

A special meeting of the Wheeler County Court was held on July 9, 2013, beginning at 6:00 p.m. in the Mitchell Community Hall, located at 105 Nelson Street, Mitchell, Oregon.

Judge Perry called the meeting to order at 6:00 p.m. and welcomed those attending. Teresa Greenfield recorded the meeting.

Present: Patrick C. Perry, Wheeler County Judge; Robert L. Ordway, County Commissioner; Anne C. Mitchell, County Commissioner; Dan Ousley, County Counsel; Teresa Greenfield, court secretary.

Public signing in: Carol Sweet, Mitchell; Vilda Rickman, Mitchell; Rod Osgood, IOUF Local 701 representative; Scott Richardson, Spray; Tammy Richardson, Spray; Jody Graham, Spray; Carol Dumler, Spray; Cindy Peterson, Spray; Greg Castleberry, Mitchell; Bonnie Lofton, Central Oregonian; Glenn Raber, Mitchell; Levi Raber, Mitchell; Marj Sharp, Fossil; Randy Sharp, Fossil; Jewell Thomas, Mitchell; Ronny Thomas, Mitchell; Candy Humphreys, Spray; Sherrill Cossitt, Spray; Gene Conlee, Spray; Tina Conlee, Spray; Gary Andersen, Mitchell; Mickey Dodd, Little Pine Café; Judy Perry, Judy's Place; Ernestine Critchlow, Mitchell.

Purpose: To discuss road funding issues and concerns. Meetings will be held in Spray and Mitchell as well. Public Meeting Notices were posted in the Wheeler County News and The Times Journal as well as conspicuous places in each of the Wheeler County communities.

Commissioner Mitchell: Introduced herself and noted that the court has been working toward holding meetings in each of the communities- especially when there are important issues, challenges, and decisions facing the court. They welcome discussion about using current road department funding to maintain the services at the highest level they can for all citizens of the county. Documentation regarding the history of road department funding was presented for review. Commissioner Mitchell explained the handouts and noted that the point of the meeting is to work together to gather ideas, ask questions and discuss options. Contact information was provided for constituents wishing to send comments via email, phone or mail.

Judge Perry: Opened the meeting for public comment and questions.

Ms. Sweet: What offices consist of the quite large state motor vehicle registration fund and can anything be cut there?

Judge Perry: It is funding that the county gets from the state every year for the state's portion of vehicle registration fees. The last 7-8 years, the road department runs on a yearly budget of between \$850,000 to 1.2 million depending on projects as far as annual costs to run the road department. There might be numbers that exceed that because there were more road department crew and more asphalt projects.

Ms. Sweet: Vehicle registration – Is it for personal vehicle use for county employees or just to run the equipment?

Judge Perry: Can be used to pay wages and to buy oil or tires. It is a funding source to run the road department.

Commissioner Mitchell: The vehicle registration is the percentage that the county receives for the number of vehicles that are registered in the state. All counties in the state receive a different amount depending on how many vehicles are registered and licensed.

Judge Perry: Designated to be used for road in the counties.

Bonnie Lofton: Representing the Central Oregon as well as being a Mitchell citizen. Others in the room may have more information than she does. Her information came via facebook and social media today- basically saying that four of the road crew had been – and she doesn't know what wording was used- laid off or fired or at least four employees were suddenly without employment. She has been in County Court for the last couple of years...not last year regularly but prior to that on a regular basis. She heard about the problems with the road department. She heard some of the ways that were used or attempted to help resolve some of the issues. She asked for a broad overview of what happened this week. Maybe people in the room have more information but she does not and asked to have

information from all three court members regarding what actions were taken to lead up to today.

Judge Perry: In the later part of June-27th or 28th, they made the decision to cut back 4 positions in the road department.

Bonnie Lofton: Those individuals were notified of that immediately?

Judge Perry: Some were notified and some were on vacation and could not be notified on that particular day. The decision was made to do this in order to provide sustainable services for the citizens of the county with the funds that they know are available and to provide the citizens of the county with a sustainable road department; one that is not going to run out of money-then they will have a “what are we going to do-oh my goodness” type of situation. It was done because they have known numbers and they had to make the known numbers fit what the expenditures are going to be.

Commissioner Mitchell: Noted it would be good to give background on Secure Rural Schools Funding. For those not familiar with the funding-as she was not herself and has learned a lot quickly—The county’s road department and a portion of the funds that are available to help supplement the funding for the schools in the county come from federal payments that the county receives every year, in a lump sum, that started in 1908 with legislation called the Secure Rural Schools Act. The federal government recognized that they have land in the county that is under their control and the county will never be able to collect taxes on it. Therefore, to make up for that and to help fund roads and schools, the federal government will give a percentage of the receipts that come from the harvesting of the timber to the counties. That funding is what the counties have been using for operating. As the timber economy declined in the counties over the years, and for many different reasons, those dollars declined. In 2000, Congress passed an act called the Secure Rural Schools and Self Determination Act, which said that they are not going to make counties rely on the declining timber receipts (she referred to the handout where it shows funding decreased to \$28,000). What congress said-they will give the counties a chunk of money that is greater than that based on a different formula. That is what the county has relied on and is using; that was only supposed to last six years to give counties a transition period to find other sources of revenue. The funding was supposed to go up into 2006. In 2006, the funds were still needed to fund schools and roads. Over the next six years, congress reauthorized the bill a few times; each time, the amounts were smaller and for a shorter period of time. Congress reauthorized for one year, then four and then in 2011, said it is the last time. The last payment to Wheeler County was \$463,000- a reduction of almost 40% of the highest amount received. During that time, all the counties in the country had time to figure out how to find other funding or adjust level of services/staffing. It is very hard in a county where there is a small road crew and a lot of work to do. Over that period of time, hard and tough decisions were not made and the county is at the point now where there will be no more checks. They have to, as a county, figure out how to run a road department on basically \$167,000 down from last year that was at \$463,000. The court also has obligations to the people who are laid off-paying unemployment benefits and earned and accrued paid-time-off (PTO). It is a large amount of money from the road department fund. The county had to make sure they had the money to be able to fulfill their obligations to those employees who had been working so hard for the county for many years, meanwhile, having some funding to continue at some level. The county was able to save two full-time jobs and had to make decisions to lay off. In March the court made a very important decision to look at the management of the road department and make changes to reduce costs and expenses.

Ms. Richardson: Asked what criteria the court went by to decide who to keep on- no seniority or no work ethics seemed to have anything to do with it.

Judge Perry: They followed the union contract.

Audience: Strongly disagreed.

Ms. Richardson: The union said they could work ½ day.

Constituents: Verbally stated anger and commented all at once.

Judge Perry: The meeting will stay in control period.

Mr. Sharp: Said he was one of those who was terminated-what his letter said was that he was notified on July 5th by certified letter. He received his pay on the 5th and PTO.

Mr. Richardson: Asked to address the question too-he was notified but the county court made an excuse here that they could not get a hold of everyone. The day that Mr. Sharp went in to negotiate, he

knew about it but Mr. Richardson had four people get a hold of him to let him know he was terminated. They were three other people who were terminated and his old boss. They all knew how to get a hold of him but not one person on the County Court could get a hold of him. He called on the 27th when negotiations were going on and then called the following day into the road department office. The secretary said, "Well, didn't the union notify you?" He informed her that he did not work for the union. Even if the union told him he was to come in and was getting paid double...it would not mean a thing...he does not work for the union he works for the county. Someone from the county should have guts enough to call him and everyone affected by the layoff or termination or however they worded it—they should have had the guts to call him and follow up with a certified letter. After that, Randy basically called and said the same thing. To the court—you guys should have had the guts. It was after that when they got the notice.

Ms. Jordan: Why didn't the court meet with the employees and discuss all of it with them and let them have some idea what was going to happen to their jobs...their livelihoods and insurance? It affects a lot of people to just cut them off one day—it is pretty damn rude. In all respect—the years that they worked for the county she would have thought they would have a meeting with them and discussed it in a proper manner before they even got notice. She does not understand, it is just common courtesy.

Judge Perry: The truth of the matter is that the county has to have the expenses meet the expenditures. For years, personal services has been spent over \$600,000 and only received \$400,000-\$500,000.

Ms. Jordan: On the other hand, that road department money should have been kept in the road department. She understands that several years, quite a bit of that money was transferred over to the courthouse for use of business over there.

Judge Perry: Is not aware of what past administration has done but during his time on the court, there has not been any transfers to the general fund other than a small amount for the audit of the road department.

Ms. Jordan: When Judge Hoover was in there she knows that they took 1 million dollars from the road department fund and put it into the courthouse fund to use. That is just not good for personnel.

Mr. Osgood (Represents the Operating Engineers and Road Department): They were in negotiations with Judge Perry. This was a surprise to them. They did not expect having just two guys working in the road department. They do understand the county has some serious financial difficulties and have had them for a number of years. They have worked with them on the guys not taking raises and have paid for some of their insurance as time has gone on. The county is in a tough spot but they do not feel that they needed to take the steps they took. They suggested that they allow them to do some of the transfer work at the waste stations at the county and do not know if they are still looking at that; they have had no response on that. It would save a man a job. They suggested that their guys are willing to do any job that is available out there to keep the road department together such as the janitorial job that is out there being applied for right now. They offered to take that over and do the janitorial work and have offered to do the parks and rec. All of these are dollars being spent. They sincerely hope that the judge and commissioners will continue to look at those possibilities and be able to bring some of their people back on to do the work that needs to be done. Without the extra income, they will have a tough time but they do believe they have found some viable ways for them to be able to keep the road department people. Their guys are willing to do whatever it takes to keep the road department together and give the citizens of the county the services needed. Two men—no way they will ever be able to keep up with grading roads and if there are emergencies—roads will need to be closed.....washouts...if there are snow storms...he does not know how the kids will get back and forth from school or how the mail people will get through. It is going to be tough. The court is up against a tough situation. He believes the union has some of the answers that will keep some of the people employed and asks the commissioners to consider that and work with them as they are willing to work with them as well. With that said, if they do come up with additional secure rural school funding or anything that takes its place over the next year or two, are they willing to bring back some of the road department if funding becomes available to get this done and bring back the experience they have sitting in the room today?

Judge Perry: It is very possible and a good likelihood. If funding comes through at a level they can increase the level of service to the public...yes.

Mr. Osgood: You have \$178,000 available right now but he understands it does take fuel etc. to operate equipment –what numbers do they feel it will take in order to bring people back and how much money will it take for each person the county wants to bring back?

Judge Perry: Referred to the handout --Under what the county has under salary and benefits and PTO, it gives a rough idea where they need to be at with extra added income in order to bring more people back on.

Mr. Osgood: If the county were to come up with another \$140,000, how many people would that bring back?

Judge Perry: It is an unknown at the moment. A lot of that goes back to him wanting to talk about the dumps and transfer stations but a lot of that is people already employed and have jobs—to sacrifice one job for another is still a concern. They are not crazy about letting those people go in order to keep another person employed.

Mr. Osgood: The janitorial job has not been filled yet.

Judge Perry: There will be further discussion about that regarding being able to contract out (RFP).

Mr. Osgood: How do they plan to maintain the roads if every two or three years the county has some pretty serious snow storms.... are there plans for dealing with this?

Judge Perry: With the union contract, they can bring on temp help if needed. They can recall past employees.

Mr. Osgood: Is that the plan...to bring on past employees?

Judge Perry: That is an option-yes.

Mr. Osgood: Noted he did not get an answer. Is the county planning to bring on past employee to help them be able to maintain a livelihood in the community or do they have to leave the community in order to live? They all have families.

Judge Perry: Everybody struggles in Wheeler County; it is not the land of milk and honey Mr. Osgood.

Mr. Osgood: He understands that and has been dealing with the county's financial issues for the same length of time that the judge has been here. They have worked very hard to keep the road department together. The judge walked in the room the other day and said, "We are laying off everyone but three guys. One of them we will make a foreman and give him a raise, the other two we will take to 20 hours per week." He is sure that the judge did not think that through or if he did, he hoped he had not thought it through before he suggested it....

Judge Perry: It is part of union negotiations and he does not feel that they should be talking about it in the public meeting.

The public noted that they are public and are they going to talk behind their backs?

Mr. Dodd: Where is the money going to come from? They are talking about all these big plans to hire people but there is no money. The plan to hire people....

Mr. Osgood: He was asked a question and will attempt to answer it. The money that they are talking about today is presently being used for other contracts or coming out of funds, other than the road department that to maintain the road department and hold it together, they can do the work that is being done or needs to be done at the other sites, which would provide road department crew, when emergencies arise, to be able to jump right out there and take care of that.

Mr. Dodd: Then why is the county in such trouble right now?

Mr. Osgood: Because they do not have the income coming in that they need to have. The court is telling them they only have \$178,000. He agrees with the judge...that is not enough money to maintain the road department the way they have been maintaining the road department. They need to find alternative means in which to bring money into the road department, which is why they have been paying the secure rural schools funds so that the counties can look and try to find new ways to find money. What they have suggested is not new-they have brought those ideas forward in other meetings but the citizens have asked, "Can we do this, can we do this?" They have volunteered to do any of the things that the citizens have asked, "Can they do this?"

Mr. Dodd: Noted is does not tell him where the income is coming from. If they aren't going to help out is the federal government going to help out? No.

Mr. Osgood: The income is there today and being spent today. It is not counted in the road department money. That is what they are suggesting.

Ms. Richardson: In the recent layoff, she assumes that they retained those who were best suited to fit their criteria....what criteria did the court use to keep the two people that were kept? Why did they keep the two people they chose....what was their basis for keeping the two they kept?

Judge Perry: Per say the union contract, they were allowed to keep someone who had specialized skill sets....mechanic...so were allowed to keep a mechanic that may not have been the senior man. Per say the contract, they were allowed to bring on a foreman to supervise road department personnel.

Ms. Richardson: She is to understand that if there are two working for the county, the one gentleman that works on vehicles....she does not know a lot of people but say he gets a flat tire...she was told he cannot change tires. What are they going to do if he is working on a road and who is going to help change the tire?

Judge Perry: In Wheeler County, we are good at adapting and overcoming; they will adapt and overcome.

Mr. Richardson: How many road department dollars have you already spent that could have been used for the people of Wheeler County to maintain their roads, on an attorney, to eliminate convictions from their department?

Judge Perry: Rough math says about \$4000-\$5000....a substantial amount.

Mr. Richardson: Was that in the best interest of Wheeler County?

Judge Perry: Believes it is from a management perspective. Allows them to have a flexible work schedule and other things they would like to see get negotiated into the contract. He does not want to get into the union contract until negotiations are done.

Mr. Richardson: So the judge would not be willing, at this point, to give an estimate of what the total may come to in the end, to pay for the attorney, out of the road department dollars...maintenance dollars?

Judge Perry: It is up to the union and how long they have to negotiate—it is a variable.

Mr. Richardson: It isn't a two way street...it isn't up to the court as well? It's up to the union to do all the work?

Judge Perry: Noted he does not understand the question from here.

Mr. Richardson: Noted the judge said it was up to the union to determine how many road department dollars would be spent on a lawyer---get the picture?

Judge Perry: The more they negotiate, the more it will cost.

Mr. Richardson: Obviously. You say it is up to the union. You are not assuming any responsibility for the expense yourself?

Judge Perry: Yes, I am totally responsible for all of Wheeler County fiscal dollars, whether they be general fund dollars or road department dollars.

Mr. Richardson: Would like to go into a different area.....recently, he was on vacation for two weeks, he got the layoff notice from his ex-coworkers...coming off the vacation. The last job he worked on was a project down Rowe Creek. That was a substantial amount of money spent there.....not only there but they also hired out and brought him onto the job. What made that a priority?

Judge Perry: They rented equipment to do something their equipment would not do. They broke their equipment in the process and realized they did not have equipment that would finish the job.

Mr. Richardson: Do "we" know if our equipment was broke on that job? I ran the cat and doesn't understand how it broke.

Judge Perry: Does not know if they need to dig into the nuts and bolts of twisted wrenches but it was obvious that they were going to spend more money to complete the project.

Mr. Richardson: What made that project a priority? He is guessing it cost \$50,000-\$60,000.

Judge Perry: Public safety is a priority for the citizens of Wheeler County.

Mr. Richardson: What made that corner more important than any 100 others in the county? The department is down to their last dollars and they jump right in and throw a bunch of money away on a corner that...

Judge Perry: Does not believe it was money threw away. They are coming from a couple of different views of the situation. He is not viewing it as wasted dollars but as dollars well spent for public safety.

Mr. Richardson: Would be in agreement if they were in better financial times but they are not. They are running out of money and they are going to throw a pile of money into a corner that has been there forever and he wants to find out.

Ms. Sharp: Talking about dollars for the corner....how many dollars are they talking about...do they have any idea?

Judge Perry: He knows what it was costing to have their own crew, by the day, working on the job...a rough math of the county's equipment. He is not the road commissioner but he keeps a rough.....

Ms. Sharp: Addressed the road commissioner-How much did the project cost?

Commissioner Ordway: Does not have an exact figure but can get it to her. From his standpoint, the road department's purpose is to work on the roads and that is what he had them doing; working on the roads to benefit the people of Wheeler County.

Ms. Sharp: That is not what I asked. Do you have a rough figure or any idea what it cost?

Commissioner Ordway: Estimate.....

Judge Perry: Equipment, time and labor-he does not know how deep she wants to delve into it.

Ms. Sharp: Wants to go clear to the bottom.

Judge Perry: If you want to know down to the last dollar, we can get that figure but do not have it right now. If you want a rough estimate, I can get it to you. Rough math would be \$15,000. (Road crew was not in agreement and chuckled at the figure Judge Perry gave). The men were hired anyway; the men were working.

Ms. Sharp: Noted that Judge Perry is saying that the project cost \$15,000 over and above the salaries that were being paid?

Judge Perry: No. That includes the salaries and equipment. The county already owns the equipment hour time and fuel.

Ms. Sharp: Disagreed and noted the crew was on the project for a month.

Judge Perry: Does not think it is accurate.

Ms. Sharp: Noted it was and referred to Mr. Sharp, who was on the job...then \$15,000 is half someone's wages for a year.

Mr. Mortimore: There was more work done than just on the corner. They worked on the road for miles and miles. They hauled material away and cleaned the road off.

Ms. Sharp: Noted the point is the money that was spent.

Mr. Richardson: Questioned Commissioner Ordway-He talked to the guys one day at lunch and the second he had to leave....Earl had his machine on the job and was being paid road department dollars for someone to come in from outside to do work. He made the comment to them that he was able to rip on one side just as fast as he was working with a jack hammer on the other side. It was his opinion it was money well spent to lay off the private machine and let the road crew do as much as they could just to keep money in-house and inside the road department. Mr. Sharp told him that he relayed the message to Commissioner Ordway that night...did not see him the next morning. The following day Commissioner Ordway came out in the afternoon and made the comment, "It is not getting any softer is it?" Mr. Richardson said, "Yes, actually it was." He told Commissioner Ordway what he told Randy to tell him and Commissioner Ordway kept the machine working. He told him again that it would be beneficial, he thought, to discontinue using the Mortimore machine for awhile and let the road crew get in there and do the work they can do fine with their machine without tearing it up and bring Earl back in if they needed to, to finish up. "You kept Earl going the whole time." How does that benefit the people of Wheeler County?

Commissioner Ordway: He felt that the benefit was to save wear and tear on the 7.

Mr. Richardson: Basically, anytime we have anything to do, it's going to save county equipment by hiring out?

Judge Perry: The county does not have specialized equipment as the job required. That was part of the determination. He (Commissioner Ordway) is the road commissioner who replaced the road master and

it is his determination to determine what works best to get the job done. I feel that Commissioner Ordway made the right decision and spent public money wisely.

Commissioner Mitchell: One of the things that she thinks.... it is important to remember when talking about this and it is easy to get down into the weeds about the project or what something costs but the bottom line is they are talking about being able to maintain a road department at the current level. Operating loss, at the same level as last year, with a full crew is \$899,000 so they can argue about which machinery was rented or if it was the best decision to have the crews work on that particular project or not but the big picture is the county has a huge chunk of money that is not there to spend anymore and how does the county come up with some solutions to get back to a higher level of funding for the road department? We probably will not get there by arguing about whether clearing rocks out of one particular corner was the smartest way to spend \$15,000. She is not saying that disrespectfully...just saying have to be able to have a conversation at the right level. It is heart wrenching for the court to have to lay people off in this community where everyone is connected. It is not easy and they are trying to make real hard decision based on what they have to work with. They really don't know what happened ten years ago when funds were moved from one fund to another. We know what we have to work with now and that is why they are trying to include people in the conversation so they can maybe have some clear understanding and they are not just fighting with each other about it. She wants to bring it back into a little perspective and get some other voices.

Mr. Andersen: He has been in business for about 40 years and what have we heard about the timber revenues? Every year it has gotten worse and worse; you hear it all over the state and he knows that layoffs are the toughest things that any employers have to do but this problem should have been addressed probably ten years ago and it wasn't and now it has fallen on the court.....and now you are making them out to be the bad guys and it should have been done a long time ago. It is tough.....tough on the families, the communities but if you don't have the money... you got to find the money someplace and if you can't, then you don't have any choice. Manufacturing companies do this...if they don't have the money to pay the people, they either have to go out of business or they got to lay off people. It is a tough decision to make but it probably should have been done a long time ago.

Ms. Conlee: She understands that hard times call for hard decisions-understands and she agrees with the court but does take offense to what Commissioner Mitchell said about the smartest way to spend \$15,000. That is half of her family's wages for one year. They just lost their only income and she takes a huge offense to what was just said. That was their livelihood.

Commissioner Mitchell: In context to \$900,000.

Ms. Conlee: In context yes but they understand that there were hard decisions to make. It was unfair that not one of the court members called them to tell them....they waited one week to get a certified letter from the court...not a common decency to call and say you know what, we have tried our best, we have looked at every angle, we feel horrible.....thank you for the service that you have given our county....thank you for the years that you have given our county...but we have to let you go. It would have been the decent thing to do.

Ms. Jordan: Was curious-if there is only one person working and a foreman, why do you need a foreman and you give him a raise? Couldn't you save money there by just paying.....Ronny is the only one working right and then JT.....he can't work much....does Ronny need to boss himself? She does not understand why he needs to be foreman and then give him a raise. He can't just be a worker and keep his own salary he had? That would save money.

Judge Perry: According to the union contract and if you review the page that says salary and benefits...it is kinda plain to see where you are at with providing services...

Ms. Jordan: Not what I was asking...why does he need to be a foreman...why does he need to be a foreman if you only have one person working?

Judge Perry: To oversee the person working as per say the union contract.

Constiuent: Noted he is not a self-starter.

Judge Perry: It is not an area anymore. Both men are working the whole county. It is not the dollar amounts the men are making but it is definitely less than what the road master made.

Ms. Perry: I would like to see them get rid of the damn union and be done with it.

Ms. Jordan: Said the court is asking for ideas. Does the union say there has to be a boss but that boss cannot be union right?

Judge Perry: Yes and correct.

Mr. Paul: Referred to a large lumber company in Douglas County. The owners owned it for years and it kept going downhill each year because they were not making any money. The owner was very loyal to his employees and he tried to make a deal with the union...told them if they didn't cut things back he would shut it down. They did not believe him so he shut it down. All the people who worked there did not have a job. The owner sold the business and the people who started it back up were non-union.

Mr. Andersen: Asked if the road department has always been union?

Judge Perry: Has not always been union. There is currently a union contract in place.

Mr. Dodd: Seems like that is the problem.

Ms. Peterson: Observation-has lived in the area for a reasonably short period of time. She does not think that the court would be getting all the criticism had they met with the employees. She does not know any of the employees and is not friends with any of them but had they met with them and explained.....everyone understands that government is cutting everywhere...everybody understands there is a lack of money...that there are problems...had they met with the people they fired and explained to them and was up front with them instead of hearing how they found out about it....she does not think the court would have had nearly as much criticism going on right now.

Another question-she has heard that the court got raises?

Judge Perry: No ma'am.

Constituent: How much do you make? It is public knowledge and where can we find it?

Judge Perry: Yes it is.

Ms. Peterson: She has gotten on the internet just to find out who the county commissioners were and who is working at the courthouse because she is fairly new and does not know anyone. She could find no information on Wheeler County.

Commissioner Mitchell: A new county website was just launched yesterday.

Ms. Peterson: Yesterday she was looking....there is nothing available for people to find out and it should be public knowledge.

Ms. Greenfield: Go to wheelercountyoregon.com – new website is up and running.

Ms. Peterson: The only information available on that website was birth, death and the taxes.

Ms. Greenfield: Was able to get on the site today with no problems.

Judge Perry: Addressed the question...I make \$3500 per month and commissioners make \$1400 per month plus benefits.

Ms. Peterson: Has heard rumors so wanted to clarify.

Commissioner Ordway: For your information Ms. Peterson – I turned my benefits back to the county as it was in the best interest to do so; I did not need them.

Ms. Peterson: Said there are a lot of rumors flying and wanted clarification and this is the forum to ask those questions.

Ms. Rickman: People have been talking about this for a couple of years. Everyone knew this was coming and now that it has happened, people are just astounded that it has actually happened. She cannot understand this...she is not connected with the road department but heard about it down at the cafe two years ago. They did not know if they would have jobs back then. To get revenue-how about a surtax or special tax that would go to the road department?

Judge Perry: Have looked into forming road districts; they can establish road districts by vote of the citizenry and then every other district in the county, since the county is up against compression, would have to move over and then that slot could be filled by a road district.

Ms. Rickman: It would not raise the taxes?

Judge Perry: It couldn't because the county is already up against compression-could not raise the taxes unless they did a levy; can raise taxes with a levy. Wheeler County has the second highest tax in the whole state- \$8.23 per \$1000. It is only spread amongst 1430 citizens. Of those, there are only 800 some registered voters. If you do the math, even a small tax will be a large amount if it is spread among that few people.

Ms. Rickman: If they want a road department, there has to be some way to pay for it.

Judge Perry: A good thing to add to the board and a good place to go with the meeting-start looking for solutions.

Mr. Sharp: Asked that the floor be given to Mr. Osgood as he might have some answers to some of the questions.

Mr. Osgood: Questions asked-why is a foreman needed....a good question. Answer- it is part of the union contract. Clarification –the union contract does not prevent the county from designating someone as foreman. It does not mandate that they have a foreman-for the last ten years they have not had a foreman but had a much larger group of people. Again reiterated that they are not insisting that the county have a foreman, which is what it sounds like. The union cannot stop the county from appointing a foreman.

Ms. Jordan: Why is there a need for a foreman if there are only two people-if he doesn't work out on the road much....if he does, he will be his own foreman?

Commissioner Ordway: He will be his own foreman.

Ms. Jordan: Okay-why do you need one? That would save money by not giving him a raise.

Commissioner Ordway: That idea was noted.

Ms. Sweet: Is the County Court-Commission-whatever you call yourselves- trying to find ways to bring other industries into the county? She knows for a fact that the previous court, or a number of years ago, refused someone coming in with a metal manufacturing business that would have employed nine people. The piece of property that he wanted was designated farm land and a person cannot even grow weeds on it. He just wanted enough to build a building to support his business here; it would have employed 8 or 9 men. Are you doing anything to investigate to bring business in that would pay taxes into the coffers.

Commissioner Ordway: Is glad she brought that up because we have a county planner who is actively working in that direction. Judge Perry can elaborate on it....about the changes that may be coming around.

Judge Perry: Working on a bill that will go through the next legislation that will allow three counties, Wheeler is one, to do a test so that we don't have to go through the LUBA and state land issues that really tell us what our county planning commission can and cannot do as far as land use. There is hope to bring more industrial lands into the county but with that, there are cities that have industrial lands and inside the cities, especially Fossil with their industrial park, there is land available for small business but they are still limited to infrastructure as far as power-they do not have a lot of three phase power and limited to infrastructure as far as communications go. They are taking steps for trying to get fiber into Condon and then down into Fossil to provide and hopefully link up to Clarno bridge where there is already fiber run to. Bringing in fiber alone brings in the ability to bring in a lot of business that requires fiber in order to do business-maybe not necessarily the power but the ability to use large portions of the internet and web.

Commissioner Mitchell: Currently we are working as a court in a little different way than what they worked like in the past with Commissioner Ordway being the road commissioner and she has been appointed as the economic development commissioner; will be working very hard on finding ways to attract new businesses, support and maintain the businesses we have. I am going through training and went through rural development conference two weeks ago and found out about some great opportunities for grants and loans and resources for us to really start working. I will be convening somewhat of a task force/summit or whatever, for us to get together and start working on some of the things...maybe ideas that have languished and some of the opportunities for communication that have and need to grab hold of.

Ms. Sweet: At one time, they were looking into the air tower. What has happened with that as it would help a lot?

Judge Perry: Update – We have a MEPS tower- a wind monitoring tower set up on a property outside of a property in Fossil. The tower did not show the wind that the gorge windmills got but it was not necessarily the reason not to go forward with wind infrastructure. The miles and miles of 150 KB plus line and substations they would have to bring into the county are added expenses the bigger wind companies can get elsewhere without the expense. Infrastructure played a big part of it.

Ms. Sweet: It was turned down then?

Judge Perry: We put together a plan that was even more inviting as far as a planning package plan to try to attract wind in the planning department for the county to try to draw in. There are still the costs for the infrastructure upgrades and was a point that could not attract anyone who could do the upgrades in order to put the wind into the grid. Now, wind is leaving Oregon and going to Wyoming and Texas.

Ms. Jordan: The road that goes down to the Painted Hills is in very poor condition. If the county does not have money to pave it, is there any way that it can be done by the federal government because of the park there?

Judge Perry: Was glad that she brought that up.

Commissioner Ordway: Spent a morning with the park superintendent from John Day Fossil Beds; she indicated that it would not be possible. Their reduction in staff at the park (6 fulltime employees subject to furlough) will be furloughed.

Judge Perry: There is a federal grant process called Federal Access to Public Lands. The county applied for some but after finding out from Lake County that BLM lands and national parks qualify for it, the county's application was put in for Forest Service accesses and the county did just receive notification that we did not meet the cut and did not get the funding for the upgrades to the forest accesses. It is done on a biennium, every two years this is awarded. In two years...I am starting the lobbying process early to get it moved up the list in D.C. so that the county will have preferably a complete overlay of the road. It is a big danger because of the way it is unraveling in the center for motorcycle traffic. It is one of the things that the court is real conscious of and looking at ways to fix it. There should be a temporary patch to do to it but the long term goal is for an overlay to have a complete road surface instead of just a patch that might unravel.

Ms. Dumler: You can get a federal grant money to study almost anything you want to study. Are there any grants that would help poor counties- to fund us for a time until we can come up with ways to find funding?

Judge Perry: You hit it right on the head with studies. Everyone is willing to throw \$20,000 at a study but in order to get a project, the study is needed and then we fall through the cracks because of population or something....after you go through the study the competition with other people writing the grants...even though we are truly a frontier county, there are a lot of places considered rural counties that when we compete with them, Crook and Deschutes Counties are considered rural counties and they really aren't. They need to have a new definition of rural and frontier in order to truly get money to the rural areas. They need to work on the designation.

Ms. Jordan: You would think with BLM in there, we would be more apt to get money from them.

Judge Perry: It is a good point to bring up as far as federal government. 27% of our land mass is federally owned, whether it be Forest Service or BLM, yet we don't have a single full-time BLM or Forest Service employee living in our county. Once in a while we will have a seasonal park guy. The only truly federal employee that lives in our county year round works for the FAA-maintains that radar installation. When you talk about putting kids in your schools and getting money that support them...if they are living in other counties and they are going home to another county...that plays a big role in how you are assessed. Crook County has around 800 federal workers in their county.

Ms. Conlee: She knows that everyone is moving toward the solution part of the meeting but she does have a question...not as a wife of one of the employees who lost his job but as a mother with kids. What exactly is the plan for winter time situations and getting our children back and forth to school safely and on time and all that when you only have two employees and three towns to take care of?

Judge Perry: We plan on providing service.

Ms. Conlee: How? How? How?

Judge Perry: With a snow plow and a grader.

Ms. Conlee: This is between three schools? How? I am not attacking you. I am just asking a simple question....how it that possible with two men and three schools and getting the children back and forth and on time and safely.

Judge Perry: I am not going to put a past employee on the spot but we had one employee in the county that kept a lot of roads open with just being one man in our county. I think it is possible and we can

bring back on employees as needed. We haven't fired anyone-it is a misconception. We have laid off employees.

Ms. Conlee: I am not asking about my husband's job and not asking about bringing anyone back on. I am asking as a concerned mother and citizen when my kids need to be in school on time safely...is it realistic in your perspective. I know what you are going to say to me but honestly, is it realistic?

Judge Perry: Honestly, I believe we can provide safe access for the children to come to school and we can supply safe access for emergency services to get to rural residences on county roads. It may require us to bring somebody back on for a period of time and then lay them back off again but I think we have the ability to keep our roads open and be fiscally responsible.

Ms. Conlee: To elaborate and not attacking the court, just asking legitimate questions. So you say that you can keep the roads open for our schools and emergency vehicles, you believe, what kind of position does that put our county in when you can't and someone has had a misfortunate accident or for some unforeseen reason those roads aren't open to get to them, what kind of liability does that put our county in if we can't get to them because of the reduction in staff?

Judge Perry: I believe that we will never get to that point. I believe we are going to provide the citizens with the services they need.

Ms. Sweet: Where will the funds come from for the temporary employees if the county road department is defunct?

Judge Perry: I do not believe we have a defunct road department. We are trying to find a sustainable level of a road department and with that, if we are not operating down to our last dollar, I feel that we will have the ability to bring someone back on for an emergency event.

Ms. Jordan: Why did you not keep one in each town...why were there just two and not three?

Judge Perry: To be able to allow for bringing back someone temporarily if we needed to and yet pay for fuel, tires etc.

Ms. Jordan: She understands that but it would make sense...especially in the winter.

Judge Perry: It would definitely be better to have all three communities with someone immediately in their community to be able to help.

Ms. Jordan: It snows in the middle of the night and you don't always know.

Judge Perry: Typically, our snow plowing in the south end of the county has come out of Fossil with the plow truck. We have never had a plow truck stationed at Mitchell, it's always been a blade at Mitchell and a plow truck would come down and catch everything on the way south.

Commissioner Mitchell: We looked at different scenarios- two people, three people, how to divide between north and south of the river. We looked at all of those numbers and some of our limitations with what we can do with....and our requirement for the union and flexible hours....we looked at those scenarios and two was what we could afford at this time.

Constituent: Where are they located?

Judge Perry: One in Mitchell and one in Fossil. The plan is that they will both overlap in Spray.

Ms. Richardson: Is this a rumor and am I to understand that one of the employees you kept can't lift more than 35 lbs and is on medication? I am not trying to step on his toes either....but you are saying....

Judge Perry: I am not going to into someone's medical condition.

Ms. Richardson: Why shouldn't the public get to know what is really going on here? Is this true? Is this employee on state industrial and is that one you retained? It is a simple question. Yes or no?

Judge Perry: It is not a simple answer but....

Ms. Richardson: It is a yes or no question....Is he on state industrial and is he injured and isn't he one you retained that is going fix our roads? That is a simple question.

Judge Perry: Simple answer....Yes ma'am.

Commissioner Mitchell: There are modifications and accommodations that are being paid for through the state programs that we pay insurance for to accommodate so that the employee can do the work that needs to be done.

Ms. Lofton: Speaking now personally as a citizen and I have a couple of questions-Communication or lack of it definitely seems to be the big elephant in the room. As a private citizen I have some concerns-I have gone through this before-I am going to want to know when I drive down and start to go over to

Fossil, that the person plowing roads or who last graded the road did the job in such a manner that the water ran off properly and am not going to be in the ditch because of a lack of talent...put it that way. It sounds like I am hearing that we are in the middle of negotiations, have announced we have laid off 2/3 of the road crew-four out of six right? We aren't going to hire private contractors to replace the union?

Judge Perry: It's against our union contract.

Ms. Lofton: I don't have to worry that someone who absolutely doesn't have a clue what they are doing with that blade, isn't going to be blading the road?

Judge Perry: True story.

Ms. Lofton: It may not get bladed often but at least when it does, it will be by someone who knows what they are doing.

Mr. Richardson: Do you feel in your honest opinion that Ronny Thomas is a fully qualified grader/operator?

Judge Perry: Yes I do.

Mr. Richardson: Because I believe, and I mentioned it to Robby, that Bend has a grader school and no offense to Ronny...he wasn't really given very much of an opportunity to learn much about grading but what I witnessed last fall was a whole lot of excess gravel being graded off the Waterman Road and I know for a fact that the old county rates...if all the roads were treated in the same manner, we are talking about thousands of dollars' worth of gravel.

Judge Perry: Thank you for your comment, I appreciate that.

Mr. Richardson: And also in blading the roads, there's gravel trickling off and anyone can check it out right now, he is having a little trouble containing the rock due to lack of experience or lack of training...I don't know but the rock is trickling off the bank and it is costing the county money...its' dollars lost that could be spent on maintenance.

Judge Perry: Thank you. Add training to the list of things.

Ms. Lofton: Can we use our county webpage to post things like the budget? I was on your budget committee for just a brief time but I did not get the budget until the morning of the budget committee meeting. I did not have much time to go through it at all. I think that maybe if citizens could see the bigger picture and have more knowledge, we would be able to ask better questions too. Why couldn't that budget be on the county website?

Judge Perry: It will be same with our County Court minutes and it will be real informative.

Ms. Lofton: And the bills that are paid each month? Will they then start being on there?

Judge Perry: They are currently on there.

Ms. Lofton: Are they? I have not seen that and used to have to pay to get that information, it was not handed out readily. Do you now have during your court meetings, a place where citizens can ask questions....just on your agendas where it says "open for public comment"?

Judge Perry: We have always allowed the public to make comments.

Ms. Lofton: Do you have that on the agenda so people know that and could you do that?

Judge Perry: No it's not on there but I think we can put that on the website too that there is space available for public comment at County Court.

Ms. Lofton: If they did that on the webpage would those be read into the county minutes...into the minutes of the next meeting?

Judge Perry: Yes, if a person has a particular item, they are always welcome to call up and get it put on the agenda to have discussion about it. That has always been an option....it is currently an option.

Ms. Lofton: Wow! That's great. That would help out tremendously and I would love to see all three of those. I think communication is a lot of what has happened here....or a lack of it.

Commissioner Mitchell: One of the things we have done and Teresa has been spearheading the project-working to update the website and we are utilizing some of the funds that we spend on economic development to pay for a more robust website that citizens can access lots more information.

Judge Perry: Especially forms and permits and information from the assessor's office; it's going to be....it will save a lot of people driving to the courthouse to access information.

Ms. Lofton: We will get it in a timelier manner because as it is now, Wheeler County News is two or three weeks out but it is going to be now in a timelier manner on the webpage?

Judge Perry: As soon as the meeting minutes are done they are put on the webpage.

Ms. Greenfield: As soon as they are approved. If the court wants them on there earlier that is an option.

Ms. Jordan: How is the rest of the courthouse funded? I know that the road department comes from certain areas but what about the courthouse and what shape are they in?

Judge Perry: The general fund. The general fund dollars come from the taxes you pay on personal property and real estate.

Ms. Jordan: That is all?

Judge Perry: We get a lot of grants.....like the assessor's office is mostly paid out of a CAFFA grant. We got \$15,000 just this year to come out of Frontier Regional 911 to pay for doing the books so we have \$15,000. ODOT pays us around \$11,000 a year to do the meeting minutes and scheduling and all that for the ACT-Area Council on Transportation.

Mr. Jordan: How many people they got working in the courthouse?

Judge Perry: Fewer than there were a few months ago.

Ms. Jordan: Is there budget ok yet?

Judge Perry: We are general fund stable. We are not plush but are stable.

Commissioner Mitchell: I think there are 11 employees and 7 elected officials?

Judge Perry: Not sure. Elected officials aren't all fulltime.

Commissioner Mitchell: Some programs have ended such as The Commission on Children and Families—some programs are kind of in transition.

Ms. Jordan: There is no excess money to kick toward the road department?

Mr. Jordan: Can be transferred from County Court to road department.

Judge Perry: You can loan. I have been delving into this as far as this....you can make interdepartmental loans but there's only two counties grandfathered in by statute for spending general fund dollars on their roads and schools- that is Gilliam and Sherman Counties. Any county that took timber payments or receipts are restricted as how they fund their roads and schools by statute.

Mr. Jordan: You can't pay back what you borrowed from us then?

Judge Perry: Well.....I don't believe so.

Mr. Jordan: It is past the statute of limitations.

Judge Perry: Has it been seven years? Have we got anything more to mark on the board as far as what people want us to take away from the meeting?

Mr. Osgood: Just wanted to let you know, and it has been a while back-you do have a great road department; they are fairly well trained and maybe need a little additional training but Scott is the most senior person and he went down to one of our competitions/training and took first in the state on the grader. You really do have an excellent hand; not everyone can say he took first in the state.

Judge Perry: Appreciate the comment.

Mr. Sharp: The only question I have and kind of a misnomer- that there is only two employees and assuming that we still have a secretary, which is at halftime I am assuming?

Judge Perry: Halftime and that position has been reduced and more of the general fund is supporting that position.

Mr. Sharp: As far as the road department part of it? And the Justice of the Peace (JP) part of it?

Judge Perry: As far as the general fund and the JP is kicking in more and the general fund and the road department is kicking in less.

Ms. Jordan: What were the new positions that were posted and for what department?

Judge Perry: A fiscal clerk and deputy clerk and will work in the Clerk's office.

Mr. Richardson: What duties will be involved in the new positions?

Judge Perry: Clerking.

Mr. Richardson: Didn't you just remove an employee from service that was doing that job..... most of that job?

Commissioner Mitchell: We are hiring for a fulltime financial clerk, which we have not had in the past. We had a number of people doing parts of the job and some of those people have gone away or funding for part of their position has gone away so those positions no longer exist so we have it budgeted but did not add any more money-it was just monies already there combined so we have a full time financial

clerk and a deputy clerk which will help support that work as a backup and also support the clerk and work in the clerk's office-some restructuring.

Judge Perry: We will have three people trained to do all aspects of that part of the county government so that if a medical emergency or problem with vacation time or anything like comes up, interrupting services will not happen.....pretty important to have payroll go out when it is needed and be able to record things in the clerk's office. I value all of our county services. The road department is a lot of where the public sees the people at work but we have a great general fund crew that provides a lot of services to our public also-valued services.

Mr. Richardson: concerning these jobs....I heard rumor way back when that you kind of had someone in mind to open up a job for them from sometime between winning the primary for the judge's position and becoming sworn in. That person was from Mitchell and they would be working at the courthouse. At this point, this job is not going to be filled from somebody, in your mind, from somebody in Mitchell? Do you have somebody in mind for the position?

Judge Perry: Actually, I am not on the hiring committee.

Mr. Richardson: No recommendations?

Judge Perry: They will come to the County Court with their recommendation. I really don't have a place in the process other than the formal approval of their employment.

Mr. Sharp: Noted that it is hot in the building and suggested that everyone go home.

Judge Perry: No other public comment-the special meeting was adjourned at 7:35 p.m.