

Morrow County Board of Commissioners Meeting Minutes
May 26, 2021
Bartholomew Building Upper Conference Room
Heppner, Oregon

Present In-Person

Chair Don Russell, Commissioner Jim Doherty, Commissioner Melissa Lindsay, Darrell J. Green, Tony Clement, Roberta Lutchter, Tamra Mabbott, Justin Nelson

Present Via Zoom

Staff: SaBrina Bailey Cave, Ronda Fox, Mike Gorman, Lindsay Grogan, Eric Imes, Katie Imes, Deanne Irving, Ian Murray, Sandi Pointer, Nazario Rivera, Matt Scrivner, Linda Skendzel; Non-Staff: Sheryll Bates, Chad Campfield, Erika Lasater, Wendy Neal, Glenn McIntire, Karen Pettigrew, Jessica Rose, Derrin Tallman, Jonathan Tallman, David Sykes

Call to Order, Pledge of Allegiance & Roll Call: 9:01 a.m.

City & Citizen Comments: None

Open Agenda: No items

Consent Calendar

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

1. *Accounts Payable and Payroll Payables*
2. *Amendment 1 to the 2019-21 Justice Reinvestment Grant #JR-19-025; additional \$24,960 to personnel; and authorize Chair Russell to sign on behalf of the County*

Commissioner Lindsay seconded. Unanimous approval.

9:06 a.m. Public Hearing on the Approved Budget for Fiscal Year 2021-2022

Chair Russell opened the Public Hearing and said it would remain open throughout the meeting to allow for any last-minute input. He then called for the Staff Report.

Finance Director Kate Knop said the FY 2021-22 budget was approved by the Budget Committee in April. The total approved budget was \$60,760,485. Since then, Public Works, General Maintenance, submitted two requests:

1. \$42,000 originally appropriated in FY 2020-21 for roof repair but not used. The project now needs an increase in material costs of \$7,750; new total \$49,750
2. FY 2021-22 approved budget appropriation for a vehicle, \$45,000. Increase by \$15,000 for a vehicle compatible with snow plow and flat bed attachments; new total \$60,000

Regarding the pending decision on sheriff's compensation, the Commissioners decided to take it up following the Business Items.

Legislative Updates

Planning Director Tamra Mabbott updated the Board on Senate Bill 866, which would allow municipalities to contract with a third party building official. She offered to draft a letter of support for the Commissioners to sign.

Chair Russell moved to have Ms. Mabbott draft a letter in support of SB 866 and authorize the Chair to sign. Commissioner Lindsay seconded. Unanimous approval.

Business Items

COVID Safeguards Policy Update to Include Vaccinated Status

Lindsay Grogan, Human Resources Manager

Ms. Grogan requested an update to the Temporary COVID-19 Safeguards Policy to include the new guidance from the Centers for Disease Control and Prevention (CDC) and the Oregon Health Authority (OHA) regarding vaccination status. She reviewed the additions and outlined the exceptions.

Commissioner Lindsay moved to approve the amended COVID-19 Safeguards Policy. Commissioner Doherty seconded. Discussion took place on whether or not to include additional information due to different guidance for State Courts. County Counsel Justin Nelson said the current policy amendment relates to employees and he was good with it but he would work State Courts on communicating the difference for visitors to State Courts on the second floor of the Courthouse. Unanimous approval.

OHA Intergovernmental Agreement #170129

Nazario Rivera, Public Health Director

Mr. Rivera said the agreement allows for reimbursement of costs associated with the Federal Emergency Management Agency (FEMA) vaccine distribution events. The Public Health Department can submit invoices to OHA for materials and personnel costs and they will be granted as long as funds are available in the State pool dedicated to FEMA reimbursements.

Commissioner Doherty moved to approve OHA IGA #170129 and authorize Chair Russell to sign on behalf of the County. Commissioner Lindsay seconded. Unanimous approval.

Morrow County Cattle Guard Policy Update

Matt Scrivner, Public Works Director

Mr. Scrivner explained the Board held two Work Sessions on the topic and it was taken up by a subgroup of the Road Committee. He requested adoption of the update for private cattle guards within the County road right-of-way.

The Agenda Cover Sheet contained the following information under Fiscal Impact: The cattle guard and associated items for installation will be covered by the landowner. The installation, including labor, equipment and gravel will be supplied by the Road Department at an estimated cost per installation of \$7,500-\$10,000.

After discussion, two changes were requested by the Commissioners:

1. Change “Denial of permits can be *protested*” to “Denial of permits can be *appealed*”
2. Change “At any time that MCPW deems a cattle guard to be a road hazard, it can be removed immediately and the landowner *will* bear all costs of reinstallation” to “At any time that MCPW deems a cattle guard to be a road hazard, it can be removed immediately and the landowner *may* bear all costs of reinstallation”

Commissioner Doherty moved to accept the policy with the edits discussed. Commissioner Lindsay seconded. Discussion: Commissioner Lindsay said if the Public Works Director finds the timelines to be too tight, it comes back to the Board of Commissioners to increase the

timelines, if needed. Commissioner Doherty brought up a call from a landowner who was working with Public Works on a cattle guard but who might have challenges with his neighbor's actions. Mr. Scrivner said he would contact the landowner. Unanimous approval.

Authorization to Submit Pre-Application, Oregon Department of Land Conservation & Development (DLCD) Housing Grant

Tamra Mabbott, Planning Director

Ms. Mabbott said DLCD anticipates the successful passage of House Bill 3182, which would provide funding for cities to update housing production strategies. She asked the Board to sign the Request for Interest as she planned to work with the Cities of Heppner and Ione, and the Town of Lexington to help them use the 2019 Buildable Lands Analysis and move it to the next step. The next steps consist of hiring a consultant to review very specific projects, neighborhoods, codes and other things to encourage housing. DLCD will then notify the entities that are invited to apply, she said.

Commissioner Lindsay moved to approve submitting the DLCD Request for Interest Form and authorize Chair Russell to sign on behalf of the County. Commissioner Doherty seconded. Unanimous approval.

Bartholomew Building Upper Conference Room Audio/Visual

Darrell Green, Administrator

Mr. Green explained plans were underway before the pandemic to improve the audio and video capabilities in the Upper Conference Room. He asked the Commissioners if they wanted to continue using a virtual format for meetings, and how they wanted to configure the room now that restrictions were easing. The Commissioners agreed to continue using a virtual format for meetings and to return to the prior configuration with the Commissioners in the front of the room. There was discussion about the location for BOC meetings in the new Irrigon Building. The judge's bench in the courtroom was designed so it could double as the location for BOC meetings once a month, however scheduling was yet to be resolved. Mr. Green asked that a decision be made fairly soon so changes could be made to the building plans.

Building Project Updates

Morrow County Government Center Building in Irrigon:

- Most of the building materials were on track to be delivered on time, with the exception of some masonry materials, but a solution has been worked out.
- The roof was completed and interior office spaces were being built out.
- Project is still on time and on budget.

Sheriff's Station 2:

- Trusses are going up this week.
- Project still on schedule to be completed by the third week of July.

Public Hearing on the Approved Budget for Fiscal Year 2021-2022, continued

Sheriff's Salary

Chair Russell referenced an email from Human Resources Manager, Lindsay Grogan that outlined the history of the sheriff's salary.

Commissioner Doherty summed it up by saying the sheriff's salary was artificially inflated in recent years by \$10,000-15,000 to meet the Oregon Revised Statute (ORS) requirement that a sheriff must be the highest paid individual in that department. The Compensation Board took that into account and suppressed some of the cost-of-living adjustments (COLAs). He continued, if the COLAs are added back in and the conflated value is removed, it means a salary of around \$111,000. He said he thought this approach was appealing, calling it a happy medium.

Ms. Grogan said \$111,000 was about \$2,000 below the sheriff's current salary.

Chair Russell said his calculation for the sheriff's salary, including a 2.5% COLA, equals \$113,844.02. Ms. Grogan added that means a \$700 increase above his current salary.

Commissioner Doherty proposed the sheriff's salary be calculated by using the salary without the ORS increases and adding back in the missed COLAs, and also include a 2.5% COLA for this next year, consistent with the other elected officials. Chair Russell seconded. Unanimous approval.

General Maintenance Requests Received After Budget Committee Approval of the Budget

Ms. Knop and Anthony Clement, General Maintenance Supervisor, recapped the requests:

- \$42,000 was originally appropriated in the FY 2020-21 budget for roof repairs. The project was not started and since then material costs have increased by \$7,750. This now brings the total request to \$49,750.
- \$45,000 request to purchase a vehicle was approved by the Budget Committee for FY 2021-22. To make the vehicle compatible for snow plow and flatbed attachments, an additional \$15,000 is requested.

Commissioner Lindsay moved to add the roof repairs into the budget. Commissioner Doherty seconded. Unanimous approval.

Commissioner Lindsay moved to add \$15,000 to the line item for the new General Maintenance truck. Commissioner Doherty seconded. Unanimous approval.

Break: 10:24-10:34 a.m.

Sheriff's Salary, continued

Ms. Grogan said the net change to the sheriff's salary would be an increase of \$875.77, which does include a COLA on July 1st.

Chair Russell called for any public input; no response.

Ms. Knop recapped the changes to Form LB-1 (Notice of Budget Hearing):

- Net increase to Public Works Capital Outlay of \$64,750
- Net increase in salary to the sheriff of \$875.77
- Net decrease of the two of these - \$65,625.77, which is a net increase in appropriations in the General Fund, offset against the Contingency balance that will net at \$727,416

Ms. Knop recommended Contingency since it wouldn't meet the 10% level and can be moved forward for adoption without another public hearing.

Chair Russell closed the public hearing at 10:39 a.m.

Commissioner Doherty moved to approve the three tentative motions made during the open portion of the public hearing. Commissioner Lindsay seconded. Unanimous approval.

Department Reports

- The Road Department Monthly Report was reviewed by Eric Imes, Assistant Road Master.

Business Items, continued

County and Tallman Property

Jonathan Tallman and Derrin Tallman

The Tallman family owns property in the Boardman area they plan to develop and would like the County to be actively involved in the planning discussions. After discussion, the Commissioners agreed to have Commissioner Lindsay act as the Board's liaison with Planning Department staff and County Counsel, as well as the other stakeholders.

Correspondence

- Governor Kate Brown's Executive Order No. 21-11: Determination of a State of Drought Emergency in Baker, Douglas, Gilliam, Morrow and Wheeler Counties Due to Lack of Precipitation and Unusually Low Snow Pack and Streamflow.
- OHA's COVID-19 Vaccination Trends.
- Letter to the Oregon Transportation Commission from the Chairs of Oregon's three Area Commissions on Transportation requesting a new bridge at Ontario. Commissioner Doherty signed as Chair of the North East Area Commission on Transportation.

Commissioner Reports

Reports of activity were provided by the Commissioners.

11:32 a.m. Executive Session: Pursuant to ORS 192.660(2)(d) – To conduct deliberations with persons designated by the governing body to carry on labor negotiation

12:08 p.m. Closed Executive Session: No decisions

Signing of documents

Adjourned: 12:15 p.m.