

Morrow County Court
August 5, 2015
Heppner, Oregon

Present

Judge Terry Tallman
Commissioner Leann Rea
Commissioner Don Russell
Karen Wolff, Human Resources Director
Justin Nelson, County Counsel/District Attorney
Roberta Lutchter, Court Executive Assistant

Judge Tallman called the meeting to order at 9:07 a.m.

City and Citizen Comments – Heppner

Gayle Gutierrez, Heppner resident

Ms. Gutierrez asked if the rock wall between the Courthouse and the Bartholomew Building was originally planned to be removed. Judge Tallman explained it was not, but when two of the three sidewalks from Court Street to the property had to be removed, it resulted in elevation problems and the wall had to come out. Both Judge Tallman and Ms. Wolff stressed all of the components of the wall are being stored for future use.

Open Agenda

Ms. Gutierrez said as Treasurer she, Bobbi Childers, Clerk, and Mike Gorman, Assessor/Tax Collector, would appreciate some involvement in the selection process for the County Administrator. She said they would not expect to be involved in the final decision, but would appreciate an opportunity to provide input. Judge Tallman said it would be discussed by the Court and he could not say yes or no at this time.

Road Report

Matt Scrivner, Assistant Road Master
Sandi Putman, Public Works Management Assistant

Mr. Scrivner's report included:

- Balm Fork Road – 1,991 tons of hot mix used. Equipment was then mobilized to Big Butter Creek Lane.
- Blades were out for two days fixing blow-outs on Alpine Lane, Nolan Road, Johnson Grade, Rietmann Lane, Baker Lane and Immigrant Lane.
- Michels Corporation, building the Carty Lateral natural gas pipeline, was granted permission to provide maintenance on the County roads they use during the project. Commissioner Rea asked if there should be any concerns about liability and should an agreement be signed. Mr. Nelson said Public Works should ask for a copy of Michels Corporation's liability insurance, and concurred an agreement should be drawn up.
- The three mile overlay project on Big Butter Creek Lane has been completed.
- The County loaned equipment to the City of Heppner to prep along Gilmore Street prior to the start of paving on August 18th.

- Currently working at the Fairgrounds to improve the handicap parking area.

Ms. Putman said the contracted mason began work at the Courthouse on the re-mortaring project. Since there are several projects at the Courthouse, he started with the basement windows, thereby delaying the use of scaffolding, she said. After various discussions, it was decided coordination should take place between Public Works, the project management team for the Bartholomew Building and the mason.

New Business

Bartholomew Building Policy Discussion

Ms. Wolff presented a memo which stated some employees moving into the Bartholomew Building have an expectation of being able to use portable heaters and air conditioners. The Court was in agreement that air conditioners will be prohibited, but portable heaters will be allowed, with County approval and at County expense. During this discussion, it was mentioned more than once that employees should allow time to gauge the new heating/cooling system and not assume a portable unit will be necessary. Ms. Wolff said she would draft a policy for review which covers the use of portable appliances such as heaters, air conditioners and fans.

Contracts

Port of Morrow – Emergency Vehicle Storage Facility Lease Acknowledgement

The letter from Gary Neal, General Manager of the Port, states by signing the acknowledgement letter the County confirms it wishes to continue the lease for a three year period beginning December 1, 2014. The facility is located at the former Kinzua Mill and is used by the Sheriff's Office for vehicle storage.

Commissioner Rea moved to extend the lease with the Port of Morrow for the Emergency Vehicle Storage Facility at the former Kinzua Mill site, for the period 2015-2018 and authorize Judge Tallman to sign on behalf of the County. Commissioner Russell seconded. Unanimous approval.

Northern Oregon Corrections (NORCOR) Intergovernmental Agreement (IGA) Extension

Commissioner Russell moved to approve the IGA Extension with NORCOR to House Juvenile Detainees, effective July 1, 2015 to June 30, 2016. Commissioner Rea seconded. Unanimous approval.

Fourteenth Amendment to 2013-2015 IGA for the Financing of Community Addictions & Mental Health Services, Agreement #141422

Commissioner Rea moved to approve the Fourteenth Amendment to the Oregon Health Authority 2013-2015 IGA for the Financing of Community Addictions and Mental Health Services, Agreement #141422, with an increase in funding of \$2,585 and authorize Judge Tallman to sign on behalf of the County. Commissioner Russell seconded. Unanimous approval.

Morrow County Fair Contracts

Commissioner Rea moved to approve the following Morrow County Fair contracts and authorize Judge Tallman to sign on behalf of the County:

Entertainment Contract:

1. *Joe Lindsay to perform from 6:00-7:30 p.m. at Murray's Wine Tasting, \$300*

Concession Agreements:

1. *Murray's Drug, use of the indoor kitchen the week of fair, rate included in their 2015 sponsorship of the Morrow County Fair*
2. *Deadrock Sporting Goods, shaved ice & ice cream bars, \$160 space rent*

Exhibit Space Contracts:

1. *Morrow County Chapter, Oregon Right to Life*
2. *SAGE Center*
3. *Forest Service*
4. *Morrow County Health Department*
5. *Judy Scott, wood boxes, craft items, jewelry, etc.*
6. *Domestic Violence Services*

Commissioner Russell seconded. Unanimous approval.

2015-2017 IGA for the Financing of Community Developmental Disability Services, Agreement #148077

Commissioner Rea moved to approve IGA #148077 between Morrow County and the State of Oregon for the Financing of Community Developmental Disability Services, effective July 1, 2015 through June 30, 2017, and authorize Judge Tallman to sign on behalf of the County. Commissioner Russell seconded. Unanimous approval.

New Business

Marijuana Opt Out Policy Discussion

Carla McLane, Planning Director

Ms. McLane explained the Oregon legislature provided an opt out path for rural communities. Six different components are available to accomplish this – four related to recreational use and two for medical use, she said. After reviewing the information packet she provided for the Commissioners, Ms. McLane asked the Court if it is moving toward opting out, and they replied in the affirmative. Commissioner Russell said based on Morrow's County vote on Measure 91 (66% opposed), he would prefer to opt out. Judge Tallman and Commissioner Rea agreed with this assessment. Ms. McLane said she would schedule the public hearings and post a draft ordinance. Commissioner Rea said she understands Morrow County will not be eligible for the formula from the state for receiving taxes; Ms. McLane said that is correct, but she is hopeful tax distribution will be a topic of discussion for the legislature in 2017.

Associate Planner to Planner I & Placement on Wage Scale

Ms. Wolff said the Court recently approved a professional progression for the Planning Department. She continued, the Associate Planner position now needs to be moved to one of the newly created job descriptions associated with the professional progression. Ms. Wolff said she recommends Planner I and Pay Range 12, Step D.

Commissioner Russell moved to approve changing the Associate Planner to Planner I, with the placement on the Wage Scale to be Pay Range 12, Step D, noting this is a lateral movement for the employee. Commissioner Rea seconded. Unanimous approval.

Purchasing Pre-Authorization Request

Commissioner Rea moved to approve the Purchasing Pre-Authorization Request from the Planning Department for a new computer for the Office Assistant position, noting the Planning Department will pay \$1,500 and the Computer Budget will pay \$237.12, and authorize Judge Tallman to sign on behalf of the County. Commissioner Russell seconded. Unanimous approval.

Minutes

Commissioner Rea moved to approve the minutes of July 22nd, as presented. Commissioner Russell seconded. Unanimous approval.

Claims

- A memo was reviewed from Sandi Putman, Public Works Management Assistant, explaining the 2015 Logging Operation fund with Ted Britt Logging.
- Ms. Wolff said there are two Add-On requests to this week's Accounts Payable, both from Rod Wilson, County Contractor for Construction Services.
- Commissioner Rea said the Court needs to clarify its position on whether or not County funds should be used to purchase retirement gifts for employees. After brief discussion, it was the consensus of the Court to not use tax dollars for these purchases. Judge Tallman said this should be discussed at the next Department Head & Elected Officials meeting to inform them this will now be the County's policy.

Commissioner Rea moved to approve the Payroll Payables, Monthlies, dated July 28th; and the Accounts Payable, dated August 6th, in the amount of \$493,652.08, including the two Add-Ons. Commissioner Russell seconded. Unanimous approval.

- Conversation turned back to the logging contract with Ted Britt Logging. Commissioner Rea said the payments should be disbursed according to the contract and she didn't realize it wasn't happening that way until Mr. Nelson recently pointed it out. Mr. Nelson said the contract should have been rewritten once that was realized and he is still somewhat confused by the payments made to two other companies – Blue Mountain Lumber and Boardman Chip Company, Inc. Judge Tallman said he would bring this up with Burke O'Brien, Public Works Director; Mr. Nelson said he would bring it up, as well.

Correspondence Reviewed:

- *Wheat News*, from Oregon State University Extension Service, Morrow County

Commissioner Reports

Judge Tallman discussed the 2015 Vadata (Amazon) spreadsheet compiled by Assessor/Tax Collector, Mike Gorman. The spreadsheet shows land, improvements, exempt and taxable values for the company's two locations – Lewis & Clark Drive and Rippee Road in Boardman. The total value for both sites is \$879,377,210 with \$852,132,995 exempt from taxation; which leaves \$27,244,215 taxable.

The “Short Interval Schedule – Three Week Look Ahead” for the Bartholomew Building was reviewed. Ms. Wolff said she received an email this morning from Bobbi Childers, Clerk, which requested dust abatement in the Courthouse. Ms. Wolff said the difficulty may be determining the source of the dust since several projects are occurring at the same time. She said this warrants further discussion and investigation.

Commissioner Rea reported on meetings she attended, which included the Planning Commission meeting on July 28th, a Workforce meeting in La Grande, and a Columbia Development Authority meeting in Boardman.

Comments Prior to Executive Session

Ms. Wolff stated she does not expect any decision to be made.

12:07 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.

12:12 p.m. - Closed Executive Session – No Decisions

Department Report

Personnel Update

Ms. Wolff said Ronda Fox, Finance Management Assistant, attended a City/County Insurance (CIS) meeting where wellness committees and programs were discussed. Ms. Fox is now inquiring if the County would be receptive to such a program starting here, said Ms. Wolff. The Commissioners had positive comments and Ms. Wolff said she would ask Ms. Fox to present a proposal to the Court.

County Drug Policy Discussion

Ms. Wolff said this is a continuing discussion regarding the *Morrow County Personnel Policies, Section 9.5 Alcohol and Drug Free Workplace* and how legalization of the recreational use of marijuana may impact it. Discussion took place on several related topics:

- Blood tests for the presence of THC (active component in marijuana) are costly and do not indicate when the substance was used/ingested, or whether or not the person is impaired.
- Should the County maintain its current “no impairment” policy or switch to a “no tolerance” policy?
- Use of medical marijuana by employees who have Oregon Health Authority issued cards.

The discussions lead to additional questions which Ms. Wolff will research and report back.

Adjourned: 12:47 p.m.