

**Morrow County Court**  
**March 2, 2016**  
**Heppner, Oregon**  
**Bartholomew Building Conference Room**

**Present**

Judge Terry Tallman  
Commissioner Leann Rea  
Commissioner Don Russell  
Jerry Sorte, Administrative Officer  
Justin Nelson, County Counsel/District Attorney  
Rick Worden, Finance Department Director  
Roberta Lutcher, Court Executive Assistant

**Excused**

Karen Wolff, Human Resources Director

**Audience**

Melissa Lindsay, Lexington  
Greg Sweek, Heppner

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

**City and Citizen Comments – Heppner**

No comments

**Open Agenda**

Jari Boettcher, Westwinds Nursery, Hermiston  
Mr. Boettcher, who is working with the Heppner High School FFA advisor and her students on landscaping for the Bartholomew Building, provided a brief update for the Court. He said the soil is ready now to proceed and the front area may be done in time for the Bartholomew Building dedication on Friday, March 18<sup>th</sup>. Other discussion items included ideas for landscaping, maintenance level, and budget.

**Department Reports**

Parks

Greg Close, General Manager/Operations

Mr. Close requested a County credit card for the Parks office, and explained why it is needed. Judge Tallman asked Mr. Close to submit a written request to Jerry Sorte, Administrative Officer.

Road Report

Matt Scrivner, Assistant Road Master

- Bombing Range Road – the shoulder building project has stopped until next fall.
- Road graders worked on Liberty School Road, Johnson Grade, Elmer Griffith, Baker Lane, Morgan Road, Meadowbrook Road, Cemetery Hill Road, Bert Peck Lane, Fuller Canyon Lane, Stock Drive Road, Perlberg Road, Nichols Road, Turner Lane, Beach Lane, Kemp Lane, Rand Road, and Wagon Wheel Loop.

- A crew has burned weeds and cleaned culverts on Ione-Gooseberry Road, Sand Hollow Road, and Little Butter Creek Road.
- Crew members refurbished the vehicle used for sign repairs and continue to repair signs throughout the County.
- Pothole patching – the Stepp Manufacturing machine will be back in the County for two weeks so the Road Department can try it out.

#### Permits

*On the recommendation of Public Works, Commissioner Rea moved to approve Application for Approach Site Approval #202 on County Road #662, Wilson Lane, from Logan Mayfield. Commissioner Russell seconded. Unanimous approval.*

*On the recommendation of Public Works, Commissioner Rea moved to approve Application for Necessity to Build on Right of Way #OKD on County Road #561, Rippee Road, from West Extension Irrigation District. Commissioner Russell seconded. Unanimous approval.*

*On the recommendation of Public Works, Commissioner Rea moved to approve Application for Necessity to Build on Right of Way #OKE on County Road #971, Columbia Lane, from Bonneville Power Administration (underground fiber optic line). Commissioner Russell seconded. Unanimous approval.*

*On the recommendation of Public Works, Commissioner Rea moved to approve Application for Necessity to Build on Right of Way #OKF on County Road #971, Columbia Lane, from Bonneville Power Administration (aerial transmission and fiber). Commissioner Russell seconded. Unanimous approval.*

#### Award Bids and Contracts – General Building Contractor, Mowing & Brushing Contractor, and Fencing Contractor

Sandi Putman, Public Works Management Assistant

*Commissioner Rea moved to award the bid for General Building Contractor to Wilson Construction Services, LLC. Commissioner Russell seconded. Unanimous approval.*

Signing the contract was postponed until next week to make a minor correction to the document.

*Commissioner Rea moved to award the bid for Mowing & Brushing Contractor to JLC Contracting Inc. Commissioner Russell seconded. Unanimous approval.*

*Commissioner Russell moved to approve the Mowing & Brushing Contract with JLC Contracting, Inc., for a three year period, effective upon signing by all parties. Commissioner Rea seconded. Unanimous approval.*

*Commissioner Rea moved to award the bid for Fencing Contractor to JLC Contracting, Inc. Commissioner Russell seconded. Unanimous approval.*

*Commissioner Russell moved to approve the Fencing Contract with JLC Contracting, Inc., for a three year period, effective upon signing by all parties. Commissioner Rea seconded. Unanimous approval.*

### Sheriff's Office Monthly Update

Undersheriff John Bowles

Undersheriff Bowles reviewed the list of activity for February:

- Feb. 2<sup>nd</sup> – vehicle pursuit through Irrigon
- Feb. 4<sup>th</sup> – report of a cougar sighting in the Ione area
- Feb. 9<sup>th</sup> – horses reported with claw marks
- Feb. 11<sup>th</sup> – complaint of a wrong-way driver on I-84
- Feb. 17<sup>th</sup> – garbage truck went through a private bridge on Upper Rhea Creek Road
- Feb. 19<sup>th</sup> – Riverside High School Education Assistant/Sports Coach arrested
- Feb. 21<sup>st</sup> – possible poached elk reported
- Feb. 22<sup>nd</sup> – female reported being kidnapped and assaulted. Another report of two fireballs falling from the sky
- Feb. 23<sup>rd</sup> – multiple arrests made as a result of an investigation by the Blue Mountain Enforcement Narcotics Team

Undersheriff Bowles discussed the upcoming retirement party for out-going Undersheriff Steve Myren. Commissioner Rea noted the party in Boardman is the same day as many of the activities during the St. Patrick's celebration in Heppner. This is very unfortunate, she said, because it splits the availability of the Commissioners to attend both events.

### Staffing Update

Undersheriff Bowles said the Civil Deputy turned in her retirement notice, so that position will be vacant as of April 1<sup>st</sup>. An interim Civil Deputy and a new Civil Deputy are needed, he said. Discussion. Commissioner Rea asked Undersheriff Bowles to forward the retirement notice to Human Resources.

*Commissioner Rea moved to approve the Sheriff's Office advertising to fill the position of Civil Deputy due to the retirement of the current Civil Deputy. Commissioner Russell seconded. Unanimous approval.*

### **Community Counseling Solutions (CCS) Update**

Kimberly Lindsay, Executive Director

Kristie Bingaman, Executive Assistant

Ms. Lindsay reviewed the 2015-2017 CCS Strategic Plan, and their current organizational chart. She said CCS employs 150 people throughout the state, but the majority are in Morrow, Gilliam, Grant, and Wheeler Counties. A variety of services and programs offered through CCS were discussed.

Commissioner Rea said at the time the secure residential treatment facility, Lakeview Heights, was proposed in Heppner, the possibility of a second facility was discussed. Is that still the case, she asked. Ms. Lindsay said the State has not issued any Request for Proposals since its construction. They are focusing on supportive services, and specialized services, she said.

Ms. Lindsay concluded by saying CCS has a scholarship opportunity for those who are interested in pursuing degrees related to mental health, addiction counseling, nursing or social work. Six scholarships will be awarded this year to residents of the four counties served by CCS. Each scholarship is \$1,000 a year, for four years, she said.

### **11:30 a.m. Public Hearing – Supplemental Budget**

Rick Worden, Finance Director

Mr. Worden reviewed each fund requiring an adjustment or transfer of Supplemental Budget #1. He wanted to clarify that the Heppner Administration Building Fund adjustment was not an increase in cost, and was only related to the timing of the construction.

*Commissioner Russell moved to approve “In the Matter of Adopting the Supplemental Budget and Making the Corresponding Appropriations,” Resolution No. R-2016-5. Commissioner Rea seconded. Unanimous approval.*

Mr. Worden then reviewed the Transfer Resolution.

*Commissioner Rea moved to approve “In the Matter of Transferring Appropriations within the Morrow County General Fund, 911 Emergency Management Fund, Pursuant to ORS 294.462(1),” Resolution No. R-2016-6. Commissioner Russell seconded. Unanimous approval.*

### **Old Business**

#### Credit Card Policy

Jerry Sorte, Administrative Officer

Mr. Sorte said the amendment provides clarification in instances when credit card receipts are lost. Discussion.

*Commissioner Russell moved to approve the amendment to the Credit Card Policy, with the addition of the following language to Section II, Payment Process, (a): “...In the event that a receipt is lost, every effort should be made to contact the vendor for a duplicate copy. If a replacement copy is unable to be obtained, a written explanation should be provided regarding the missing receipt, initialed by the Department Head...” Commissioner Rea seconded. Unanimous approval.*

### **New Business**

#### Order Directing Distribution of Land Sale Proceeds

Justin Nelson, County Counsel

Mr. Nelson explained the order is necessary for the Treasurer to be able to distribute the proceeds from the sale of foreclosed properties.

*Commissioner Rea moved to approve “In the Matter of Distributing Proceeds held by the County Treasurer from Sales of Tax Foreclosed Lands,” Order No. OR-2016-1. Commissioner Russell seconded. Unanimous approval.*

#### Declaring Surplus Vehicles

Mr. Sorte said the Sheriff's Office requested to surplus two vehicles, and both will be sent to State Surplus.

*Commissioner Rea moved to declare the following vehicles as surplus:*

- 1. 2002 Jeep Cherokee, four-wheel drive, Vehicle Identification Number 1J4GW48S82C307065*
- 2. 2005 Ford Crown Victoria, Vehicle Identification Number 2FAFP71W65X121566*

*And authorize the Administrative Officer to sign the titles on behalf of the County.*

*Commissioner Russell seconded. Unanimous approval.*

#### County Office Space Use by Non-County Agencies

Mr. Sorte said he received a request from the Community Action Program of East Central Oregon (CAPECO) to use an office space one day per month. He said the inquiry brought about the question of whether to review these requests on a case-by-case basis or establish policy. Discussion. Mr. Sorte said he would return with a draft policy that requires County Court approval of facility use requests from outside agencies.

**Recessed: 12:02 p.m.**

**Resumed: 1:15 p.m.**

**No audience**

#### **Administrative Officer Report**

- Mr. Sorte said the Undersheriff received a salary step increase in January, placing his salary above that of the Sheriff. Statute provides that the Sheriff be the highest paid individual in that department. He said the same situation occurred last year and the remedy was to make the Sheriff's yearly pay \$100 more than the Undersheriff's. He said he plans to make the same adjustment now.
- At last week's Court meeting, Mr. Sorte and Mr. Nelson were tasked with determining whether a meeting of the Compensation Committee to review the salaries of Elected Officials and make recommendations to the Court should be considered public. Mr. Sorte said they determined it falls within the parameters of a public meeting. People are invited to attend and observe, but it is not a Public Hearing where comment is accepted, he said.
- County Policies – Mr. Sorte said he will compile County Policies into a central document and make scanned copies available to all employees.
- Heating/Ventilation/Air Conditioning (HVAC) – the County will move toward a formal bid process for HVAC services.
- Next Department Head & Elected Officials meeting is Tuesday, March 8<sup>th</sup> in the Bartholomew Building Upper Conference Room.

#### **Claims**

Commissioner Rea asked why Purchasing Pre-Authorization Requests were not processed for the two vehicles purchased by the Sheriff's Office that appear in this week's Accounts Payable. Mr. Worden said his office only received the invoices, but the Sheriff's Office did have two vehicles budgeted that were yet to be purchased. Commissioner Rea asked that the process be reviewed

at the next Department Head meeting as a reminder that the purpose of the Purchasing Pre-Authorization Request is to ensure a budget line has the funds to cover an expenditure.

*Commissioner Rea moved to approve the Accounts Payable, dated March 3<sup>rd</sup>, in the amount of \$180,573.26. Commissioner Russell seconded. Unanimous approval.*

### **New Business**

#### **Bonneville Power Administration (BPA) Easement over County Foreclosed Property**

Mr. Sorte said BPA approached the Planning Department about an easement across foreclosed property (Cain Lane, a private road near Irrigon). BPA has offered \$4,100 for the easement and County Counsel has reviewed and has no objections.

*Commissioner Russell moved to approve the Easement request from Bonneville Power Administration, described as a portion of the NW ¼ SW ¼ of Section 35, Township 5 North, Range 26 East, Willamette Meridian, Morrow County, Oregon, as described in Exhibits A, C & E, and shown on Exhibits B, D & F. (Affects Tax Lots 5N2635C 202, 203 & 226.), and authorize Judge Tallman to sign on behalf of the County. Commissioner Rea seconded. Unanimous approval.*

### **Minutes**

*Commissioner Rea moved to approve the minutes of February 24<sup>th</sup>, as presented. Commissioner Russell seconded. Unanimous approval.*

### **Commissioner Reports**

- Commissioner Russell said he attended the Population Research Center's March 1<sup>st</sup> public meeting concerning the Region 2 Preliminary Population Forecast. He provided copies of the presentation for the Court and a brief summary.
- Commissioner Rea attended several meetings - CAPECO on February 26<sup>th</sup>, and the Advisory Board meeting of The Loop – Morrow County Transportation on March 1<sup>st</sup>. She said she requested the use of a bus on March 18<sup>th</sup> to shuttle guests (Bartholomew Building Dedication) from the parking area at the fairgrounds to the new building, and back.
- Judge Tallman said he attended the Fair Board meeting and topics of discussion included budget matters and facility maintenance.

### **Comments Prior to Executive Session**

It was stated no decisions will be made outside Executive Session.

### **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.*

**Closed Executive Session: 2:42 p.m. - No decisions**

**Adjourned: 2:43 p.m.**