

**Morrow County Court**  
**January 14, 2015**  
**Boardman, Oregon**

**Present**

Judge Terry Tallman  
Commissioner Leann Rea  
Commissioner Don Russell  
Karen Wolff, Executive Secretary/Personnel Director  
Carla McLane, Planning Director  
Ryan Swinburnson, County Counsel  
Roberta Lutcher, Court Executive Assistant

Judge Tallman called the meeting to order at 9:11 a.m.

**City and Citizen Comments – Irrigon**

Aaron Palmquist, Irrigon City Manager, said the City of Irrigon is moving forward on its Strategic Plan through 2025. He said there is a lot of energy surrounding the money awarded by the Columbia River Enterprise Zone II (CREZ II) Board to several entities including Irrigon, to stimulate housing purchases. He said the City receives about one inquiry a month regarding building a new home.

**Open Agenda**

No items

**Department Reports**

Morrow County Special Transportation Fund (MC-STF) Advisory Committee  
Aaron Palmquist, Chair, MC-STF Advisory Committee

Mr. Palmquist explained the list of members previously approved by the County Court for this Committee has been modified and he is seeking approval of the new membership list with term expiration dates. He said several previous appointees were unable to attend any of the recent meetings and the Committee needs members who can make a commitment.

Commissioner Russell said former Commissioner John Wenzholz has indicated on more than one occasion his desire to be involved with the STF Committee. I'd suggest the Committee consider him in the future if it has trouble getting members to attend regularly. Mr. Palmquist said the Committee is attempting to achieve a balance that allows the County Court to make the recommendations. He continued, Special Transportation in Morrow County needs to be totally revamped in order to be looked upon favorably by the Oregon Department of Transportation (ODOT). Judge Tallman said even though Mr. Wenzholz isn't an appointed Committee member, he is welcome to attend the meetings since they are public meetings. Mr. Palmquist said there are members of the public who attend the meetings, as well as, various non-committee County staff members.

Commissioner Rea moved to approve the MC-STF Advisory Committee Membership List with Term Expiration Dates as outlined below:

<i>Committee Member</i>	<i>Community/Representing</i>	<i>Term Expiration</i>
<i>Virginia "George" Nairns</i>	<i>Heppner/Senior &amp; Disabled</i>	<i>December 31, 2015</i>
<i>Citlali Mendoza Pacheco</i>	<i>Boardman/Hispanic</i>	<i>December 31, 2015</i>
<i>Claudia Silva</i>	<i>Irrigon/Hispanic</i>	<i>December 31, 2015</i>
<i>Sheryll Bates</i>	<i>Heppner/Community</i>	<i>December 31, 2016</i>
<i>Sam Bellamy</i>	<i>Lexington/Community</i>	<i>December 31, 2016</i>
<i>Cary Brock</i>	<i>Irrigon/Senior &amp; Disabled</i>	<i>December 31, 2016</i>
<i>Ray Michaels</i>	<i>Boardman/Seniors</i>	<i>December 31, 2016</i>
<i>Dan Brosnan</i>	<i>Heppner/Senior &amp; Veterans</i>	<i>December 31, 2017</i>
<i>Betty Gray</i>	<i>Ione/Senior</i>	<i>December 31, 2017</i>
<i>Kevin McCabe</i>	<i>Lexington/Community</i>	<i>December 31, 2017</i>
<i>Aaron Palmquist</i>	<i>Irrigon/Community</i>	<i>December 31, 2017</i>

Commissioner Russell seconded. Unanimous approval.

Mr. Palmquist said for this program to be successful, job descriptions and operating manuals need to be in-place before employees are hired. The Committee reviewed job descriptions and manuals from other counties in eastern Oregon, including Wheeler County which successfully completed an audit by ODOT. The Committee is in the process of gleaned information from several of these counties to compile documents applicable to Morrow County. We hope to have the descriptions and manuals before the Court for adoption by February, if not sooner. He said Morrow County has a check-list of requirements by ODOT, and once we complete our job descriptions and operating manuals, we will have met about 75% of those requirements. The next MC-STF Advisory Committee meeting be Friday, February 6<sup>th</sup>, 1:00 p.m. at the SAGE Center in Boardman.

Judge Tallman said he confirmed Gilliam County will not be able to provide temporary dispatching/scheduling assistance because they lack the manpower.

Mr. Palmquist said each of the communities in the County is operating Special Transportation differently...we need consistency. Once the required ODOT documents are in place, those guidelines will be followed by everyone.

Planning Director, Carla McLane, updated the Court on her efforts assisting with the Coordinated Human Services Public Transportation Plan for the Committee.

#### Weed Department

Burke O'Brien, Public Works Director  
 Sandi Putman, Public Works Management Assistant  
 Dave Pranger, Weed Coordinator

Ms. Wolff said the Weed Program is being reviewed to evaluate how to make the program operate in the manner intended by the County. In the past, Mr. Pranger's assignment was 50%

Weed Program and 50% Road Department; we're removing the Road Department responsibilities and making it full-time Weed Program. The question for the Court concerns policy direction, such as, how do you want the program to operate? What results do you want? What are your expectations for the Weed Coordinator position relative to job duties? Discussion ensued.

Mr. O'Brien said one of the last things talked about during the process to revamp the Weed Program, was the need for the Court to establish some direction and expectations of the Weed Department. That needs to happen. The Court, as a group, needs to say this is what the Morrow County Court expects. Judge Tallman asked if Mr. O'Brien is suggesting we say this in writing. Both Mr. O'Brien and Ms. Putman responded by saying yes. Mr. O'Brien said the history of this includes too many changes made and things weren't in writing; we need policy from the Court. Commissioner Rea asked if the Weed Coordinator job description has been completed. Ms. Wolff said it's in draft form until there is policy direction for the program. We can't yet make sure the job description matches the policy direction. Further discussion.

Judge Tallman said he'd like input from the parties here today in the form of a workshop session. It was decided to meet again Wednesday, January 28<sup>th</sup>, 1:30 p.m. at the Courthouse.

#### Sheriff's Office Update

Sgt. Kristen Bowles, Communications Director  
Sgt. Sarah Smith, Assistant Communications Director

Sergeants Bowles and Smith provided the update in the absence of Sheriff Ken Matlack and Undersheriff Steve Myren. Damage to the south County area from high winds on December 11<sup>th</sup> was discussed. Miscellaneous calls during December included:

- Attempt to elude on an ATV in Irrigon on December 12<sup>th</sup>. Joseph Swope was booked into the Umatilla County Jail.
- Fatal motor vehicle accident in Heppner on December 20<sup>th</sup>. Vehicle left the roadway and became airborne before crashing into a shop.
- Citizen assist on December 31<sup>st</sup> behind Cutsforth Park. Two injured individuals taken to Pioneer Memorial Hospital.

Sgt. Bowles said there will be a planned power outage on Monday, January 19<sup>th</sup> to repair damaged computer equipment at the Sheriff's Office. The outage will affect all County departments, but is planned on the Martin Luther King, Jr. Holiday to minimize the impact. Calls to the Sheriff's Office will be temporarily routed to Umatilla County dispatch.

#### Parole and Probation Report

The P&P Report for December was reviewed by the Commissioners:

- 110 on the caseload – 34 rated High; 28 Medium; 43 Low.

December Work Crew billings:

- City of Irrigon - \$1,000; Finley Butte - \$600; Morrow County - \$50; Morrow County Health - \$50

## Planning Department Update

Ms. McLane discussed the following:

- The draft environmental impact statement for the Boardman to Hemingway Line was released by the Bureau of Land Management (BLM) about a month ago. Ms. McLane has not finalized her review of the document. Ms. McLane said she received information that Idaho Power submitted an application to the Navy for their right of way on the west side of Bombing Range Road.
- The Wheatridge Wind Energy, LLC, Preliminary Application for a Site Certificate was received by the Planning Department this week. This is Jerry Rietmann's project on land in both Morrow and Umatilla Counties, but most of the generation is in Morrow County.
- The Military Airspace Advisory Committee (MAAC) identified a path for an economic evaluation of the airspace associated with our 5701, Boardman military operations area. Two consultants groups were contacted for estimates, which came in at \$75,000 to fund the wind analysis and the economic model. The CREZ II Board was approached with this funding request, but it was turned down. After tomorrow's MAAC meeting, its members will likely be coming to the County Court to request wind money from Strategic Investment Program agreements, or other opportunities. There are landowners impacted who might fund a portion. We haven't gotten very far with our Federal partners and I haven't approached the State yet. Judge Tallman said he'd like to see what everyone else puts in before we say if we will put some money in. People think the County has wind money, but we have it because we already gave somebody else a tax break. This project is not part of those prior agreements and this project needs to ante up something. We already have other long range ideas about what that money should be used for – for all of Morrow County. Commissioner Rea said she thinks the studies would be worthwhile – we need that information in order to give the Federal entities a dollar value on our airspace. How it gets funded is up in the air. I think the Navy should step up...it's in their best interest too.

## Veterans Representative Quarterly Update

Linda Skendzel, Veterans Representative

Judge Tallman asked Ms. Skendzel the number of veterans in the County; there are approximately 1,000 but the number is fluid, she said.

Ms. Skendzel discussed the \$50,000 grant her office received for transportation of veterans to and from medical appointments. The Oregon Department of Veteran Affairs (ODVA) receives \$5,000 of the grant for grant administration. She reviewed some of the changes she made to the trip sheets filled out by drivers, which were necessitated by grant guidelines. She said ODVA is acting on behalf of veterans in highly rural counties, like Morrow County, to work out some of the "kinks" of the grant. Ms. Skendzel said a Transportation Site Visit is scheduled for February 6<sup>th</sup>.

Ms. Skendzel reviewed the County Veterans' Service Officer Quarterly Report of Activities. Upcoming veterans outreach activities include:

- Veterans Health Care Transportation Town Hall Meetings– Thursday, February 5<sup>th</sup>, 11:30 a.m., Irrigon Senior Center and Thursday, February 12<sup>th</sup>, 11:30 a.m., Heppner Senior

Center. Free spaghetti lunch for veterans who pre-register. Hosted by Morrow County Veterans Services and Walla Walla VA Medical Center.

- Veterans Benefits Roundtable, Wednesday, March 11<sup>th</sup>, 10:00 a.m., Heppner City Hall. Discussion topics: burial benefits, survivor benefits, government markers and other topics of interest.

### **County Counsel Report**

Mr. Swinburnson said there will be a reapplication from Love's Travel Stops for a conditional use permit, which they think hasn't expired. We'll go down that road again and they may have more of a leg to stand on than before. My objective will be to make sure it's all on one avenue because I don't want four different appeals, like last time.

County-owned property in Boardman with privately owned manufactured home - I haven't seen an answer from the Jaquez party. I will note for default and ask the judge to sign an order for what we want. Once the order is in place, we can tell the sheriff, or whomever, to abate/clean up the property.

Commissioner Rea asked about the second County-owned property in Boardman – Mr. Swinburnson said this is now more in Assessor/Tax Collector Mike Gorman's domain. He elected to do a real property foreclosure. After the experience with the first property in Boardman, we realized foreclosure is a much quicker way. Ms. Wolff said she's received calls indicating the home is occupied and would like to push this forward.

Judge Tallman brought up a recent title action on personal property in which Mr. Gorman was served and was not happy about it. Mr. Swinburnson said the County was named and Mr. Gorman was served as Assessor/Tax Collector. I spoke with the other attorney and the title company is requiring they name the County as a party and there is nothing we need to do. I confirmed with Mr. Gorman the County has no interest in it, the taxes were paid. We're there in name only. Once it commences, we'd typically be dismissed from the action. Judge Tallman said Mr. Gorman had been quite upset he was personally named. Mr. Swinburnson said he was not personally named, maybe personally served. Commissioner Rea said it would have been by title of Assessor/Tax Collector. Mr. Swinburnson said he's had conversations with Mr. Gorman and I hope he feels relieved when, and if, these situations come up again.

### **Correspondence Reviewed**

- Request from District Attorney, Justin Nelson, for two new four wheel drive sport utility-type vehicles for the DA's office. The request outlined the deteriorating condition of the two vehicles currently used by the DA's office. Ms. Wolff said Mr. Nelson asked about the process for requesting vehicles and was told to submit a written request. During this discussion, it came to light the County doesn't have a point-person helping to guide this process and this warrants discussion. Judge Tallman said he would query the other department heads to determine vehicle needs. Commissioner Rea suggested it be an agenda item for the next Department Head/Elected Official meeting. Judge Tallman said that would be a good place to take care of this.
- Pooled Cash Report prepared by Treasurer, Gayle Gutierrez, showing balances in various cash funds.

11:15 a.m. – Finance Director, Rick Worden arrived

## **New Business**

### Compensation Board Appointment

Ms. Wolff said the Compensation Board needs to meet to review wages for elected officials. Current Compensation Board member, Jerry Healy, requested to no longer serve on the Board and has recommended Andy Fletcher as his replacement. Brief discussion.

*Commissioner Rea moved to appoint the following three individuals to the Compensation Board:*

1. *Lisanne Currin, Heppner*
2. *Rob Brown, Irrigon*
3. *Andy Fletcher, Lexington*

*Commissioner Russell seconded. Unanimous approval.*

Commissioner Russell asked what criteria are used by the Board when it meets to review salaries and cost of living adjustments for elected officials. Ms. Wolff said a comparison is made to elected officials in other counties. State statute says to use other agencies, private industry, etc., but in this area we don't have many comparables, so we compare to elected officials in other counties. The Association of Oregon Counties (AOC) helps facilitate the process by surveying all counties and providing information sheets for each county. The format I use compares the same as we compare for union wages – three smaller counties and three larger counties based on population using the Oregon Blue Book. We now compare with all eastern Oregon counties and do a comparison to counties located geographically nearby. Commissioner Russell said it doesn't seem fair to compare to counties which may be flat broke. Judge Tallman said our Compensation Board is independent enough they don't make that the whole weight of their decision; by statute we do what's required. Commissioner Russell said he has confidence in the three members of the Compensation Board, as well. Commissioner Rea said three to four years ago we didn't take the recommendation of the Board because money was tight. Judge Tallman added we said we'd live within our means at the time.

### Safety Committee Appointment

Ms. Wolff said Public Works Assistant Director, Bob Nairns, is retiring in February and serves on the Safety Committee as a management representative for the Road Department. The newly hired Assistant Road Master, Matt Scrivner, has been recommended as his replacement on the Committee.

*Commissioner Russell moved to appoint Matt Scrivner to replace Bob Nairns on the Safety Committee. Commissioner Rea seconded. Unanimous approval.*

### Columbia Basin Electric Cooperative – Strategic Investment Program (SIP) Agreements

#### Component Modification Request

Tom Wolff, CBEC General Manager

Mr. Wolff said he is approaching the Court to address closing one or two loopholes in SIP contracts that CBEC previously asked the Court to include for activity which falls within our service territory. We ask the Court in preparing future SIP agreements to be mindful of CBEC's

position within the County and ask that language be inserted to protect the Coop and its employees. Commissioner Rea said this requested language change clarifies or tightens what we all thought would happen to begin with; it's not a change of our intent. Judge Tallman said the intent was there, but that wasn't the result.

*Commissioner Russell moved to approve incorporating the following language into future SIP agreements for Columbia Basin Electric Cooperative, Inc.:*

*“This project shall use Columbia Basin Electric Cooperative for all electric service needs for its Project facilities located within Columbia Basin Electric Cooperative’s Public Utilities Commission (PUC) assigned service territory within Morrow County, unless otherwise agreed in writing by Columbia Basin Electric Cooperative.”*

Mr. Swinburnson asked about the mechanism for the motion. Judge Tallman said we'll have this in future SIP agreements. Commissioner Rea stated part of the Wheatridge Wind Energy project will be in CBEC's service territory. Ms. Wolff said, yes, Wheatridge just put in their application, so we're receiving this request timely and it can be incorporated into that. Mr. Swinburnson asked do you make this a deal-breaker on any future SIP agreements. If another entity says they want another route, are you asserting it's a deal-breaker where these apply? Discussion. Mr. Wolff said CBEC's intent in asking the new language be inserted is it would be a deal-breaker if not adhered to in our service territory. The PUC assigns exclusive service territory to prevent duplication of infrastructure. A current SIP agreement participant who built a large wind farm in Morrow County applied to CBEC for service and indicated they would use CBEC, then they built their own transmission lines into our service territory and another company serves that load; we have a cause before the PUC. The question is, “what is service?” Is it where the load is served or where meters are located? That is still before the PUC Board Administrative Law Judge. We believe this language will clarify it's to be where the load is situated...if it's within CBEC service territory, we will serve the load. We'd like it to be a deal killer.

Mr. Swinburnson said when negotiating a future SIP agreement, by passing this motion, you're committing to it. Mr. Wolff said CBEC has 15 employees who live in Morrow County and that's important. The other utility company utilized by the wind farm mentioned earlier has some employees in Morrow County, but many do not live in the County. This is mostly to protect the exclusive service territory of CBEC.

Mr. Wolff explained the arrangement Umatilla Electric Cooperative and CBEC came to in one SIP agreement which included both service territories. We split things very satisfactorily and would have done the same with the utility company providing service to the three wind farms in Morrow County but we failed to reach an agreement with that SIP participant. Judge Tallman said we specifically wanted language that said it would be serviced by CBEC...the company didn't indicate they wouldn't do that and when we found out they didn't use CBEC, it was a complete surprise. Commissioner Rea said the company got around it by using the words “to request” service. This says they “shall” use CBEC. Discussion.

*Commissioner Rea seconded the motion. Unanimous approval.*

Mr. Swinburnson left the meeting at 11:48 a.m.

#### Personnel Update

Ms. Wolff provided an overview of the process leading to her final recommendations for Reclassification Requests. As part of the Reclassification Request process, she is now presenting information to the Court prior to notifying the employee or Department Head. She plans to send notification letters next week. Based on Ms. Wolff's comparison process, the following recommendations are made:

1. County Court Executive Assistant – this is a new position; recommended placement: Pay Range 10.
2. Finance Management Assistant – currently in Management Pay Range 12; recommended placement: Pay Range 14.
3. Public Works Management Assistant – currently in Non-Represented Employee Pay Range 12; recommended placement: Non-Represented Employee Pay Range 15.
4. Assistant Public Works Director – currently in Management Pay Range 18; recommended placement: Non-Represented Employee Pay Range 20.
5. Executive Secretary/Personnel Director – recommend leaving in Non-Represented Employee Pay Range 19.

#### Patrol and Parole & Probation –

1. Patrol Sergeant – currently in Management Pay Range 20; recommended placement: Pay Range 21.
2. Detective Sergeant – currently in Management Pay Range 20; recommended placement: Pay Range 22.
3. Community Corrections (P&P) Supervisor – currently in Management Pay Range 20; recommended placement: Pay Range 22.
4. Undersheriff/Emergency Management Director – currently in Pay Range 22; recommended placement: Pay Range 25.
5. Communications Director – currently in Non-Represented Employee Pay Range 17; recommended placement: Pay Range 19.
6. Assistant Communications Director – currently in Non-Represented Employee Pay Range 17, recommended placement: Pay Range 17.

#### Deputy District Attorney

The goal for this position is to develop a Professional Progression for Deputy District Attorneys.

1. Deputy District Attorney I – recommended Pay Range 19.
2. Deputy District Attorney II – recommended Pay Range 22.
3. Deputy District Attorney III – recommended Pay Range 24.

(The current Deputy District Attorney would qualify for DDA III.)

Ms. Wolff referred to Mr. Worden's budget impact sheet for the recommended changes, noting we will be over-budget by \$637 if the Court concurs with her recommendations. Mr. Worden said that figure does include the changes in the Non-Represented Employee Wage Scale and the Reclassification Requests for non-union individuals. Discussions ensued.



Ms. Wolff explained there may be changes coming to the County Court Executive Secretary/Personnel Director position. Some duties will be shifted from this job description to the new County Court Executive Assistant job description. We didn't want to make changes until this process had been completed. Going forward, we will be looking at making some other changes.

Ms. Wolff said she will be issuing a letter opening the Reclassification process again, but we won't be reinventing everything so it should move forward pretty quickly.

*Commissioner Rea moved to approve and concur with the Reclassification Request decisions and recommendations for Fiscal Year 2014-2015 as follows: County Court Executive Assistant – Pay Range 10. Finance Management Assistant – Pay Range 14. Public Works Management Assistant – Non-Represented Employee Pay Range 15. Assistant Public Works Director – Non-Represented Employee Pay Range 20. Executive Secretary/Personnel Director – Remain at Non-Represented Employee Pay Range 19. Patrol Sergeant – Pay Range 21. Detective Sergeant – Pay Range 22. Community Corrections Supervisor – Pay Range 22. Undersheriff/Emergency Management Director – Pay Range 25. Communications Director – Pay Range 19. Assistant Communications Director – Pay Range 17. Deputy District Attorney I – Pay Range 19. Deputy District Attorney II – Pay Range 22. Deputy District Attorney III – Pay Range 24. Commissioner Russell seconded. Unanimous approval.*

#### Telephone Service Change at the Morrow County Museum

Ms. Wolff said the Morrow County Museum is currently on the Morrow County phone bill, but they do not have long distance service. Judge Tallman said it was removed in the past when a Commissioner believed that capability should not be available at the museum. Ms. Wolff said after some discussions with Morrow County Museum Treasurer, Larry Mills, one option emerged. Ms. Wolff suggests the County annually allocate \$400 to the museum to cover basic phone service and let them set up their own account for basic and long distance services. Commissioner Rea said she would like an accounting in the future to see if removing the museum from the County bill made any difference and, if so, how much. If the bill for basic service at the museum increases significantly, we can address it at budget time, but they need to provide an accounting to us.

*Commissioner Rea moved to authorize the Morrow County Museum applying for their own phone line, billing to themselves, with the changes to be accounted for in the upcoming budget. Commissioner Russell seconded. Unanimous approval.*

#### **Claims**

*Commissioner Rea moved to approve the Payroll Payables, Immediate & Electronic (Employee Payroll), dated December 11, 2014; Payroll Payables, Immediate & Electronic (Employee final pay check), dated December 2, 2014; Payroll Payables, Monthlies, dated December 3, 2014; Payroll Payables, Monthlies, dated January 2, 2015; Payroll Payables, Immediate & Electronic, dated January 7, 2015; Payroll Payables, Immediate & Electronic, dated December 23, 2014; Payroll Payables, Immediate & Electronic, VEBA EFT, dated January 7, 2015; December 2014 Retirement Taxes, New employee, dated January 14, 2015; January 2015 Retirement Taxes,*

*dated January 14, 2015; and Accounts Payable, dated January 15, 2015, in the amount of \$295,666.94. Commissioner Russell seconded. Unanimous approval.*

### **Minutes**

*Commissioner Rea moved to approve the minutes of January 7, 2015, with corrections. Commissioner Russell seconded. Unanimous approval.*

### **Commissioner Reports**

Commissioner Rea said she attended the meeting of the Fair Board and they are looking for aluminum bleachers for the Wilkinson Arena during Fair time because the wooden bleachers are more than the tractor can handle. Former Morrow County Fair & Rodeo Queen, Maggie Collins, will be the chaperone for the current Queen and the Fair Board was very excited about this. The Fair Board meetings will be rotating between north and south end County locations.

**Adjourned 12:35 p.m.**