

Morrow County Board of Commissioners Meeting Minutes
March 20, 2019
Port of Morrow Riverfront Center
Boardman, Oregon

Present:

Commissioner Jim Doherty
Commissioner Melissa Lindsay
Commissioner Don Russell
Darrell Green, Administrator
Kate Knop, Finance Director

Richard Tovey, County Counsel
Justin Nelson, County Counsel
Karmen Carlson, Human Resources Director
Roberta Lutchter, Executive Assistant

Call to Order & Pledge of Allegiance: 9:00 a.m.

City & Citizen Comments: Karen Pettigrew, Manager, City of Boardman, informed the Board she emailed her information for the County's upcoming Budget Committee meetings to Finance Director Kate Knop.

Open Agenda: No items

Consent Calendar

Commissioner Russell moved to approve the following items in the Consent Calendar:

1. *Accounts Payable, March 21st, \$118,720.09; Three Manual Check Runs – March 14th, \$41,950.78 & \$65,000 and March 15th, \$20,000; Four Payroll Payables – February 26th, \$164,893.92; March 5th, \$189,679.92; March 13th, \$167,784.70 & HRA VEBA, \$2,750*
2. *Minutes: February 20th & 27th*
3. *Progressive Design-Build Engagement Letter and Consultant Agreement with Thaxton Parkinson PLLC; estimated budget \$62,562.50 and authorize Chair Doherty to sign on behalf of the County*

Commissioner Lindsay seconded. Unanimous approval.

Public Hearing: Morrow County Code Enforcement Ordinance Proposed Changes – Add Chronic Nuisance and Environmental Health Sections; Clean-Up Weed Section and Other Minor Changes

Carla McLane, Planning Director

Chair Doherty called for abstentions or conflicts of interest. Hearing none, he outlined the procedure for offering testimony and called for the Staff Report/Summary.

Ms. McLane discussed the events leading up to the proposed addition of the two new sections and the other miscellaneous updates. She said the 20-day comment period will be noticed in the East Oregonian and Heppner Gazette-Times. As the Planning Office receives comments, she said they will be included in the documents for the next Public Hearing on April 3rd.

Chair Doherty opened the Public Hearing at 9:19 a.m. for comments.

Boardman Police Chief Rick Stokoe said the proposed Chronic Nuisance Section is the same ordinance used across the State and adopted by the City of Boardman several years ago. He said experience has shown the 200 foot setback listed under Definitions is not adequate. [“Chronic Nuisance Property is defined as: B. Property on which or within 200 feet of which any Person Associated with the property has engaged in three or more Nuisance Activities during any thirty (30) day period;”] He strongly urged the Board to take a closer look at 400 feet.

Chair Doherty called for any other comments. Hearing none, the hearing was continued to April 3rd at 9:00 a.m., Bartholomew Building, Heppner.

Legislative Updates

Senate Bills 876 & 886 – Related to Confined Animal Feeding Operations

Ms. McLane primarily discussed SB 886 which puts limitations on exempt use of water at CAFOs. She said there is a Public Hearing March 21st in Salem.

Commissioner Russell said he planned to offer testimony at that same Public Hearing related to Senate Bills 103 and 104. The bills would limit the size of dairies before they fall under this classification of 700 cows, and he said he believed every dairy in Morrow County was larger than that. He said someone in the dairy business told him it’s hard to make money and if it’s limited to 700 cows, then nobody would be in the dairy business any more.

Business Items

Wheatridge Facilities Amended & Restated Strategic Investment Program (SIP) Agreement

Commissioner Lindsay stated she was conflicted in this project and would refrain. She then relocated to the audience.

Chair Doherty explained conversations spanned several months with the Board, the County’s negotiating team and NextEra representatives, including Jesse Marshall, Business Development Director, who was in the audience.

Commissioner Russell said he had no conflicts and was glad to see this come to conclusion and was ready to make a motion.

Commissioner Russell moved to approve the Amended and Restated Oregon Strategic Investment Program Agreement, “Wheatridge Facilities,” assuming County Counsel approved its contents. County Counsel Justin Nelson said this was the final form. Mr. Marshall said they would sign as-is. Chair Doherty seconded and said the assistance Mr. Nelson provided to him and Mike Gorman, Assessor/Tax Collector was appreciated, as was working with Mr. Marshall. Chair Doherty said this will be a wonderful program and includes some great things for Morrow County. He concluded by saying County staff were heavily relied upon and were wonderful. Vote: Aye: Chair Doherty, Commissioner Russell. Refrained: Commissioner Lindsay. Motion carried.

Mr. Marshall said they were looking forward to the start of construction later this year and becoming a part of the community. He said the SIP needs to be sent to Business Oregon, where they will convene a special meeting to accommodate the time frame for this agreement.

Request by Sheriff's Office to Pursue Grants to Purchase K9 Unit

Sheriff Ken Matlack

Patrol Deputy Colleen Neubert

Sheriff Matlack explained the Sheriff's Office would like to reinstate the K9 program that was dropped a few years ago and fund it through grants, at no expense to the County.

Dep. Neubert provided a PowerPoint presentation on the history of the Sheriff's Office K9 program and her military specialty in that area. She cited examples of how K9 units can reduce the time it takes to search for suspects, drugs, and in search and rescue operations, where time can make the difference between life and death. An estimated budget was reviewed, as well as potential grant opportunities. Discussion.

Commissioner Russell moved to authorize the Sheriff's Office to move forward on grant processes and if successful, go ahead and make the purchase of the selected K9, with the understanding it's not a budget ask, but instead is an ask to apply for a grant and spend grant money. Commissioner Lindsay seconded. Discussion. Commissioner Lindsay had two comments: 1.) She anticipates taking care of the dog is in the budget already, and 2.) It doesn't impact the goal of 24/7 patrols in the County. Sheriff Matlack said Dep. Neubert's position is still there but when she is on patrol and a call comes in where the dog is needed, she would leave her regular assignment to respond. The Sheriff's Office looks at the K9 unit as a problem solver that will also take less resources, he said. Vote: Unanimous approval.

Break: 10:46 a.m.-10:51 a.m.

Oregon Water Resources Department (OWRD) Update

Greg Silvernagel, Watermaster, District 5

Mike Ladd, Region Manager

Per the contract agreement with OWRD to provide Assistant Watermaster services, Mr.

Silbernagel and Mr. Ladd provided written reports of activity and time spent in Morrow County.

Other topics were discussed, one being the recent sale of Lost Valley Farm to Canyon Farm LLC and whether or not operations can be done correctly. (Note: an article in the Capital Press stated "the farm operator was identified in court documents as Easterday Farms, a family-owned business based in Pasco, Washington.") Mr. Ladd said there are safeguards in place and things are off to a good start with Mr. Easterday. They are being proactive and working closely with OWRD and he said he was "optimistic at this point."

Personnel Budget Discussion

Kate Knop, Finance Director

Ms. Knop's slide presentation covered multiple aspects of the County's Personnel Budget and how several Cost of Living Adjustment (COLA) rates would impact it. She said FTEs (Full-Time Equivalents) comprise 55% of the General Fund budget at nearly \$12,000,000. If unappropriated dollars are included in the General Fund, it makes it closer to 45% of the budget, said Ms. Knop. The County's unfunded liability in the retirement plan and rising costs of health insurance were also discussed.

Lunch break: 12:03 p.m. – 1:04 p.m.

Reclassification Requests

Karmen Carlson, Human Resources Director

Ms. Carlson explained Reclassification requests were received from two employees. She said after following the procedure outlined in the Personnel Policies, it was determined neither job description warranted a change to a higher classification. Both employees asked for the next step in the process, that HR conduct a salary survey of counties similar in population, and that is currently taking place. Ms. Carlson reviewed the other steps in the Reclassification Process and said she would return in the near future with the results of the salary survey.

Compensation Board Recommendations for Elected Officials

Karmen Carlson

A brief discussion to recap the Compensation Board recommendations took place.

Commissioner Russell moved to forward the recommendations of the Compensation Board to the Budget Committee regarding all Elected Officials, other than the Surveyor and District Attorney: A three percent Cost of Living Adjustment for the three Commissioners, Treasurer, Clerk, Assessor/Tax Collector, and Justice of the Peace. Commissioner Lindsay seconded. Discussion: Commissioner Lindsay said a conversation needs to start about the fact that at some point the County can't maintain the COLAs. She said she watched as each of union negotiation took place that included a three percent COLA. She said while it would be an uncomfortable conversation, she did not want to tell one group it doesn't deserve what the other groups get. She said she was highly uncomfortable with a three percent COLA because the General Fund can't maintain it. Chair Doherty said he did not disagree about the need to look at COLAs but he didn't know if they had the "backstop" of the Budget Committee. He said in the last few years he stated he would support the recommendations that come from the boards and committees appointed by the Board of Commissioners, unless they are egregious. He added he would be reticent to pull back from that. Vote: Aye: Chair Doherty, Commissioner Russell. Nay: Commissioner Lindsay. Motion carried.

Commissioner Russell moved to forward the recommendation of the Compensation Board to the Budget Committee that the Surveyor receive no compensation increase (operating under existing contract). Commissioner Lindsay seconded. Unanimous approval.

Discussion then turned to the Compensation Board recommendation regarding the stipend for District Attorney Justin Nelson.

Commissioner Russell moved to follow the recommendation of the Compensation Board and increase the District Attorney's stipend from \$8,000 per year to \$11,000 per year.

Commissioner Lindsay said it would be a decision of the Budget Committee, correct? Chair Doherty agreed and added the dollars either get dispensed relative to this motion or it's revisited at Budget Committee Meetings. It can be taken apart there and put back together or vice-versa, we do have some backstops, he said. Chair Doherty seconded. Commissioner Russell said the Board of Commissioners provided the District Attorney with a vehicle to take home and there is some value in that. It will come up at budget time, he added. Mr. Nelson said the Compensation Board was not provided the information about the vehicle. Chair Doherty said he didn't necessarily agree with Commissioner Russell based on previous conversations with the Finance Director and the State in that if there's a monetary value, it's a whole different subject. Ms. Knop said it would be taxable on a W2 if the vehicle is considered compensation. She added the request she received was the Decision Ask to include in Capital. Commissioner Russell said there are lots of ways to look at that. Maybe the County should have allowed him to do that all along but didn't, and it cost him money out of his pocket. Now the County is providing that...there's somewhat of a benefit to that. Chair Doherty said he looked at it relative to a vehicle to use out of the fleet. There's no cost savings to me to do that, he said. Vote: Unanimous approval.

Compensation Recommendation for Non Represented Employees

Commissioner Russell moved to forward a three percent Cost of Living Adjustment to the Budget Committee and added he did not see how the County could penalize people for not being union members. Commissioner Lindsay seconded. Discussion: Commissioner Lindsay said she wanted to be clear we are not penalizing. It's the domino effect that happens and at one point we have to pull a domino and make reality. Commissioner Russell said County wages are not too high but benefits are, such as 92.5% for health insurance and 30% for retirement. Those aren't realistic in anyone's world, he stated; Commissioner Lindsay agreed. Chair Doherty said next year it would not be out of line to make a recommendation to the Compensation Board relative to COLAs; Commissioner Lindsay agreed. Chair Doherty said maybe that's where it starts, we can say we've done it with Elected Officials and with Non Represented Employees so it gives us leverage going into negotiations. Commissioner Lindsay said the members of the Compensation Board are educated professionals who are knowledgeable about pay but they have not been given the information they need to make a full analysis. Chair Doherty said he was in support of revamping what is provided to the Compensation Board. Vote: Aye: Chair Doherty, Commissioner Russell. Nay: Commissioner Lindsay. Motion carried.

Review Full-Time Equivalent (FTE) Asks

Increase Hours for Planning Department Office Assistant

Carla McLane, Planning Director

Ms. McLane presented materials in support of her request to increase the hours of the Office Assistant from 19 to 34 per week. She explained the Planning Department is supported by the General Fund. During discussion, the Commissioners pointed to several factors for not supporting the request:

- In the comparisons to other counties, Morrow County fell “in the middle of the pack” regarding staff size and constituents served.
- The largest obstacle to overcome in the move from part-time to a status that requires benefits meant “the load was high because of those benefits.”

Commissioner Lindsay moved to not increase the staff in the Planning Department as presented, and not move it forward to Budget Committee. Commissioner Russell seconded. Unanimous approval.

Increase The Loop Dispatcher from Part-Time to Full-Time

Anita Pranger, Coordinator, The Loop

Ms. Pranger noted the part-time Dispatcher position is currently grant-funded and will remain so, if the request to increase to full-time is approved.

Commissioner Lindsay asked if it’s been made clear to the current employee what would happen if the additional grant funds were not received.

Ms. Pranger said yes, she informed the employee the position would not move to full-time in that case.

Commissioner Russell moved to increase the part-time Dispatcher position from 19 to 40 hours per week and forward that recommendation to the Budget Committee, noting it will be grant funded. Commissioner Lindsay seconded. Unanimous approval.

Request to Add Transit Driver Positions

Ms. Pranger explained The Loop will be adding a fixed route between the Boardman/Port of Morrow area and the Umatilla/Hermiston area. This will create a need for paid driver positions.

Ms. Pranger requested the positions be approved now so that once the routes are established, advertising for the positions can begin.

Commissioner Russell moved to add Transit Driver positions as grant funds become available and fixed routes are established in Public Transit. Commissioner Lindsay seconded. Unanimous approval.

Request to Add Park Ranger Position

Matt Scrivner, Public Works Director

Mr. Scrivner explained the position was needed due to increased work load at County Parks and for succession planning upon the retirement of the Parks General Manager. The position will be grant funded, he said.

Commissioner Russell moved to approve forwarding the Park Ranger position to the Budget Committee. Commissioner Lindsay asked if it will be grant funded. Commissioner Russell said we don't take General Funds for Parks and he then restated his motion. Commissioner Lindsay said she wanted to make sure they were talking about Park Funds. Commissioner Russell said yes, Park Funds. Unanimous approval.

Eastern Oregon Counties Association Dues Invoice

In discussing the invoice for \$10,500, the Commissioners decided to postpone a decision until after the next meeting of the EOCA on March 22nd where dues will be an agenda topic.

Bartholomew Building Lower Level Remodel

Darrell Green, Administrator

Mr. Green said an estimate from Allstott Construction to reconfigure the southwest corner of the lower level of the Bartholomew Building to accommodate offices for Human Resources, came in under the threshold that requires a request for proposals. He then discussed the Request for Bids, Bid Booklet, floor plan drawings, and Allstott's estimate.

The Commissioners' comments included: They were pleased the estimate was lower than originally thought; they were in favor of making use of previously wasted space; and they were comfortable with the direction in which it was headed.

Request for Proposals, Irrigon Building Project Owner's Representative

Mr. Green

Mr. Green explained the draft RFP was compiled with the assistance of Morrow County Counsel; Shirley Smith, Oregon Department of Administrative Services, Procurement Analyst – Construction & Facilities Sourcing; and several others familiar with RFPs for government buildings. He asked the Commissioners for feedback. There was discussion to clarify the role of the Progressive Design-Build consultant, Thaxton Parkinson PLLC to ensure there would not be a duplication of services. It was requested that County Counsel review the RFP and bring it forward as an agenda item next week.

Correspondence

- Energy Facility Siting Council Agenda, March 22nd, Salem, Oregon.
- Email from Terianna N. Tobin inquiring about the possibility of addressing the Board about the Second Amendment Preservation Ordinance.
- Email and press release announcing the National Association of Counties' mobile app to address rural broadband access.
- Thank you note from C.H. Urness Motor Co. to the Planning Department for the recent purchase of a Jeep Cherokee.

Commissioner Reports

- Commissioner Russell said he and Commissioner Lindsay were able to join Representative Greg Walden for lunch during the Wee Bit O'Ireland Celebration in Heppner.
- Calendars were reviewed.

Signing of documents

Adjourned: 3:05 p.m.