

Morrow County Court
April 6, 2016
Heppner, Oregon
Bartholomew Building Upper Conference Room

Present

Judge Terry Tallman
Commissioner Leann Rea
Commissioner Don Russell
Jerry Sorte, Administrative Officer
Karen Wolff, Human Resources Director
Justin Nelson, County Counsel/Dist. Atty.
Roberta Lutcher, Court Executive Assistant

Audience

Jim Doherty, Boardman
Ronda Fox, Finance Management Assistant
Mike Gorman, Assessor/Tax Collector
Stephen Haddock, County Surveyor
Brian Kollman, Columbia Basin Elec. Coop
Melissa Lindsay, Lexington
Greg Sweek, Heppner

Call to Order: 9:06 a.m.

City and Citizen Comments – Heppner: No comments

Open Agenda: No items

Department Reports

Road Report

Matt Scrivner, Assistant Road Master

- Spring road grading – most of the roads in the spring/fall road grading plan have been bladed at least once, and two graders are currently finishing the remaining roads. When conditions allowed for truck traffic, rock was hauled to numerous roads.
- Pot hole patching – the Stepp Manufacturing pot hole patching machine was demonstrated for two weeks. Crews patched holes on Ione-Gooseberry Road, Halvorsen Lane, Ella Road, Ione-Boardman Road, Baseline Lane, Kilkenny Road, Pole Line Road, Frontage Lane, Homestead Lane, 4th, Division Road, Utah Avenue, and others.
- Broom shoulder rock – all of the spring brooming of sanding materials has been completed, except Coal Mine Hill and a few roads in Irrigon.
- Coal Mine Hill – the closure was removed on March 10th since no snow remained on the paved portion, and a request was received from the snowmobile club. The hill and other County roads in the area were inspected before removing the barricades.
- Ione-Gooseberry Bridge – old decking was removed and a new steel decking with asphalt installed; new guard rail was also installed.
- Sunflower Flat Road Rocking Project – work will continue here for approximately six weeks. There will be a grader, roller, water truck, two Public Works belly dump trucks, and two Ashbeck belly-dump trucks working to install over 30,000 cubic yards of rock.
- Big Butter Creek Lane – prior to chip sealing here in July, crew members have been sloping banks, building shoulders, cleaning ditches, repairing cattle guards, installing culverts, and paver patching bad areas.
- Sign repair – when crew levels allow, sign repair has been taking place in the County.
- Training – four crew members attended the Gravel Road Workshop in Redmond. Attendees shared their experiences with different stabilization and dust abatement

procedures. Two crew members stayed to attend a workshop to earn continuing education hours toward maintaining their herbicide applicator licenses.

Amendment #1 to Right of Way Services Agreement – Wilson Lane & Laurel Road Intersection
Burke O'Brien, Public Works Director

Commissioner Rea moved to approve Amendment Number 01 to Miscellaneous Contracts and Agreements No. 31023-01, Right of Way Services Agreement, Wilson Lane & Laurel Road Intersection Improvements, with the Oregon Department of Transportation. Commissioner Russell seconded. Unanimous approval.

Contract for Materials and Supplies – Portable Toilets
Sandi Putman, Public Works Management Assistant

Based on the recommendation of Public Works, Commissioner Russell moved to approve the Contract for Materials and Supplies – Portable Toilets, with CB's LLC Portable Restrooms, for a three-year period beginning April 6, 2016 and ending April 2, 2019. Commissioner Rea seconded. Unanimous approval.

Sheriff Department Monthly Update

Sheriff Ken Matlack

Undersheriff John Bowles

Sheriff Matlack discussed several items from the report of activity for March, including a fatality on I-84 on March 28th; a subject with possible mental health issues waving a gun in Irrigon on March 22nd; a successful search and rescue in the Cutsforth Park area on March 26th; and several animal related incidents. He also mentioned the need for an additional staff person in Probation and Parole. He said his budget is significantly falling behind on the daily costs of jail beds. For example, it was over by \$12,000 last month, he said.

Old Business

Association of Oregon Counties (AOC) 2016 Dues

Commissioner Rea moved to approve the AOC 2016 Dues, Invoice # 2016 AOC, with the exception of one of the voluntary dues – Public Employees Retirement System (PERS) Alliance Dues (\$175.85), leaving a balance due of \$9,972.70. Commissioner Russell seconded. Unanimous approval.

New Business

Request to Recruit/Fill Assessment & Tax Clerk Position

Mike Gorman, Assessor/Tax Collector

Mr. Gorman explained a recent resignation created the opening. Brief discussion.

Commissioner Rea moved to approve allowing the Assessor's Office to advertise and fill the position of Assessment and Tax Clerk. Commissioner Russell seconded. Unanimous approval.

Break

10:06 a.m. – Public Hearing, Road Vacation Request, Fellbourne Street, Heppner

Carla McLane, Planning Department Director

Hank Pieper, GIS (Geographic Information Systems) Technician

Judge Tallman called for abstentions, conflicts of interest, and ex-parte contact. Hearing none, he called for the Staff Report.

Mr. Pieper explained the City of Heppner is the petitioner; Fellbourne Street is outside the city limits, but within the urban growth boundary; all required criteria have been met; and the adjacent landowners have cooperated throughout the process. Mr. Pieper made note of a memo in the information packet from the County Road Master, Burke O'Brien, in support of the vacation request. Mr. Pieper stated Planning staff recommend approval. Brief discussion.

Judge Tallman called for comment from opponents, proponents and neutral parties. As there were no comments, he closed the hearing at 10:15 a.m.

On the recommendation of Planning Staff, and confirmed by a letter from the County Road Master, Commissioner Rea moved to approve the request as presented, and grant the vacation of Fellbourne Street within the Urban Growth Boundary, and direct Planning Staff to prepare the order for signature at a future date. Commissioner Russell seconded. Unanimous approval.

Continued Public Hearing to Consider Replacing the Economic Element of the Morrow County Comprehensive Plan

Ms. McLane

Judge Tallman said this is a continuation of the Public Hearing of March 23rd. Ms. McLane then provided her Staff Report. She said the requested text/grammatical changes were made, but regarding Commissioner Rea's request to include information about the negative impact of the Bombing Range, she does not recommend expending the additional effort at this time. She said when the Planning Commission completed the update of the Economic Element, they knew it was with the understanding they would return to address additional issues, such as the concern expressed by Commissioner Rea. Discussions ensued.

At this point, County Counsel, Justin Nelson, said the prudent step would be to open back up for public comment. Judge Tallman then called for comment from proponents: no comments; opponents: no comments; neutral parties: Melissa Lindsay said she is a member of the Morrow County Planning Commission and appreciated the detailed look taken by the County Court. She also said the Planning Commission was aware the Economic Element would be an ever-evolving document and some items would need to be addressed in the future. Additional discussion. Judge Tallman closed the hearing at 10:52 a.m.

On the recommendation of the Morrow County Planning Commission and the Planning Department, Commissioner Russell moved to amend the Comprehensive Plan Economic Element, replacing the current Economic Element in its entirety. Commissioner Rea seconded. Unanimous approval.

The Commissioners asked Ms. McLane to extend their appreciation to the Planning Commission members for their continuing efforts to update the Comprehensive Plan.

New Business

Review of Compensation Committee Recommendation on Pay for the Sheriff, Clerk, Assessor, Treasurer, Commissioners, and Surveyor

Jerry Sorte, Administrative Officer

Mr. Sorte reviewed the recommendations of the Compensation Committee from its March 29th and 31st meetings. His memo outlined the recommendations as follows:

- A temporary increase in pay for the Sheriff from January 3 – April 1, 2016 (the date the Undersheriff received a Step increase) to an amount greater than the Undersheriff's pay. The Sheriff's pay would return to its current level (\$93,471) from April 2nd through the end of the fiscal year (June 30, 2016).
- All three Commissioners should be paid at the same part-time level when the County Judge position is abolished.
- Beginning July 1, 2016, a three-percent cost of living adjustment (COLA) should be provided to the pay of the Sheriff, Clerk, Assessor, Treasurer, and County Commissioners.
- The Surveyor be paid between \$15,000-36,000 based on 300-400 hours of work annually.

Commissioner Russell then raised objections to the process used to make wage comparisons (three counties larger than Morrow County, and three smaller), and whether or not the experience and backgrounds of the Compensation Committee members meet statutory requirements to serve as members. He suggested the comparison be regionally focused and said he knows someone he would like to appoint to the Committee next year. Debate and discussion took place on whether to conduct a new comparison study this close to Budget Hearings, or go with the Committee's recommendations. The Court agreed by consensus that the County should do a new analysis comparing Morrow County to Umatilla County, Wasco County, Union County, Benton County (Oregon), Pendleton, Hermiston, and The Dalles. A special meeting to discuss the results will take place in Heppner on Monday, April 18th, 9:00 a.m., Bartholomew Building Upper Conference Room. Mr. Sorte said if anyone wants information included in the packets for consideration, it should be submitted to his office or the Human Resources Office no later than Thursday, April 14th.

Discussion on Pay Levels for Non-Represented Employees

The Court agreed by consensus to a three-percent COLA for non-represented employees for the 2016-2017 fiscal year.

Department Staffing Requests for Fiscal Year 2016-2017

Commissioner Russell said he would like to see the requests go to the Budget Committee during the meetings of April 19th-21st. The Committee and the Court will be able to look at revenue information while deciding whether or not to approve the requests, he said.

County Furniture Discussion and Surplus Declaration

Mr. Sorte recommended separating out furnishings that can be used for facility expansion in the north end of the County, and declaring the remainder as surplus. He said the County can then make it available to other government entities, not-for-profit organizations, civic and non-

commercial groups. The date will be advertised two weeks in advance so agency representatives can be adequately prepared to move and transport the furnishings at that time. He explained the items remaining are disassembled, with no assembly instructions, and are not in perfect shape.

Transmission Projects Update and Information

Ms. McLane requested direction on several topics -

- Boardman to Hemingway (B2H) Transmission Line Project Preliminary Agency Preferred Route: Should Morrow and Umatilla Counties host an open house so affected landowners can provide input to Idaho Power, the Bureau of Land Management, and Oregon Department of Energy? The Court was in favor of this.
- Bombing Range Road as a utility corridor: How does the County continue to support limiting the impact to irrigated agriculture, while still providing opportunities for renewable energy projects? Judge Tallman said the County could start the process/conversations with developers, but private industry should take the lead after that, not the Planning Department. Commissioner Russell said he will be meeting with Tom Wolff, General Manager, Columbia Basin Electric Cooperative, who has raised some concerns, but he himself is unsure of the role the County should play.
- Update - Wheatridge Wind Energy facility: Ms. McLane said Wheatridge continues to work with Umatilla Electric Cooperative on the ability to move energy once it's been generated. Planning staff anticipate an application in the near future, she added.
- Public and private use of County rights-of-way: The discussion, which included Mr. O'Brien, centered on preserving what remains in County rights-of-way, especially in order to maintain public safety by reducing above-ground fixed objects. He also said the County is under no obligation to enter into agreements with private utilities. However, future agreements need to specify who owns the structure, include liability insurance, and proof of who will maintain the structure in the event of damage, he said.

Lunch break

Retirement Program Update – McGee Wealth Management, Inc. (MWM)

Judith McGee, Chief Executive Officer, McGee Wealth Management, Inc.

Jennifer Currin Gutridge, Executive Vice President, McGee Wealth Management, Inc.

My Edmonds, Senior Institutional Consultant, Raymond James Financial, Inc.

During their detailed annual update, Ms. McGee discussed the health of the pension plan, Ms. Edmonds discussed shock tests to the plan and fiduciary responsibilities, and Ms. Gutridge presented an investment report. A few of the discussion items were:

- The plan is currently \$6 million underfunded, which has created a debt to the pension plan. Last year MWM encouraged the County to work toward reducing that amount, and through Long Range Planning, funds have been allocated starting in the next fiscal year. Ms. McGee said this is a move in the right direction. She also said Defined Benefit Plans, such as Morrow County's, are quite rare, particularly ones that promise two-percent per year.
- For the last two years, the County instructed MWM to meet or beat PERS (Public Employees Retirement System). This was accomplished, said Ms. McGee, but the plan

did not make money last year. She said they worked to position the County Plan so it would not suffer the highs and lows of the volatile market.

- Ms. Edmonds said from a fiduciary standpoint, the County has met all necessary requirements.

(Copies of McGee Wealth Management's *Morrow County Retirement Plan, Portfolio Review, April 6, 2016* is available in the County Court Office. Please contact Roberta Lutcher, 541-676-5613, to request a copy.)

County Counsel Report

Justin Nelson, County Counsel/District Attorney

Blue Mountain Healthy Families Performance Based Subcontract

On the recommendation of County Counsel, Commissioner Rea moved to approve the Blue Mountain Healthy Families Performance Based Subcontract between Umatilla-Morrow Head Start, Inc. and Morrow County Public Health; and authorize Judge Tallman to sign on behalf of the County. Commissioner Russell seconded. Unanimous approval.

Administrative Officer Report

Mr. Sorte

- Finance Director Recruitment – About 10 applications were received, but the minimum requirements for most were not met. He asked if the Court would like to reopen the recruitment and/or conduct a dual recruitment for Accounting Supervisor or Finance Director. The Commissioners agreed to a dual recruitment.
- Website Development Fees – Mr. Sorte said his research into fees indicated \$10,000-11,000 for initial development, and \$250 per month for maintenance, support, updates, etc.

Claims

Commissioner Russell moved to approve Payroll Payables, Immediate & Electronic, dated March 16th and 30th; Payroll Payables, Monthlies, dated March 30th; Payroll Payables, Employee Final, dated March 16th; Void Checks, dated March 31st; and Accounts Payable, dated April 7th, in the amount of \$358,014.72. Commissioner Rea seconded. Unanimous approval.

Minutes

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

Correspondence Reviewed

- Taxing Districts, 2016-17 Value Estimate compiled by Mike Gorman, Assessor/Tax Collector
- Irrigon Chamber of Commerce membership acknowledgement
- B2H Transmission Line Project update to interested parties from the BLM
- Letter from Genevieve Masters, Forest Supervisor, Umatilla National Forest, inviting Commissioners to meet with the Blue Mountains Restoration Strategy Team to discuss the proposed Forest Resiliency Project

Commissioner Reports

- Commissioner Rea reported attending a Columbia Development Authority meeting.
- Commissioner Russell said he attended the Boardman Community Development Association Annual Forum and last week's Morrow County Planning Commission meeting. He said he is concerned at the length of the Planning Commission meetings. He said it started at 6:00 p.m. and he left at 10:00 p.m. and it was still going. He said this may be a lot to ask of a volunteer commission and the meetings need to be streamlined.
- Judge Tallman said he attended the Work Force Advisory meeting in La Grande, and the Regional Citizens Advisory Committee meeting in Pendleton, related to health care.

Department Report

Human Resources Department

Karen Wolff, Human Resources Director

Since County Counsel had to be excused at 2:45 p.m., the scheduled Executive Session was not possible. Instead, Ms. Wolff said she would stick to the facts in the public record. She said she attended Circuit Court on Thursday, March 31st to listen to the motion for summary judgement. She said the judge announced at the onset he would take it under advisement and write a response letter in a few weeks. She said the case is scheduled to go to trial at the end of April.

Adjourned: 3:32 p.m.