

Morrow County Court
March 25, 2015
Heppner, Oregon
Pioneer Annex Conference Room

Present

Judge Terry Tallman
Commissioner Leann Rea
Commissioner Don Russell
Karen Wolff, Executive Secretary/Personnel Director
Rick Worden, Finance Director
Mike Gorman, Assessor/Tax Collector
Gayle Gutierrez, Treasurer
Roberta Lutchter, Court Executive Assistant

Judge Tallman called the meeting to order at 9:02 a.m.

City and Citizen Comments – Lexington/Ione

Bobbi Childers, Clerk

Ms. Childers asked Burke O'Brien, Public Works Director, when the road from Ella over to Bombing Range Road and Baseline Lane will receive some work because the potholes are very bad creating a potentially dangerous situation when encountering traffic in the other direction. Mr. O'Brien said the Road Committee meeting would have been a good time to bring this up. Ms. Childers said we don't know when those happen. Mr. O'Brien said they are advertised and we will be working on some of those roads.

Ms. Childers then asked, "When will we get County Court minutes?" Ms. Wolff said we're about to publish them and they will be turned into the Clerk's Office next week and then things will be caught up. Ms. Childers said we have minutes from December 2014, but nothing for 2015...how can we know what's going on when we don't see them for three months, it's frustrating. Commissioner Rea asked if there are any particular minutes she wants to see. Ms. Childers said we should see them when they're approved. Commissioner Rea said the minutes need the supporting documents to go with them...if you have a citizen with an issue about a meeting, call us, if approved, we'll share them. Ms. Wolff said we can release them even in draft form. Brief discussion about processing of minutes with documents. Ms. Childers said she wants written minutes not the attachments. Judge Tallman said we'll note your request.

Open Agenda

Ms. Wolff said she has some items and Public Works is here to discuss plans for repairs to the Courthouse from the recent sewer damage.

Judge Tallman said he has a report from a Court Security meeting which may be more appropriate for Long Range Planning this afternoon.

Ms. Wolff said appointments are needed for the Equity Fund Loan Review Committee during the New Business portion of the meeting.

Department Report

Public Works

Burke O'Brien, Public Works Director

Tony Clement, General Maintenance Manager

Courthouse Sewer Line Repairs

Mr. O'Brien said Mr. Clement was able to rent a drain camera to inspect the pipes in question. They are in good shape, for the most part, except two pipes coming from the building to a junction – one has a p-trap in a flat area which is causing the back-up. Mr. Clement has a plan which involves laying 85 feet of new pipe and new connections. A rough estimate would be about \$850 for the pipe but the cost for the connections and sidewalk repairs are not known at this time; it will not be over \$5,000. The water supply to the Courthouse will need to be turned off, so Public Works suggests the work begin on a Friday afternoon and carry-over to the weekend.

The Commissioners agreed by consensus to send Courthouse employees home early on Friday, April 3, 2015 to make sewer line repairs, contingent on the timely receipt of parts, and the cost of the work should not exceed \$5,000, including sidewalk restoration.

Ms. Wolff said she will send an e-mail to employees advising them of the early closure on April 3rd, but also explain we won't have a final answer until Wednesday, April 1st.

Quote to Repair Damage to the Assessor's Office

Ms. Wolff said the quote from Rod Wilson, County Contractor for Construction Services, is only to repair the water/sewer damage to the Assessor's Office and will be turned into insurance. Commissioner Rea asked if there is a \$1,000 deductible; Ms. Wolff said yes, but we can charge the time the employees spent moving out of the Assessor's Office, so it may end up a "wash." The amount of the estimate is \$8,000.

Purchasing Pre-Authorization Request – Assessor's Office Improvements

The request is for minor upgrades to the Assessor's Office, such as removing paneling and replacing with sheetrock or white paneling, adding electrical conduit in the wall, and spraying Kilz Oil Paint to the area above the drop ceiling to eliminate a dust/grit problem in the office.

Commissioner Rea moved to approve the Purchasing Pre-Authorization Request for the General Maintenance Department in the amount of \$9,500 for additional improvements to the Assessor's Office above the repairs necessitated by the flooding issues, and authorize Judge Tallman to sign on behalf of the County. Commissioner Russell seconded. Unanimous approval.

Weed Program Update

Dave Pranger, Weed Inspector

Morrow Soil & Water Conservation District, as the Morrow County Weed Advisory Board, sent a letter to the Commissioners regarding the Arundo donax (Giant Cane) permit in north Morrow

County and their concern that one of the test fields (Lloyd Field) has been removed from the project area and will be returned to crop production (mint). The letter encourages the County Court, as overseer of the County Weed District, to contact PGE as the permit holder and discuss options of fallowing the field to provide control of volunteer plants.

Mr. Pranger provided background information - originally three fields were planted – one at Greenwood Resources Tree Farm, one at Vern Frederickson's (Oregon Hay) and one at Lloyd Field off Threemile Canyon.

Mr. Pranger offered updates for each field:

Greenwood Resources - In between my visits to this test field, Greenwood Resources replanted to trees. They have treated the Arundo three times with Roundup, and as of last fall when I looked at the field, the Arundo had not been eradicated.

Lloyd Field – PGE is responsible for eradicating it in the field. When I was out in the last month with several people, including a representative from the Oregon Department of Agriculture, the plants were looking dead. Before we sign off, we need to give growing time through the summer because they're still viable for up to three years, if I remember correctly. They are committed to doing hand spraying to follow up. This field is being taken out and is not in production, they determined drip irrigation is not an option out there.

Vern Frederickson/Oregon Hay – still in production and was harvested within the last month. This is the only one still in use.

Mr. Pranger said according to Tim Butler with ODA, mint is no longer being considered for the Lloyd Field, but ODA is unsure of the plans for that field.

Mr. Pranger asked what the Court would like to do; the Control Order doesn't say how long to wait before planting back. Judge Tallman asked what was said to Lloyd about planting back. Mr. Pranger said nothing was said to him about that, it's PGE's deal as far as eradication from the field. As we saw at Greenwood, they went right back in. If the County Court makes a formal recommendation to fallow, that's probably about all we can do, then it's up to PGE.

Mr. Pranger said he can go to the Lloyd Field this afternoon and see where they are in the process. Commissioner Russell asked if there was a written agreement with PGE and what does it say on that? Mr. Pranger said it states three years, make sure it's eradicated, but it doesn't say anything about planting back. Commissioner Russell suggested Mr. Pranger contact Jim Brewer and John Lloyd to see what their plans are. Judge Tallman asked Mr. Pranger to report back in the next few weeks.

Ms. Wolff asked about responding to the letter from SWCD. Judge Tallman said reply we received the letter, we're doing follow-up and appreciate their involvement, and as we learn more, we'll reply further to them. Mr. Pranger said he will report to SWCD at their meeting on April 7th; Judge Tallman and Commissioner Rea asked him to make a report in writing.

Weed Department Policy and Weed Inspector Job Description

Ms. Wolff said the Commissioners have the most up-to-date policy and job description in an attempt to ensure they match. Minor changes were discussed for each.

Commissioner Russell moved to approve the Morrow County Weed Department Policy, dated March 2015, with minor changes such as changing the title from Weed Inspector to Weed Coordinator/Inspector. Commissioner Rea seconded. Unanimous approval.

Commissioner Russell moved to approve the job description for the position titled Weed Coordinator/Inspector with minor grammatical changes, dated March 2015. Commissioner Rea seconded. Unanimous approval.

Minutes

Commissioner Rea moved to approve the minutes of March 18th, with correction. Commissioner Russell seconded. Unanimous approval.

Commissioner Russell moved to approve the Executive Session minutes of March 18th, as presented. Judge Tallman seconded. Unanimous approval.

Claims

Commissioner Rea moved to approve two Payroll Payables, Immediate & Electronic, both dated March 5th; and another dated March 18th; and Accounts Payable, dated March 26th, in the amount of \$444,246.91. Commissioner Russell seconded. Unanimous approval.

Correspondence Reviewed

- Letter from Oregon Department of Environmental Quality to Morrow County Public Works regarding approval of the Morrow Watershed 2014 Opportunity to Recycle Program.
- Agenda for the Morrow County Planning Commission meeting, Tuesday, March 31st, 7:00 p.m., Heppner City Hall.

New Business

Equity Fund Loan Review Committee Appointments

The Commissioners decided it would be better to state the Committee will consist of representatives from each of the entities, rather than specifically named individuals from those entities. They also decided to include Community Bank in the list.

Commissioner Rea moved to appoint members to the Equity Fund Loan Review Committee, effective March 25, 2015, to include representatives from Banner Bank, Bank of Eastern Oregon, Community Bank, Willow Creek Valley Economic Development Group, Morrow County Finance Director, and Gary Frederickson, At-Large, representing Boardman and Irrigon. Commissioner Russell seconded. Unanimous approval.

Morrow County School District & Morrow County Public Health – Wrap Around Services

Dirk Dirksen, MCSD Superintendent

Ken Matlack, Sheriff

Sheree Smith, Public Health Director

Diane Kilkenny, Public Health, Board Member – Eastern Oregon Coordinated Care Organization (EOCCO)

Peggy Doherty, CARE Coordinator

Michele Misener, Nurse Case Manager

Mr. Dirksen said, I came to the Court about one year ago to present the concept of a CARE Coordinator for Morrow County. The County put in \$10,000 toward the initial CARE Coordinator, GOBHI (Greater Oregon Behavioral Health) and InterMountain Education Service District each put in \$20,000, Ione School District - \$7,000 and MCSD bought a vehicle and fuel and made up the remaining balance of about \$1,000. We're here today because there is not a grant for the Nurse Case Manager. I said the school district will support a second position because I realize it's that important. It's about \$71,000 for a Nurse Case Manager and \$61,500 for a CARE Coordinator. I'm here to see if the County would consider supporting the first position at \$10,000 and the second position at \$5,000. I still have to talk to GOBHI and IESD but I want to go ahead and get the job posted and move forward.

Discussions took place with the other participants relaying the benefits and success stories of the CARE Coordinator program working in conjunction with the Nurse Case Manager.

Judge Tallman said he's been in discussions with Finance Director, Rick Worden...but we have to pay for this, how do we figure that out? This will take more than one meeting to figure out. I've also talked to Sheriff Matlack because MCSD is also committed to a School Resource Officer.

Sheriff Matlack said his office would likely end up hiring a new person because they would probably use an existing officer as the School Resource Officer. Undersheriff Steve Myren checked with Accounting and a weighted salary would be \$75,500 and instead of rotating my vehicle out, I can keep it...that means some savings for the County. Also, the most recent reserve vehicle sold at auction for \$8,500. Using any money from selling vehicles at auction and applying those funds to the Resource Office position would be helpful to us.

Judge Tallman said Budget Hearings are coming up and he'd like these discussions out of the way so they are not brought into the Budget Committee situation.

Mr. Dirksen said I'll say the same thing to all the involved entities, whatever your contribution is, is your contribution; MCSD is putting in \$71,000 for a Nurse Case Manager. Ms. Smith said whatever the County can contribute is huge.

Commissioner Rea said this is an awesome program and I'd hate to see it fall through the cracks. However, SWCD is asking for an additional \$50,000 and Wildlife Services will ask for \$30,000-40,000 more. It boils down to the fact, various programs receive less federal and state funding and the counties are expected to pick up the difference. I'm sympathetic to them, but my priority

is the young people – without them we have no future. I can't say 'yes' right now but can tell you my priorities lie toward the kids. Commissioner Russell said we all see the need...but someone will get shorted.

Mr. Dirksen said within the school district, our funding has been better in the last three years...I'm asking for a contribution.

Mr. Worden said we need to know whose employee this person will be, for budgeting purposes. Mr. Dirksen said his recommendation would be the County as the employer. Judge Tallman said we lean in that direction, as well.

Comments Prior to Executive Session

Ms. Wolff stated we may come out of Executive Session to make a decision, but it's doubtful.

11:42 a.m. Executive Session

ORS 192.660(2)(d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

12:10 p.m. Closed Executive Session – No decision

Lunch Break – 12:15 p.m.

Resume 1:30 p.m.

New Business

Subdivision Plat – Chaparral Park, Phase I, Boardman

Mr. Gorman said this is a subdivision the Maughan group is developing. The lots are small and the intent is to build duplex or townhouse type structures where a buyer purchases one unit. The City of Boardman, County Surveyor Stephen Haddock and West Extension Irrigation District have all signed-off and I certify the taxes are paid.

Commissioner Rea moved to approve Chaparral Park, Phase I, a subdivision located in the City of Boardman, Morrow County, Oregon, Township 4N., Range 25E., W.M., Section 17 West ½ of Northeast ¼ for Gary Maughan & Carol Maughan & Maughan ET. AL., LLC, Mattawa, Washington. Commissioner Russell seconded. Unanimous approval.

Contracts

Community Action Program East Central Oregon (CAPECO) Continuum of Care, Sub-Grantee Emergency Solutions Grant 2015-2017 Work Plan

Commissioner Rea moved to approve the Certification of Local Government Approval for Non-Profit Sub-Grantee Emergency Solutions Grant 2015-2017 Work Plan and authorize Judge Tallman to sign on behalf of the County. Commissioner Russell seconded. Unanimous approval.

Wenaha Group Professional Services Agreement for Construction Consulting

Ms. Wolff said the original quote for services from Wenaha Group was anticipating a building value of \$1.8 million and a 5,000 square foot facility. The project square footage increased to 11,200 and the construction budget to \$3.67 million, and the timeline was lengthened. Therefore, they are asking us to extend their contract on a time and materials basis at a not-to-exceed amount of \$28,160, plus mileage.

Commissioner Rea moved to approve the Professional Services Agreement for Construction Consulting, Project No. OR 13-05, with Wenaha Group, Inc., with the stipulations outlined:

- 1. Move to a time and materials basis, estimated at eight hours per week, or 32 hours per month, at \$110 per hour, through the end of October, plus mileage for site visits (assuming \$3,520 per month)*
- 2. Billed on actual hourly basis with a not-to-exceed amount of \$28,160 plus mileage for the duration of the project (March-October 2015)*

And authorize Judge Tallman to sign on behalf of the County. Commissioner Russell seconded. Unanimous approval.

Discussion - Draft Letter to Community Bank Listing Signatories for Construction Loan

Treasurer Gayle Gutierrez said Community Bank contacted her requesting a letter from her office and another from the County Court specifying the signatories on the construction loan for the new Administration Building. Ms. Wolff will draft the letter for the Court.

Commissioner Reports

Court Security Meeting

Judge Tallman reported on last week's Court Security meeting with representatives from the Circuit Court Office located on the second floor of the Courthouse. He said before construction began on the new Administration Building, I asked them if they foresaw a need for space in the new building, and they said, no. Now they want to move the Justice of the Peace office (Judge Ann Spicer) out of the second floor and into the new building. He said they didn't ask us, they pretty much told us.

Commissioner Rea asked, "Will our answer be no?"

Judge Tallman said, "I feel like we don't have any choice in the matter...I said there was an office not designated yet and we would probably have a spot for her and she agreed to do that." He said Circuit Court wants locks on every door and they don't want access to the Court Room while a judge is sitting. Commissioner Rea asked if these expenses will come from the Court Security Fund and Judge Tallman said, yes.

There was then discussion about placing the Justice Court in the new building and how that will impact current and future security plans. Mr. O'Brien said when court related offices take root in a building, security becomes an issue. Commissioner Rea said her primary concern is if we put Judge Spicer in the new building and she needs access to an area for a Court Room, such as one of the conference rooms, then what do we do for security for that, and there isn't any place to put

an office for her that is close to a conference room. Judge Tallman said he doesn't disagree. Commissioner Rea said the open office space available will probably be used for Special Transportation and asked if there might be a secure office available for Judge Spicer at the Sheriff's Office.

Commissioner Russell asked, "They want to boot her out because she occasionally leaves her door open?" Judge Tallman said they don't want any doors unlocked at any time, it's a security issue. Commissioner Russell then asked how long the current office configuration has been in existence. Ms. Gutierrez said since at least 1989. Commissioner Russell said, "Ask them to justify their change in reasoning. We don't have anyone who remembers back more than 25 years; the current arrangement has been working." Judge Tallman said they view it from security and see it as a way for access to be made to the court room. Ms. Gutierrez suggested a security door be installed between Judge Spicer's office and the court room.

Commissioner Rea said she sees huge problems evolving if we agree to put the Justice of the Peace in the new building – where will she hold court and how will we secure it? Judge Tallman said they (Circuit Court) are an immovable object.

Commissioner Russell said in our minds, it's a Morrow County building and if they want to remove Justice Court, which has been there for 25 years, they can come up with funds and a place to put her.

Ms. Wolff said if Circuit Court could come up with a grant or funding, they could remodel the Gilliam-Bisbee Building. Commissioner Rea said we could give it to them. Judge Tallman said, we ought to offer that. Brief discussion.

Judge Tallman said he would contact Judge Roy Blaine (Circuit Court) and Judge Spicer. Commissioner Rea asked if it would be appropriate to ask Judge Blaine to attend a County Court meeting. Judge Tallman said he asked if the Circuit Court representatives would come if we had difficulty and they said yes. Commissioner Rea commented, "They've had difficulty." Commissioner Russell said it makes no sense to get the building half built and then say we have a different use for the building you're paying for.

Work Force Meeting

Commissioner Rea said she attended a Workforce meeting in La Grande and doesn't agree with Umatilla County Commissioner George Murdock's idea on distribution of funding dollars for workforce training. She explained Commissioner Murdock said 43% of the funding comes from Umatilla County, so they should receive that same percentage of the services. On a related subject, Commissioner Rea said she was asked to submit a name for a representative on the Local Workforce Investment Board, in addition to current member Sheryll Bates. She said the representative should have ties to industry and she suggested Debbie Rade. If this meets with the approval of the other Commissioners, Commissioner Rea will contact Ms. Rade to see if she is willing to serve; the other Commissioners were agreeable to this.

Judge Tallman said he attended the Heppner Chamber of Commerce meeting and listened to a presentation on B20 Biodiesel fuel (a blend of 20% biodiesel and 80% petroleum diesel) and a forgiveness tax for small business using 26,000 pound single axle trucks and below.

New Business

Invoice from the City of Irrigon

Commissioner Rea explained the invoice of \$2,493.20 is for 40 hours of work in the month of January that City Manager Aaron Palmquist spent on tasks related to the Morrow County Special Transportation Fund Advisory Committee as Chairman. She asked if it could be paid from the funding the County received for veterans transportation. Judge Tallman said he told the members of this committee that the time spent was on a volunteer basis. Ms. Wolff asked what precedent the Court might be setting for other boards and committees if this is paid. Discussion. Commissioner Rea said Mr. Palmquist did go above and beyond and Commissioner Russell said the money is going to the City of Irrigon, not Mr. Palmquist. Ms. Wolff suggested the County reimburse for the City of Irrigon's expenses related to photocopying, and support staff time, etc. Judge Tallman said he will talk to Mr. Palmquist about the situation. Commissioner Rea said the invoice will be tabled for today.

County Court Proposed Budgets

Ms. Wolff reviewed the proposed Non-Departmental budget, County Court budget and Computer budget for the Commissioners in anticipation of the upcoming Budget Hearings.

Memo from Justin Nelson, District Attorney – Changing Office Spaces in Courthouse

Mr. Nelson's memo reminded the Commissioners of the idea to move the Victim Assistance and Support Enforcement Offices into the current Assessor's Office and move the Assessor's Office into County Court offices. If this takes place, Mr. Nelson is requesting a door be installed between the front and middle offices of the Assessor's Office for confidentiality purposes. He would also like to reopen windows that have been bricked closed. Ms. Wolff said we don't know the cost to do these, so this will come back to the Court when we do.

Miscellaneous - Assessor's Office

The estimate for computer equipment for the Assessor's Office was briefly reviewed.

Ms. Wolff thanked Mr. Gorman for taking over the responsibility of figuring out the bid process to purchase new vehicles. Mr. Gorman said he's been able to obtain multiple estimates for sedans ranging from \$17,283-21,083 and for SUVs from \$20,857-26,590. Ms. Wolff said there is \$90,000 in the budget for four vehicles currently needed: Justice Court, District Attorney, Assessor and Motor Pool.

Long Range Planning

After Mr. Worden's review of changes made during the last Long Range Planning (LRP) session, Commissioner Rea suggested the \$200,000 allotted for paving at the Fairgrounds be reduced to an amount that would cover the expense of improving the handicap parking places and purchase bleachers. On another subject, Ms. Wolff noted there might be enough money available to purchase a fifth vehicle. She said she left \$90,000 in the budget for next year, should we increase that to \$120,000 or leave at \$90,000 for fiscal year 2015/2016?

Mr. Worden said at the end of the last LRP session, there was a negative balance in 2015/2016 for wind monies (Shepherds Flat), so we need to make some adjustments because this is what I will present to the Budget Committee as our plan going forward. Mr. O'Brien asked if the Commissioners still planned to install an airlock at the back entrance of the Courthouse. Ms. Wolff said there is \$35,000 left in the budget but some of that will be used for the changes to the Assessor's Office that are outside the insurance claim; haven't we already paid for the materials for the airlock? Mr. O'Brien said some have been purchased, but there is still stuff to get. Ms. Wolff said we'll need an updated number. After being asked to provide a rough estimate, Mr. O'Brien said it would be closer to \$40,000. Commissioner Rea also asked Mr. O'Brien to provide an estimate for putting windows back that had been closed up with cinder blocks in the past.

Mr. Worden asked about the \$100,000 for Courthouse Rejuvenations for 2014/2015 – would it be more appropriate to move out of the General Fund Balance that we've been carrying over, especially since the Fairgrounds figure is changing. It was decided to reduce the figure for the Fairgrounds to \$30,000. After a few more adjustments, 2015/2016 showed a positive balance.

Mr. O'Brien asked the Commissioners about future building plans. Commissioner Rea said the tentative plans are to purchase land in the north end of the County in the next year, followed by something in Lexington in 2018/2019. Mr. O'Brien said he's come up with a design for an addition to the current Public Works Office he believes would be more cost effective than building new. Mr. Gorman discussed the disadvantages of adding on to a structure that may not be the best to begin with. Commissioner Rea said she wants a long term investment that will still be useable 80 years from now. Mr. O'Brien said he estimates \$150,000 for an addition to the building in Lexington; Commissioner Rea asked Mr. Worden to add that amount to the LRP spreadsheets as a placeholder.

Ms. Wolff said she would like to continue the discussion of adding an Administrative Officer position. She said she feels the addition of these duties to her current position would be too much and result in failure. After talking with Judge Tallman, and realizing the current demands on the Human Resources (HR) component of her job, she'd like to discuss having an HR Director and an Administrative Officer. Ms. Wolff presented several versions of an Administrative Officer job description for review and discussion.

Ms. Wolff said if she removes the Executive Secretary duties from her job description and leaves in the duties of Personnel Director, she doesn't think there will be a need to advertise, but she will make sure; I need direction from the Court as to how to move forward. Commissioner Rea asked Ms. Wolff to verify the need to advertise or not, amend her current job description and run it and the Administrative Officer options through the JobMeas™ salary analysis system. Ms. Wolff said she would have the information for the next Court meeting.

Adjourned 4:47 p.m.