

Morrow County Court
June 10, 2015
Boardman, Oregon
Port of Morrow Riverfront Center

Present

Judge Terry Tallman
Commissioner Leann Rea
Commissioner Don Russell
Karen Wolff, Executive Secretary/Personnel Director
Richard Tovey, Deputy District Attorney/Interim County Counsel
Roberta Lutcher, Court Executive Assistant

Judge Tallman called the meeting to order at 9:05 a.m.

City and Citizen Comments – Irrigon

No comments

Open Agenda

Commissioner Rea said she would like to add a discussion on the status of the County Counsel selection process.

Department Report

Planning Department Update

Carla McLane, Planning Director

- Ms. McLane read from the letter of support she drafted for the Court, to the Department of Environmental Quality, in support of a permit renewal for Reclaim, Inc. at the Port of Morrow; the Commissioners then signed the letter.
- Ms. McLane discussed her plans to add a GIS (Geographic Information System) position within the Planning Department.
- Ms. McLane said Threemile Canyon Farms (TCF) plans to invest in organic production and will need housing for 100-400 specially-skilled farm laborers. She said TCF is working with the H-2A Visa Program (from the U.S. Citizenship and Immigration Services website: “The H-2A program allows U.S. employers or U.S. agents who meet specific regulatory requirements to bring foreign nationals to the United States to fill temporary agricultural jobs. A U.S. employer, a U.S. agent as described in the regulations, or an association of U.S. agricultural producers named as a joint employer must file Form I-129, Petition for Nonimmigrant Worker, on a prospective worker’s behalf.”). The housing will be similar to a dorm situation with sleeping rooms and common areas and the proposed site will need a zone change, she said.

Second Reading and Adoption: Lexington Urban Growth Boundary Zone Change Ordinance

Ms. McLane provided the second reading by title.

Commissioner Rea moved to approve An Ordinance Amending the Morrow County Comprehensive Plan Urbanization Element, Comprehensive Plan Map, Zoning Map and Applying the Rural Light Industrial Use Zone to a Portion of the Lexington Urban Growth Boundary, County Ordinance No. ORD-2015-3 with the attached Affected Documents being:

- 1. Morrow County Comprehensive Plan – Urbanization Element: Amended both the introduction and the portion relating to the Town of Lexington.*
- 2. Morrow County Comprehensive Plan Map: Changed the designation from Residential to Industrial.*
- 3. Morrow County Zoning Map: Changed the zoning from Farm Residential to Rural Light Industrial.*
- 4. Morrow County Rural Light Industrial Use Zone: Applied the Rural Light Industrial to the subject property.*

Commissioner Russell seconded. Unanimous approval.

New Business

Request from Alberta Akers, Boardman

Ms. Akers requested assistance with deteriorating trees in the right of way on Miller Road. She said a 30-foot wide length of her property along Miller Road was taken some years ago by the County for the right of way and since that area now belongs to the County, it should be maintained by the County. Discussion took place on the history of the rights of way on Miller and Kunze Roads, and the fact that the County is not responsible for Miller Road because it is deemed a “Public Road.” Commissioner Russell said he would see if someone might be willing to cut down the trees for firewood.

Morrow County Health Department (MCHD) Letters of Appeal

The Morrow County Health Department recently submitted an RFP to the State to continue to provide Healthy Families services in the County. The State disqualified the RFP on a technicality because a box for the following question was not checked: “Is Proposer an Oregon certified Minority-Owner, Woman-Owned or Emerging Small Business?” Three letters of appeal to administrators in the Department of Administrative Services, Procurement Services, were reviewed.

Commissioner Russell moved to sign the letters of appeal to the Department of Administrative Services, Procurement Services, to Kim Hankins, State Procurement Analyst; Dianne Lancaster, Chief Procurement Officer; and George Naughton, Chief Operating Officer/Chief Financial Officer, as prepared by MCHD Director Sheree Smith. Commissioner Rea seconded. Unanimous approval.

Contracts

USDA Animal & Plant Health Inspection Service (APHIS), Wildlife Services, Work and Financial Plan

Commissioner Rea moved to approve the USDA APHIS Wildlife Services Work and Financial Plan in the amount of \$46,697.89; agreement dates July 1, 2015 to June 30, 2016, and authorize Judge Tallman to sign on behalf of the County. Commissioner Russell seconded. Unanimous approval.

Correspondence Reviewed:

- Memo prepared by Undersheriff Steve Myren as Emergency Manager, to the Naval Weapons Systems Training Facility, Boardman, requesting the Navy consider options to mitigate blowing dust problems likely to occur after the recent 40,000 acre fire on the south half of the Bombing Range.
- Weekly Morrow County Government Project Update prepared by Wenaha Group for the construction of the Bartholomew Building.

Commissioner Reports

Commissioner Rea said two weeks ago she attended the Oregon Consortium & Oregon Workforce Alliance meetings in Albany. The Workforce side of this entity will receive no future funding, she said, and added the Oregon Consortium aspect will continue until June 30, 2016. The process to dissolve the entity involves a one year period of no activity and then the required audits, she explained. She and several other County Commissioners will serve on a subcommittee to monitor the status during the dissolution process, said Commissioner Rea.

Judge Tallman said he attended the Morrow County Fair Board meeting last night at the SAGE Center. He said the plans for the Fair are coming into place. They would like to borrow a Ranger utility vehicle from Public Works to stay on top of garbage collection during the Fair. Judge Tallman suggested they contact Public Works directly.

Judge Tallman said there was a Local Public Safety Coordinating Council (LPSCC) meeting yesterday and it appears that hiring a probation officer through a Justice Reinvestment Program Grant is unlikely.

Judge Tallman said Laura Slater, Oregon Department of Transportation (ODOT) Region 5, Regional Transit Coordinator, had an on-site visit with Morrow County's Special Transportation Fund (STF) Coordinator, Anita Pranger. The visit went well, he said. Commissioner Rea asked when ODOT will release funds being withheld because it seems the goal line keeps shifting. Judge Tallman said he didn't think Morrow County needed to do anything more and he'd "give them the benefit of the doubt right now."

Commissioner Russell said he will meet with about four more people in his effort to analyze the current Juvenile Justice system in Morrow County.

Minutes

Ms. Wolff requested permission from the Court to release the Executive Session minutes of October 1, 2013 to Sherman County. She said the minutes covered a meeting with Wenaha Group and InterMountain Education Service District during the early stages of the decision making process to build a new Administration Building (Bartholomew Building). Sherman County is considering a new building and many of their questions could be answered by sharing the minutes, she said. County Counsel, Justin Nelson, was consulted and he approved releasing the minutes, if the Court agrees, said Ms. Wolff. The Commissioners agreed by consensus to release the minutes. Copies of the Professional Services Contract with Wenaha Group, will also be provided to Sherman County, she said.

Commissioner Russell moved to approve the minutes of June 3rd, as presented. Commissioner Rea seconded. Unanimous approval.

Claims

Invoice - Columbia-Blue Mountain Resource Conservation & Development (RC&D) Council

Ms. Wolff asked the Court if it wants to continue to make the \$225 contribution because RC&D may be disbanding. Discussion.

Commissioner Rea moved to withhold the payment of \$225 to Columbia-Blue Mountain RC&D unless they come up with a viable project. Commissioner Russell seconded. Unanimous approval.

Commissioner Russell moved to appoint himself as member to Columbia-Blue Mountain RC&D and Commissioner Rea as alternate. Commissioner Rea seconded. Unanimous approval.

Commissioner Rea questioned the purchase of a pint of ice cream for \$5.50 by Parole & Probation from Ben & Jerry's in Bend. She said the issue is not the amount of the purchase, but that it's a snack and the County has emphasized snacks are not reimbursable, whereas, meals are. She also asked about flowers purchased by the Sheriff's Office two different times for \$105.90 each. Discussion. Mr. Tovey said it would be fair to send out reminders to Department Heads about the County's policy. Judge Tallman said he would talk to Sheriff Ken Matlack.

Commissioner Rea moved to approve the Accounts Payable, dated June 11th, in the amount of \$584,774.50. Commissioner Russell seconded. Unanimous approval.

County Counsel Discussion

Commissioner Rea asked Mr. Tovey if the current arrangement with the District Attorney and Mr. Tovey serving as County Counsel was working for them. He said it was. Discussion. The Commissioners asked that Mr. Nelson and Mr. Tovey submit a one year contract for County Counsel services to be considered by the Court.

Department Report

Personnel Update

Ms. Wolff

Ms. Wolff said the Collective Bargaining Agreement with the General Employees Unit has been signed by the AFSCME Business Agent and the Local President and a motion is now needed by the Court.

Commissioner Rea moved to approve the Collective Bargaining Agreement between Morrow County and the Morrow County Employees Local 2479, Sub-Local 002, AFSCME Council 75, Effective through June 30, 2018, which includes a three percent salary increase effective July 1 of each year of the three year contract (2015-2018). Commissioner Russell seconded. Unanimous approval.

Vacation Accrual Policy Discussion

Ms. Wolff said at least 15 employees are approaching the cap for Maximum Vacation Accrual and she thought it appropriate to check with the Court to discuss policy. She reviewed the policy regarding Maximum Vacation Accrual from the following documents:

- Morrow County Personnel Policies
- The General Employee Contract
- Road Unit Collective Bargaining Agreement
- Teamsters Collective Bargaining Agreement

The Commissioners were in agreement that policy should be enforced but if there are extenuating circumstances, they will consider requests to temporarily exceed the limit.

Review Human Resources Director Position and County Administrator Discussion

After extensive discussion, the following transpired:

Commissioner Rea moved to approve the job description for Administrative Officer #5-2. Commissioner Russell seconded. After discussion, Commissioner Rea said the Court instructs Ms. Wolff to conduct additional research on the parameters for a residency requirement. Unanimous approval.

Commissioner Rea moved to approve Pay Range 27 of the Reclassified Non-Represented Employee Wage Scale, 2014-2015 (\$6,852 per month) for the Administrative Officer #5-2 position. Commissioner Russell seconded. Unanimous approval.

Commissioner Rea moved to approve the job description for the Human Resources Director, and thereby, amending the current Executive Secretary/Personnel Director job description to now be the Human Resources Director. Commissioner Russell seconded. Unanimous approval.

Commissioner Rea moved to approve Pay Range 21 of the Reclassified Non-Represented Employee Wage Scale, 2014-2015 (New Hire, Step A \$5,113 per month) for the Human Resources Director. Commissioner Russell seconded. Unanimous approval.

Miscellaneous

Ms. Wolff discussed an e-mail from Irrigon area resident, Sue Oliver, asking the Court to be more involved in the activities of the Oregon Trail Library District Board. The Commissioners said the OTLD is a Special District and they saw no need for further involvement.

Comments Prior to Executive Session

Ms. Wolff stated we will not be coming out of Executive Session to make a decision.

12:24 p.m. – Executive Session

ORS 192.660(2)(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

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

Closed Executive Session and Adjourned: 12:32 p.m. - No Decision