

**Morrow County Board of Commissioners Meeting Minutes
September 11, 2019
Irrigon Branch of the Oregon Trail Library District
Irrigon, Oregon**

Present

Chair Jim Doherty

Commissioner Melissa Lindsay

Commissioner Don Russell

Darrell J. Green, Administrator

Kate Knop, Finance Director

Richard Tovey, County Counsel

Karmen Carlson, Human Resources Director

Roberta Lutcher, Executive Assistant

Call to Order & Pledge of Allegiance: 9:00 a.m., followed by a moment of silence in remembrance of the victims of the September 11, 2001 terror attacks.

City & Citizen Comments: Irrigon City Manager Arron Palmquist said he remembered where he was 18 years ago during the attacks and we, as government employees, need to remain diligent. He also provided a brief update on an improvement project on the west side of Irrigon.

Open Agenda: No items

Consent Calendar:

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

- 1. Accounts Payable, September 12th, \$126,102.84; Three Payroll Payables, July 15th, \$1,615.29, August 21st, \$18,718.44 & August 29th, \$195,428.53; Retirement Taxes, September 3rd, \$20,563.41*
- 2. Letter verifying Board review and approval of State of Oregon, Department of Corrections, Community Corrections Plan 2019-2021 Intergovernmental Agreement #5854*
- 3. Amendment 1 to the Highway Safety Improvement Program, Region 5 Local Jurisdiction Sign Upgrades 2016, Morrow County Agreement No. 31234*
- 4. Purchase Pre-Authorization request from the Parks Department signed by the Administrator for a forestry brush cutter and hardware kit from Diamond Mowers, Inc., \$23,765 using grant funds from the Oregon Department of Parks and Recreation*
- 5. Letter to the Department of Justice, Crime Victim and Survivor Services Division, authorizing the Administrator to sign the Victims of Crime Act/Criminal Fine Account application award documents and reporting forms on behalf of the Board for the period October 1, 2019 – September 30, 2021*

Commissioner Lindsay seconded. Unanimous approval.

Business Items

Permit Application to Build on the Right-of-Way #OOL & #OOR from Umatilla Electric Cooperative (UEC)

Carla McLane, Planning Director

Steve Meyers, Member Service Administrator, UEC

Grant Bassett, Toth and Associates, Inc.

Ms. McLane said both permits were previously before the Board but questions arose. The first question was about whether the temporary line was actually temporary, and the second was about the height on one of the crossings. Chair Doherty requested to address the height question concerning Permit #OOR first.

Mr. Bassett said the height of 36' on that crossing (Bombing Range Road 4.8 miles from the intersection with Homestead Lane) was already at the maximum due to restrictions from the Navy. He said they looked at going along the south side but easement issues in the curve prohibited it. Discussion.

Commissioner Lindsay said the line has been referred to as the "Wheatridge Line" because it feeds the Wheatridge Project, therefore, she recused herself.

Commissioner Russell moved to approve Permit Application to Build on the Right-of-Way #OOR from Umatilla Electric Cooperative, Bombing Range Road 4.8 miles from the intersection with Homestead Lane, Electric Transmission Line, and authorize the Public Works Director to sign on behalf of the County. Chair Doherty seconded. Vote - Aye: Chair Doherty and Commissioner Russell. Recused: Commissioner Lindsay. Motion carried.

In discussing Permit #OOL, Chair Doherty asked how the County can be secure in knowing it's a temporary line since it is not spelled out in the conditions of the permit.

Mr. Bassett said the 115 kV line had to be temporary because it can't satisfy the load requirements of that route. He offered to provide something in writing to assure the Board it's not permanent. Discussion.

Commissioner Russell moved to approve Permit Application to Build on the Right-of-Way #OOL from Umatilla Electric Cooperative, Olson Road near the intersection with Wilson Lane, Electric Transmission Line, and authorize the Public Works Director to sign on behalf of the County. As this request was for a temporary crossing, the Board further requested that evidence be provided in the form of written correspondence, including pictures, when the temporary installation is removed. In addition, a review by the Planning Department of the temporary nature of this will take place in 24 months from the date of signing. Commissioner Lindsay seconded. Discussion as to the process after 24 months and to documenting the motion on the application itself and not just in the minutes. Vote – Aye: No response. Nay: Chair Doherty, Commissioner Lindsay and Commissioner Russell. Motion died.

Commissioner Russell moved to approve temporary Permit Application #OOL for a temporary crossing, further requiring evidence be provided in the form of written correspondence and pictures when the temporary installation is removed and that the permit be reviewed in 24 months, September 2021, by the Planning Department and that the permit expires in September 2023 with an option to reapply if not done in 2023, and to note this on the actual application. Commissioner Lindsay seconded. Unanimous approval.

Permit Application Process

Chair Doherty requested clarification from staff on the authorities of the Board, particularly circumstances in which a permit can be denied. Hypothetical situations were discussed, as were appeal processes for denials, mostly pertaining to land use decisions. Chair Doherty said he still lacked knowledge about other types of permits.

Commissioner Lindsay agreed and said a legal memo was needed.

Chair Doherty asked County Counsel to continue to look into these questions.

Commissioner Lindsay said someone has to take responsibility for good planning and asked what the Board's ability was to be involved in conversations early in the planning process instead of just being told. Discussion continued on the interpretation of being a "business-friendly" County.

Adjusted revenue from Oregon Department of Veterans' Affairs & Sign County Application for ODVA Funds

Linda Skendzel, Veterans Services Officer

Ms. Skendzel presented the County Application for ODVA Funds reflecting an increase of \$933 over what was budgeted last spring during Budget Hearings. Concern was expressed that the form did not show the amount contributed by the County (\$30,000).

Commissioner Russell moved to approve receipt of the funds from ODVA and authorize Chair Doherty to sign on behalf of the County. Commissioner Lindsay said the form was not accurate since it didn't include the County's contribution. Motion died for lack of a second.

Commissioner Lindsay moved to approve receipt of the funds from ODVA and authorize Chair Doherty to sign the revised form with the correction to the actual funds and the grand total for both County and State funds. Commissioner Russell seconded. Unanimous approval.

Oregon Health Authority Intergovernmental Agreement for Behavioral Health Services – Overview and Discussion

Kate Knop, Finance Director

Morrow County receives funding from the State (OHA) for this contract (\$1,542,803.84) and passes it through to Community Counseling Solutions, Inc. (CCS) as the contracted provider of these services. There is a separate contract between the County and CCS for the provision of the services on the County's behalf. That contract is under an extension that will expire at the end of September. Ms. Knop recommended changes to the new contract with CCS so it would mirror the same requirements OHA makes of the County. She reviewed the recommended changes.

Chair Doherty commented if the County needed to do these things, he couldn't imagine the provider pushing back because it's black and white...it's spelled out clearly. He also said he'd like to know the resources the County puts into administering the contract, adding he didn't think he had any interest in cutting into that. However, if it's a substantial amount, he said he might need to rethink it.

Ms. Knop said there were indirect costs of supporting this contract but they haven't been captured yet by her office, but they are looking into it. She recommended working with County Counsel to revise the provider contract so the County has the opportunity to have access to reporting, monitoring and certifications. She said there are some certifications in the contract she's never seen or asked for. There is the assumption everyone is certified but she said it's the County's responsibility to verify that.

Chair Doherty said it looked like these things (in the revised contract) are not negotiable.

County Counsel Richard Tovey said that is where the County stands on this.

Commissioner Lindsay said Chair Doherty should be involved in the conversations with CCS as the liaison to the CCS Advisory Board. She also said she wanted to maintain the County's "excellent relationship" with CCS.

The Board directed staff to revise the provider contract with Community Counseling Solutions to meet the 2019-2021 "Required Provider Contract Provisions" as defined in the OHA IGA #159175-0.

Break: 10:31-10:39 a.m.

Reclassification Request for Review

Karmen Carlson, Human Resources Director

Ms. Carlson explained the person who submitted a Request for Reclassification and was denied, appealed that decision to the Board, which is the final decision-maker in the process. The submitter has the option to address the Board, she said.

LeAnn Wright, Juvenile Department Office Support Specialist, presented her reasons to reclassify the position to the Board. Ms. Wright's comments included:

- She is currently doing the work of a Legal Secretary.
- The current job title is not correct and should be changed to Legal Secretary/Office Manager.
- She disagreed with the validity and accuracy of the JobMeas™ System used by the County to evaluate job descriptions.
- She was satisfied with her wage.
- When the job description was updated in 2014 to include duties such as preparing legal documents, the title was not updated.
- The Appeal Committee did not meet within 30 days, as required by policy.

A lengthy question and answer exchange took place.

Commissioner Russell moved to support the findings of the Appeal Committee. Commissioner Lindsay seconded. Aye: Chair Doherty and Commissioner Russell. Nay: Commissioner Lindsay. Motion carried.

Collective Bargaining Team for Retirement Plan Redesign

Darrell Green, Administrator

Mr. Green said last week the Board opted to think about retirement plan change options for an additional week. He asked if the Board wanted to move forward with the recommended Team members. Brief discussion with Commissioner Lindsay tentatively agreeing to attend the meetings in the capacity of an observer.

Commissioner Russell moved to appoint a Retirement Bargaining Team consisting of the Finance Director, Human Resources Director, County Administrator and Labor Counsel; and to send a letter to AFSCME's Business Agent to negotiate the retirement benefits of Morrow County General Employees and Road Department Employees. Commissioner Lindsay seconded. Unanimous approval.

Irrigon Building Update

Darrell Green

Mr. Green said the deadline to submit Request for Qualifications for the Progressive Design-Build Team was 1:00 p.m. on September 17th and he anticipated at least four submissions.

Intergovernmental Agreement between Morrow County, City of Boardman, Port of Morrow and the Oregon Department of Transportation to Update the POM Interchange Area Management Plan

Carla McLane

Ms. McLane explained representatives from each of the entities have been meeting and determined the current IAMP does not allow for anticipated growth and, therefore, needs to be updated. She said the County's share would be \$5,000 and the funding source would be the Building Permit Fund. The Request for Proposals for a consultant to update the IAMP was not yet ready for signature, she said.

Commissioner Russell moved to approve the IGA between Morrow County, the City of Boardman, the Port of Morrow and the Oregon Department of Transportation to accomplish an update to the Port of Morrow Interchange Area Management Plan, including the funds that go along with the request. Commissioner Lindsay seconded. Unanimous approval.

Department Reports

Planning Department Monthly Report

Carla McLane

Ms. McLane reviewed her report. One of the topics in her report was about Laurel Road and Ed Glenn's request to change it to Laurel Lane. She asked for clarification from the Board about the next step in the process because the information submitted by Mr. Glenn did not constitute an actual application, based on the Road Naming Ordinance.

Chair Doherty said the motion made at the August 7th BOC Meeting specified the County would be responsible for the process to change it to Laurel Lane Road.

Ms. McLane said the Planning and Public Works Departments would move forward with the process to change the name to Laurel Lane Road with the County as the applicant; the Commissioners agreed.

Correspondence

- Letter from Captain M.L. Arny, Commanding Officer, Naval Air Station Whidbey Island.
Subject: U.S.D.A. Predator Control Onboard Naval Weapons Systems Training Facility
Boardman, Oregon

Commissioner Reports

- Commissioner Russell said he met with the Managing Director of the Community Renewable Energy Association, Brian Sheehan. Mr. Skeeahan brought up the County's recent decision to no longer pay CREA \$50,000 per year on the Carty contract. The County determined that payment was not part of the actual contract, a point not disputed by CREA. Mr. Skeeahan told Commissioner Russell he believed it was in retaliation because Morrow County disagreed with CREA's efforts to promote Community Choice Aggregation. Commissioner Russell told him that was not the case and the timing was coincidental. Commissioner Russell provided an update on last week's Columbia Development Authority meeting. He said Oregon Trail enthusiasts wanted more land set aside and to tie it to the title of the property but the CDA was not in favor of that. In addition, the Base Realignment and Closure (BRAC) Office does not want to further delay the process, which is now anticipated to end in the late spring or early summer of 2020. Commissioner Russell also attended Association of Oregon Counties meetings related to that organization's search for a new Executive Director.
- Commissioner Lindsay and Chair Doherty deferred their reports until next week.

Postponed: Executive Session – Pursuant to ORS 192.660(2)(e) – To conduct deliberations with persons designated by the governing body to negotiate real property transactions

Signing of documents

Adjourned: 12:45 p.m.