

Morrow County Court
October 7, 2015
Heppner, Oregon
Finance Office Conference Room

Present

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

Excused

Roberta Lutcher, Court Executive Assistant

Judge Tallman called the meeting to order at 9:00 a.m.

Old Business

Lexington Wind Erosion District

Loren Heideman

Greg Rietmann

The Court previously received a request from the district to appoint two inspectors – Chris Rauch and Jerry Rietmann. At that time, the Court was unsure of its authority to make the appointments and further inquiries were made, resulting in today's meeting. After discussion, it was determined the district's view of the boundaries differs from the County's view. The documentation on file with the County shows a smaller district than the district members believe it to be. This could be due, in part, to some documents in the past having been filed at the state level and not received by the County. The Commissioners asked Mr. Heideman and Mr. Rietmann to conduct additional research on the boundaries. In the meantime, Justin Nelson advised the Court to consider the district to be as it appears on maps generated by the Morrow County Planning Department. There was also discussion by Mr. Nelson concerning reimbursable expenses, but they would have to come from a tax levy account set up by the County, which currently does not exist.

Commissioner Rea moved to appoint Jerry Rietmann and Chris Rauch as Inspectors for the Lexington Wind Erosion Control District, as formed in 1937. Commissioner Russell seconded. Unanimous approval.

Morrow/Grant County OHV Park Special Youth Hunt - Elk Tag Draw

Sandi Putman, Public Works Management Assistant

Ms. Putman explained Public Works decided to allow six participants, but only five applications were received. She also noted verification takes place to ensure the participants have the proper hunting tags. The following will be eligible to participate:

1. Charles Cason
2. Suzanneah Cason
3. Tanner Mills

4. Chance McCormack
5. Derek Bingaman

Open Agenda

Gayle Gutierrez, Treasurer, said she received an inquiry from a National Geodetic Surveyor by the name of Timothy Wilkins, about the possibility of digging a hole in the basement of the Courthouse to locate a marker (pendulum station). The Court delayed consideration until contacting County Surveyor, Stephen Haddock, about the matter.

Ms. Gutierrez also asked if a decision had been reached regarding a new copier in the Courthouse. Judge Tallman said it had not yet been discussed.

Board of Property Tax Appeals Appointments

Bobbi Childers, Clerk

Commissioner Rea moved to approve the following appointments to the Morrow County Board of Property Tax Appeals, 2015-2016: Don Russell as a member of the County Governing Body pool; and Ed Rollins and John Qualls as members of the Non-Office Holding pool and Chairperson pool. Commissioner Russell seconded. Unanimous approval.

Department Report

Road Department

Matt Scrivner, Assistant Road Master

Mr. Scrivner provided the following Road Report items:

- Clean-up brooming and paint striping has been completed on Balm Fork Road. Repairs to the bridge decking and railings will take place in the next month.
- Paint striping has taken place in Baker and Gilliam Counties; the City of Boardman, including Columbia Avenue; 4th and 8th Streets, and Oregon Avenue in Irrigon; and Big Butter Creek.
- 3rd Street in Irrigon – one-half mile reclaimed back to gravel and reshaped in preparation of new asphalt next year.
- Culvert cleaning completed on 21 Rd., Sunflower Flat Rd., Tupper Lane and East of Morphine Lane.
- Ditch cleaning on Sunflower Flat Rd. in preparation of six inch overlay of gravel later this year.
- Road blading – a blade, roller and water truck completed work on Homestead Lane.
- Little Butter Creek – replacing a four foot culvert that is causing drainage issues.
- Training – Caterpillar offered the “M” Series training at the Lexington Shop for crew members who were unable to attend it in Pendleton.

Surplus Vehicles

The Commissioners recommended Ms. Putman start the process to sell the vehicles in-county since it offers county residents an opportunity to acquire vehicles at a reasonable price.

New Business

Museum/Library Building Heating/Air Conditioning Unit Replacement

Tony Clement, General Maintenance Supervisor

Mr. Clement reviewed the four quotes received and recommended Bruce Inc., even though it was \$40-60 higher than the lowest bid (Gordon's Electric). He said he would like the Court to take into consideration the favorable past work experiences with Bruce Inc. and accept the bid from them. Commissioner Russell questioned this and said it should be awarded to the lowest bidder. Discussion.

Commissioner Rea moved to accept the quote from Bruce Inc. Motion failed for lack of a second.

Commissioner Russell moved to accept the quote from Gordon's Electric Inc. in the amount listed (\$10,590 pack unit, \$6,340 split unit, warranty #1 - \$1,320, #2 - \$1,370; total for 10 years - \$19,620; Total 5 year warranty - \$18,900). Commissioner Rea seconded. Unanimous approval.

Department Report

Sheriff's Office Monthly Update

Sheriff Ken Matlack

Sheriff Matlack reviewed the report of activity for September, which included several motor vehicle accidents (one fatal), marine calls, thefts, suspicious activity, agency assists, search & rescue, and game violations.

Management Assistant Position Salary Range– Sheriff Matlack explained to the Court his reasoning for requesting the Management Assistant start at Pay Range 12, Step D (\$3,930/month). After lengthy discussion, the Commissioners agreed with his reasoning.

Commissioner Rea moved to approve the Management Assistant position starting at Pay Range 12, Step D based on the person's experience and total compensation package. Commissioner Russell seconded. Unanimous approval.

Grant Funded Parole and Probation Officer – Sheriff Matlack said the Sheriff's Office was successful in its efforts to acquire grant funding for a second Probation Officer. Discussion. The Court reiterated its understanding of the matter – that it will be a grant funded position and that the position will be eliminated if grant funding is discontinued.

Commissioner Russell moved to authorize filling a second Parole and Probation position as long as the grant funding continues to support it. Commissioner Rea seconded. Unanimous approval.

Purchasing Out-of-County – In light of the Court's preference to purchase in-county as much as possible, Sheriff Matlack wanted to explain the reason some items are bought out-of-county. He cited tire purchases as an example. He said Commercial Tire, due to a willingness to fill out reports for reimbursement, sells a Firestone GT Pursuit tire for police cars at \$135 per tire, compared to \$344 per tire elsewhere. Commissioner Rea asked about oil changes for patrol cars in Hermiston. Sheriff Matlack explained it has to do with the location of the deputy on patrol when an oil change is needed and Commercial Tire can do oil changes at the same time tires are

rotated. Commissioner Rea asked Sheriff Matlack to check again with in-county tire stores to see if they started to participate in the same reimbursement program as Commercial Tire.

New Business

Bartholomew Building Move-In Bid Award

Ms. Wolff explained Wenaha Group solicited bids from four moving companies on behalf of the County. Two companies elected not to respond and the remaining two decided to partner together. The cost is outside the guaranteed maximum price of the building and Mr. Worden will determine the budget line item to use for the expense, she said. The bid includes moving the contents of buildings to be vacated either to the new facility or storage, and locate the new systems furniture from storage and assemble it in the new facility.

Commissioner Rea moved to approve the bid from Mountain West to move and set up all of the furniture in the Bartholomew Building, for a total of \$25,010. Commissioner Russell seconded. Unanimous approval.

Children's Health Assessment Funding Request

Sheree Smith, Health Department Director

Ms. Smith presented the request from Cathy Wamsley, Eastern Oregon Coordinated Care Organization, Advisory Council member. Ms. Wamsley requested Morrow County contribute toward the \$26,200 cost for a Children's Health Assessment to be compiled by the Hospital Council of Northwest Ohio. The letter states financial commitments have been received from Umatilla County Health Department (\$6,000), Blue Mountain Early Learning Hub (\$5,000), and Oregon Community Foundation Grant (\$2,500). Discussion ensued.

Commissioner Rea moved to support the request from Cathy Wamsley regarding the Children's Health Assessment, in the amount of \$1,000, with funding to come from the Court Discretionary Fund. Commissioner Russell seconded. Unanimous approval.

Vehicle Purchasing Pre-Authorization Request

Commissioner Rea moved to approve the Purchasing Pre-Authorization Request from the Health Department in the amount of \$23,407.85 for a 2015 Chevrolet Equinox with "E" license plates, and authorize Judge Tallman to sign on behalf of the County. Commissioner Russell seconded. Unanimous approval.

Addendum to School Based Health Center Services Agreement

The addendum specifies which entities will be responsible for supplies and equipment in the building in the event the center were to close. County Counsel, Justin Nelson, recommended the Court delay action until some of the wording is changed.

Lunch Break

Reconvened

Fair Board Appointments

Commissioner Russell moved to appoint Rex Nielson to the Morrow County Fair Board, term beginning October 7th, 2015 and ending October 7, 2018. Commissioner Rea seconded. Unanimous approval.

Resolution Opposing the Creation of Owyhee Canyonlands National Monument

Commissioner Russell moved to approve A Resolution Opposing the Creation of a New National Monument Proposed as the Owyhee Canyonlands Monument; and the Establishment or Designation of any other National Monument; National Conservation Area or Wilderness Area on Public Lands within Southern Malheur County, Oregon; Resolution Number R-2015-14. Commissioner Rea seconded. Unanimous approval.

New Email Software Purchase

In anticipation of the end of the warranty on the County's current mail server, IT provider, Intermountain Education Service District (IMESD), recommends purchasing backup software until the upgrade becomes necessary in August 2016.

Commissioner Rea moved to approve the purchase of Veeam back-up software in the amount of \$1,481.30. Commissioner Russell seconded. Unanimous approval.

Wireless Access Points for Bartholomew Building – Purchase

Commissioner Rea moved to approve the purchase of wireless access points for the Bartholomew Building, total amount \$4,585.97. Commissioner Russell seconded. Unanimous approval.

Calendars

Review and discussion took place.

Minutes

Commissioner Rea moved to approve the Minutes of September 23rd, as presented. Commissioner Russell seconded. Unanimous approval.

Claims

Commissioner Rea moved to approve the September 2015 Montana Retirement Taxes, Bank Draft, dated September 28th; Void AP Check 160786, dated September 25th; Two Payroll Payables, Immediate & Electronic, dated September 30th; 2015 Fair Premiums, dated October 1st; and Accounts Payable, dated October 8th, in the amount of \$259,054.82, which includes the amount for the purchase of the 2015 Chevrolet Equinox for the Health Department. Commissioner Russell seconded. Unanimous approval.

County Counsel Report

Justin Nelson, County Counsel/District Attorney

Mr. Nelson said he had one item to discuss in Executive Session. Ms. Wolff noted that no decision is expected outside of Executive Session.

Executive Session - 1:27 p.m.

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.

Closed Executive Session – 3:26 p.m. No Decisions.

County Counsel Report, continued

Overweight Vehicles - Mr. Nelson discussed concerns he has with the process regarding liability and the assigning of damages. He said he provided this as background information only, at this point, as he continues to work with Road Department personnel.

Public Records Requests – Mr. Nelson reviewed several approaches the County could consider when public records requests are received. He said he would put together examples from other counties for the Court’s review. Discussion.

County Court Vote to Change to Three Part-Time Commissioners – Commissioner Russell asked Mr. Nelson if there should be any reason for concern since the motion made to change the Judge position occurred five days after the filing for that position had opened. He added no one had applied for the position when the vote took place, and there are still no applications. Mr. Nelson said his belief is it will be fine and there is a statute very much on point for this situation. However, there may be some backlash because there wasn’t an opportunity for a vote; but that was not a requirement, he added.

Comments as District Attorney – Mr. Nelson said the caseload in the DA’s office has been surprisingly high and he is not sure as to the reason why. He said the increased caseload and the addition of County Counsel duties were not difficult to handle. He said this could be attributed to the fact he and fellow County Counsel/Deputy District Attorney, Richard Tovey, take their laptops with them and are able to do their work in a variety of places, not just in the office.

Correspondence Reviewed

- Letter from Ormand Hilderbrand, PáTu Wind Farm, regarding an energy forum in Hood River.
- Short Interval Schedule for the Bartholomew Building construction.

Miscellaneous

The in-county interview schedule for the applicants for the County Administrator position was reviewed.

Adjourned: 4:45 p.m.