

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

Present

Judge Terry Tallman
Commissioner Leann Rea
Commissioner Don Russell
Karen Wolff, Human Resources Director
Richard Tovey, County Counsel/Deputy District Attorney

Excused

Roberta Lutcher, Court Executive Assistant

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

City and Citizen Comments – Irrigon

Sheriff Ken Matlack reported, as a member of the Irrigon City Council, that the council is working through budget items and is concerned about funding. He said the city council is committed to a police services contract with the Sheriff's Office, but there will be further discussions. He added the council's decision could impact the County.

Comments Prior to Executive Session

Judge Tallman said there will be no decision outside of Executive Session.

9:12 a.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.

9:17 a.m. – Closed Executive Session, no decisions.

County Counsel Report

Richard Tovey, County Counsel/Deputy District Attorney

- Mr. Tovey said Justin Nelson, Co-County Counsel, has been working with staff in the Road Department regarding an easement request from Idaho Power on Bombing Range Road (east side). He said Mr. Nelson's concern is it involves changing from a use agreement to an easement. Various discussions ensued.
- Mr. Tovey said the Court asked County Counsel to determine whether or not prevailing wage would be an issue if the County opts to lease, rather than build, a facility in the north end of the County. He said his research showed prevailing wage, most likely, would still "come into play" in such a situation. Discussion.
- Regarding the restructuring of the County Court, Mr. Tovey reported he and Mr. Nelson are of the opinion the Judge's position will have to remain as such until the new order transferring judicial powers to the Circuit Court becomes effective January 2017. After that, the position will be that of a third commissioner, but with a six-year term, he said. Commissioner Rea asked Mr. Tovey to look into how things happened in Columbia

County when the Court changed to three commissioners. Mr. Tovey suggested the County issue a press release indicating people can run for the Judge position, but it will become a commissioner position. Judge Tallman requested Mr. Tovey produce a draft release for review.

New Business

Surplus Vehicles

Commissioner Rea moved to declare the following vehicles surplus:

- 1. 2003 Ford Crown Victoria, license number E214410*
- 2. 1994 Ford Explorer XL, license number E197664*
- 3. 2003 Ford Expedition, license number E243107*

Commissioner Russell seconded. Unanimous approval.

Easement Request – Columbia Basin Electric Cooperative (CBEC)

Burke O'Brien, Public Works Director

Mr. O'Brien said the easement allows CBEC to create an underground loop-feed to ensure sustainable power in the Rock Street/Mountain Glen Apartments area of Heppner. He said there will be no negative impact.

Commissioner Rea said since the easement is along the County's Pioneer Annex Building property, the Morrow County Health District needs to be informed since they will be purchasing that building.

Commissioner Rea moved to grant the easement to Columbia Basin Electric Cooperative, Inc. for a 10 foot wide area running from Thompson Avenue to Rock Street between the Pioneer Annex building and the Daye Stone property, and authorize Judge Tallman to sign on behalf of the County. Commissioner Russell seconded. Unanimous approval.

Contracts

Law Enforcement Services Agreement, Sheriff's Office and Morrow County School District

Commissioner Rea moved to approve the Law Enforcement Services Agreement between the Morrow County Sheriff's Office and the Morrow County School District for the performance of law enforcement services at schools within the district and at after-school events, commencing on September 1, 2015, with the stipulation that a misspelling on page 1, item "b" be corrected. Commissioner Russell seconded. Unanimous approval.

Commissioner Rea moved to approve the Agreement between Community Counseling Solutions (CCS), Inc. and the Morrow County Sheriff's Office, commencing July 1, 2015 for a period of 12 months. CCS will provide mental health, alcohol and drug treatment, and developmental disability services to the people of Morrow County and surrounding counties. CCS will bill the Sheriff's Office on a quarterly basis, with total contract amount not to exceed \$24,000. Commissioner Russell seconded. Unanimous approval.

Commissioner Rea asked Mr. Tovey to request that departments submitting contracts for review include reference footers on every page of the document.

New Business

Public Works Request to Hire Additional Senior Maintenance Specialist

Mr. O'Brien said his department is currently interviewing for a Senior Maintenance Specialist, and he just learned another employee may retire soon. He said last year the Court allowed overlap time prior to a retirement so the new employee could be trained. This made such a difference, and if two qualified candidates are found, could the same training time take place, he asked. Commissioner Rea said funds were allocated during Long Range Planning for these situations.

Commissioner Russell moved to authorize Public Works hiring an additional Senior Maintenance Specialist in the event they are advised of an impending retirement. Commissioner Rea seconded. Unanimous approval.

Department Report

Planning Department

Carla McLane, Planning Department Director

- Ms. McLane will attend a Boardman to Hemingway (B2H) Cooperating Agency meeting December 10th in Ontario. Commissioner Russell said he would attend, as well.
- Planning staff are helping the new Lexington Town Recorded, Kevin McCabe with several actions, such as a conditional use permit approval for a new facility, and cleaning up their approval process. They also anticipate assisting to rezone the former school building to part residential and part commercial.
- A meeting of the Governor's Advisory Committee on Agriculture and Energy will take place October 27th. Ms. McLane said the County sent a letter to the House Interim Committee on Rural Communities, Land Use and Water, but there has been no response.
- Members of the Economic Development Task Force met to discuss how to maintain veterinary services in south Morrow County if Dick Temple retires in the near future. Another meeting will take place in early December.
- Ms. Wolff asked if the requested meeting from landowners regarding the B2H proposed routes will take place. Ms. McLane said it's hard to have such a conversation because the County is governed by a memorandum of understanding that says the various routes are not public documents. Discussion. The Commissioners said the request isn't being ignored but the County is not the decision maker, only a cooperator, but the landowners' concerns can be brought to the decision makers.

Assessor's Office Update

Mike Gorman, Assessor/Tax Collector

- Mr. Gorman reviewed the Morrow County Statement of Taxes 2015-16, Taxing Districts. He discussed values for various districts and the amount they will collect. He explained there is a \$269,000,000 value increase primarily due to the Carty Generation Plant still being under construction and not able to take advantage of a construction-in-progress exemption. Statute stipulates utilities involved in a Strategic Investment Agreement (SIP) cannot claim the exemption, he said.
- Mr. Gorman reviewed the Summary of Specially Assessed and Tax Exempt Properties, Tax Year 2015-16, and the current Enterprise Zone Agreement payments and exempt

values. Mr. Gorman said he would like to make some of the documents available on the County website.

Finance Department Update

Rick Worden, Finance Department Director

- The County budget \$22,457,000 for total revenues, which included transfers from one fund to another of about \$4,000,000. This means real revenues of about \$18,000,000. The County received about \$500,000 more in revenue than budgeted, all funds.
- \$23,000,000 budgeted for expenses. Revenues and expenses will off-set each other. In total, all funds, there was not one area “in the red.” There were over-expenditures in a few funds.
- General Fund revenue was about \$700,000 over what was anticipated. Property taxes and general grant revenue items made up \$400,000 of that.
- Total for Personnel Services (wages, retirement, medical insurance, etc.) was about \$8,000,000. It was noted the Personnel Services amount is approaching 50% of the budget.
- There were several unforeseen factors that resulted in 2014-2015 figures differing from the budgeted amounts, such as a 94% collection rate for property taxes versus an actual collection rate of 99%; the three percent discount given to tax payers who pay in full, rather than payments, was not included; and the Carty Generation Plant not getting the construction-in-progress exemption. Mr. Worden emphasized in total revenues, the number only differed by \$400,000.
- Department budgets were discussed and whether or not projected budgets matched outcome.

Retirement Update

Mr. Worden assisted with the following written summary:

The representatives from Milliman, the County’s retirement plan actuaries, were to research the “equal to, or better than” test, which is pertinent to public safety employees only. The current tier of PERS (Public Employees Retirement System), known as OPSRP (Oregon Public Service Retirement Plan) has an Individual Account Program (IAP) component. Under this program, OPSRP members contribute six percent of gross pay while working to a separate Defined Contribution plan (IAP). This account balance is in addition to the Defined Benefit annuity component of OPSRP, under the Oregon PERS plan. In order to accurately compare the Morrow County Plan to PERS and analyze how potential changes to the current plan design would impact how the current Plan would fare in an “equal to or better than” test, Milliman needs to know how the IAP balance OPSRP employees retain from their Defined Contribution is treated relative to this test. Milliman brought up another question - if PERS makes changes to their system and the County fails the test, does the County have to make a retroactive correction? Mr. Worden said Milliman indicated this could be the case. He said he will wait on these answers and incorporate them into his ranking of the different types of retirement plan designs for the Court’s review

Claims

Commissioner Russell moved to approve the October 2015 Retirement Taxes, Bank Drafts, dated October 9th; Payroll Payables, Monthlies, dated September 25th; Payroll Payables, Immediate &

Electronic, dated October 5th; and Accounts Payables, dated October 15th in the amount of \$421,820.49. Commissioner Rea seconded. Unanimous approval.

Purchasing Pre-Authorization Requests

Commissioner Rea moved to approve the Purchasing Pre-Authorization from Programming Reserve for Exchange 2006 Email Software, in the amount of \$14,000, and authorize Judge Tallman to sign on behalf of the County. Commissioner Russell seconded. Unanimous approval.

Commissioner Rea moved to approve the Purchasing Pre-Authorization from Programming Reserve for Veeam Backup Software, in the amount of \$1,481.30, and authorize Judge Tallman to sign on behalf of the County. Commissioner Russell seconded. Unanimous approval.

Commissioner Reports

Various meetings attended by each Commissioner were discussed and calendars were reviewed.

Adjourned: 2:45 p.m.