelle Bennett was the last person to submit a letter of interest. The Coalition needs two members. Rhonda DeLoe and Jodie Gentry were the other two letters of interest received.

Commissioner Watkins asked if there is a limit to how many members the Coalition has because she does not want to turn somebody away if there is space for them.

the Court decided to table this issue until next meeting while Anja checks whether the Coalition can have more than six members.

7.4 Consider Appointment of County Representative to the Lower John Day Area Council on Transportation

Motion by Judge Patnode, seconded by Commissioner Wilkins. "I move to appoint Commissioner Leah Watkins to the Lower John Day Area Council on Transportation."

Judge Patnode – yes; Commissioner Watkins – yes; Commissioner Wilkins – yes.
Motion carries 3-0.

7.5 Discussion Regarding Right-of-Way Application from Cordelio Devco 17, LLC

Judge Patnode stated that this discussion has been going on for a few months. As time has gone on, she has learned more about the project and has determined that she must declare an actual conflict of interest regarding this Right of Way Application, due to personal business relationships with landowners, and being approached by Odyssey Wind proposing a landowner contract. Because of that declaration she would not be commenting or voting on this matter. She then turned the discussion over to Commissioner Wilkins.

Commissioner Wilkins stated that it appears the County Court was presented this right-of-way application and it was assumed that it would be approved with no comment or discussion. Now the Court has a lot more information, but still needs more. This is information that the Court needs in order to make a sound decision. Commissioner Wilkins stated that he wants to make sure the landowners that are affected by this application are informed. He is hoping the County Court hears from folks.

02/05/25

Commissioner Watkins believes landowners should be at any meeting where the application is discussed.

Sean Bell from Navitas stated that they had received a letter from Commissioner Wilkins which they need to review before providing a formal response. He does not think it would be a problem to do a work session with all parties.

Annabelle Quinn O'Neill from Cordelio stated that Cordelio is happy to do a work session. She wanted to point out that what is being pursued is development will stay exclusively in the County right of way. She stated that Cordelio is happy to talk to landowners about their concerns. A lot of the property owners have signed with another entity so that is why we need to stay in the County right-of-way.

Annabelle stated that Cordelio would be working with Navitas to provide a response to the letter sent by Commissioner Watkins and hopefully will be able to provide the information requested.

Cordelio is attempting to collaborate with EDPR. They are also in talks with Brookfield. The one issue to be aware of about Commissioner Wilkins' letter is that by requesting the exact locations of the poles would require design and would cost a significant amount of money and there are concerns about spending that money before a permit is provided.

Commissioner Wilkins stated that this impacts landowners and it seems to have been done backwards. Annabelle responded that Cordelio followed the County's process, and was not trying to sneak anything by anyone.

Commissioner Wilkins stated that the County need to have some additional information because there is potential impact to the landowners. Plus, the Court also needs to educate themselves so a good decision can be made.

Sean Bell stated that Navitas is in this to be transparent and wants to work with property owners so as to be good neighbors. He realizes this is probably the first application like this that the County has seen, but they are happy to provide more information.

He continued that the project was in the very early stages so the design criteria has yet to be determined. The size of the project has not been determined yet. However, some preliminary engineering information can be provided with possible locations, which means working with landowners and the County.

02/05/25

Commissioner Wilkins stated that he understood the project is in early stages, he just wants to make sure everyone has all the information.

Sean Bell requested to have a work session. This piece of the project is part of a much larger permit application. All necessary and required permits from all jurisdictional bodies will be obtained.

Marta Mikkalo, 69698 Barnett Road, Arlington stated in her email what her primary concerns are as follows: Basically she is concerned about telescoping towers on a 60 foot easement on a very curvy road. The actual wires on the towers have to be within the easement. So how many poles will it take to get around a curve. The poles are 250 feet tall and she has a hard time even imagining it. It would be easiest to do this project in a straight line, but to do that the landowners and leaseholders would need to be worked with. Also, that whole canyon has flash floods – will the poles withstand that. Part of the cost of doing business is paying for the easement across private property. She wants everyone to be successful.

Michael Ramsay lives in Baker City but is the manager of Ramsay Ranch and Company LLC. He asked about erosion issues and weed control. South of Ramsay Ranch the road is fairly straight. Going north to Cedar Springs Lane it is very curvy and it will affect the landowners. The old Union Pacific Railroad right of way would be a straight line which would not affect property owners, the County or the road department. I have not seen any input about trying to see if using the old railroad right of way is an option.

Commissioner Wilkins stated that legal counsel has looked at this application.

Ramsay stated that some landowners did not have any notice of this project until just very recently. He wants to be a part of it and make sure it is done legally and responsibly and located where it should be. The companies should not take advantage of the County.

Commissioner Wilkins stated that he looks forward to communicating more with Cordelio. He liked the idea of a work session to get people involved.

Commissioner Watkins does not see any harm in having a meeting.

Kimberly Davis, 4D ranch, 15323 Cedar Springs Lane, Arlington stated that the right-of-way runs through their property as it is on both sides of Cedar Springs Lane. She stated that

02/05/25

they are supportive of renewable energy in the County, but they have concerns about a private company using public right-of-way.

Commissioner Wilkins said the Court will continue this discussion.

8.0 ANNOUNCEMENTS/NEXT MEETING

Commissioner Watkins attended the Capeco meeting at the end of January.

Commissioner Wilkins thought the January 15, 2025 town hall was really good. There is a CREA meeting on February 14, 2025 that he will attend. The next NORCOR meeting on February 20, 2025 and will be at AOC County College.

Judge Patnode agreed that the Court had a really good town hall in Condon. The next one is on February 11, 2025 in Arlington. It will be conducted under the same format with Fair Winds Consulting facilitating.

Judge Patnode stated that the legislature is in full swing. She has been participating in the weekly Eastern Oregon Caucus phone calls. She recently supported a bill for Fair Funding legislation. The funding is proposed because the fairgrounds have been used as staging grounds for firefighting and the state of the fairgrounds has become an issue. It is evident that more funding is needed.

Judge Patnode shared that the County has received legal guidance on release of the covenant on the grain lab building.

She is also meeting with stakeholders to talk about starting up a summer program for kids.

She announced that the new District Attorney was appointed by the governor. His name is Ryan Rodighiero.

9.0 ADJOURNMENT

Judge Patnode adjourned the meeting at 12:58 pm.

02/05/25

GILLIAM COUNTY COURT

By _____
Cris Patnode, Judge

By _____
Leah Watkins, Commissioner

By _____
Grant Wilkins, Commissioner

By _____
Anja Mundy, Recording Secretary