



WASCO COUNTY COURT
SPECIAL SESSION
DECEMBER 28, 2009

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

At 9:58 a.m. Judge Ericksen called the meeting to order.

Commissioner Holliday participated in the meeting over the speaker phone.

APPROVAL of Professional Service Contract between Wasco County, Oregon and Austin Well Drilling, LLC.

{{{Commissioner Lennox moved to approve the Personal Services Contract between Wasco County, Oregon and Austin Well Drilling, LLC. Commissioner Holliday seconded the motion; it was then passed unanimously.}}}

Other Business:

Judge Ericksen updated the Commissioners on the opinion of County Counsel Eric Nisley in regards to the County accepting an Infrastructure Finance Authority Loan from the Oregon Business Development Department in the amount of \$41,352 for financing the drilling of a new well at the Wasco County Fairgrounds, decommissioning the existing well and other associated project costs. He noted that Nisley is not inclined to write the opinion letter as required. Nisley has no objections with the Court obtaining outside counsel from Tom Sponslor. Judge Ericksen stated that Nisley feels that the Oregon Revised Statute is in conflict with the Oregon Constitution and he disagrees with what the state did.

Some discussion occurred on what is required in the review by County Counsel. Judge Ericksen feels it would be quite expensive to have Sponslor review everything that is necessary in order to write the opinion letter.

Judge Ericksen stated that the County could pay for the well costs out of the General Fund Contingency Account.

Commissioner Lennox stated that he would hate to go against County Counsel when we are talking about \$40,000. He does feel it would be beneficial to research this matter in case the County is in need of obtaining a loan in the future. Commissioner Lennox wants to maintain our relationship with County Counsel.

Commissioner Holliday stated that she agrees with Commissioner Lennox. She does not feel that the Court should get in a battle over this issue. She would like the County to research this matter further.

Tyler Stone, Wasco County Employee & Administrative Services Director, stated that the loan would have placed the responsibility of repayment on the Fair Board. He feels that we could still have an agreement with the Fair Board for the repayment of the cost of drilling the new well and other associated costs.

Further discussion occurred.

{{{Commissioner Lennox moved to transfer \$40,000 from General Fund Contingency to Employee & Administrative Services Department Facilities Division Equipment – Capital Account. Commissioner Holliday seconded the motion; it was then passed unanimously.}}}

The Court signed:

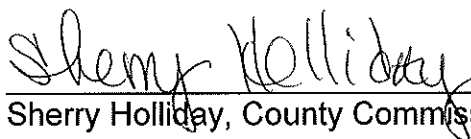
- Personal Services Contract between Wasco County, Oregon and Austin Well Drilling, LLC.

The Court adjourned at 10:15 a.m.

WASCO COUNTY COURT



Dan Ericksen, County Judge



Sherry Holliday, County Commissioner



Bill Lennox, County Commissioner