

Morrow County Court
May 18, 2016
Boardman, Oregon
Port of Morrow Riverfront Center

Present

Judge Terry Tallman
Commissioner Leann Rea
Commissioner Don Russell
Jerry Sorte, Administrative Officer
Karen Wolff, Human Resources Director
Justin Nelson, County Counsel/District Attorney
Richard Tovey, County Counsel/Deputy District Attorney
Roberta Lutcher, Court Executive Assistant

Call to Order: 9:04 a.m.

City and Citizen Comments – Boardman

Emily Waite, Executive Director, Boardman Chamber of Commerce

Ms. Waite provided an update for the Court:

- New membership directories will be distributed in the coming weeks.
- Ms. Waite thanked the Court for financially supporting tourism in the County. That funding allowed her, and Sheryll Bates, Executive Director, Heppner Chamber of Commerce, to attend the Governor's Conference on Tourism. The two plan to focus on agri-tourism and to that end, workshops will be held on Tuesday, June 21st and Wednesday, June 22nd. The Tuesday workshop at the Riverfront Center in Boardman will focus on assisting people who may be interested in starting an agri-tourism business. The Wednesday workshop will take place in Hermiston at the Eastern Oregon Trade & Event Center (EOTEC).
- The Chamber Annual Meeting will be held Wednesday, June 15th at the Riverfront Center, and the Membership Appreciation Picnic will take place Monday, August 1st at Marina Park.

Department Reports

Road Report

Matt Scrivner, Assistant Road Master

- Spring road grading continues.
- Sunflower Flat Road – The crew completed a lift of road rock to reshape the road profile; another is anticipated. The project will end on May 18th until the fall when there may be more time and moisture.
- Big Butter Creek Lane – work to slope the banks and build shoulders will continue for another three to four weeks.

- Tower Road – the installation of a turn lane by Love’s Travel Stops into their new location is on schedule.
- May 4th storm damage:
 - Minor gravel road washing occurred on Spring Hollow Road, Road Canyon Road, Stock Drive Road, Fuller Canyon Lane and Blackhorse Canyon Lane.
 - Several areas on Upper Rhea Creek Road saw water levels high enough to wash debris onto the roadway, resulting in damage to shoulders and ditches.
 - Big Butter Creek Lane – substantial amounts of water poured across the road causing erosion to the shoulder. Debris also accumulated on the roadway.

Permit Application for Necessity to Build on Right of Way

Mr. Scrivner said the application from Gas Transmission Northwest includes the stipulation they reinstall an existing concrete manhole cover over the new valve location.

On the recommendation of Public Works, Commissioner Russell moved to approve Application #OKU from Gas Transmission Northwest LLC to cross Bombing Range Road at the Cascade Specialties driveway to install a gas valve and vault. Commissioner Rea seconded. Unanimous approval.

Public Works Update

Burke O’Brien, Director, Public Works

Sandi Putman, Public Works Management Assistant

- Mr. O’Brien provided a report on the Oregon Association of County Engineers and Surveyors (OACES) Spring Conference. He said he is part of a working group that came to a consensus on a new gas tax proposal, which he briefly summarized. A more in-depth PowerPoint presentation for the Court will take place in the near future, he said.
- Mr. O’Brien said he’s been working with Mr. Sorte on the landscaping project for the Bartholomew Building. Decorative-type rocks from County Parks will be used as part of the landscaping.
- Ms. Putman said the next Solid Waste Advisory Committee meeting will be Thursday, May 26th, 12:00 p.m. at Finley Buttes Landfill (gather at the Scale House).
- Ms. Putman said she anticipates holding another Household Hazardous Waste Event on October 14th or 21st in the north end of the County. The invoice for the event held earlier this spring was \$11,000, she said.

OHV Park Ranger Position

It was pointed out this is a part-time temporary, seasonal position that is grant funded. Mr. O’Brien said it is needed so someone has supervisory authority when the Parks General Manager is not there on his regular days off, for example. Discussion.

Commissioner Rea moved to approve creating the position of OHV Park Ranger and the accompanying job description as presented, assign the position to Pay Range 7, and authorize

Public Works to advertise and fill the position, effective immediately. Commissioner Russell seconded. Unanimous approval.

Correspondence Reviewed

- Letter from Columbia Basin Electric Cooperative explaining their billing system error for the Bartholomew Building, resulting in under-billing about \$1,400. The letter stated the County should anticipate increased monthly bills for that building. Ms. Putman said there had been discussion about making up the difference, but she told CBEC it wasn't the County's error.

Department Reports

Emergency Management Monthly Report

Undersheriff John Bowles

- Two weather related events occurred on May 4th and May 14th – no major damage.
- May 2nd – around 100 gallons of ammonia spilled on the roof of Lamb Weston's West Plant, Building 4. Safety plans worked well, and it was quickly contained.
- A quarterly Oregon Emergency Management Exercise took place on May 16th that simulated a 9.0 earthquake and tsunami. The exercise involved not having the ability to use the Operations Center or the internet, only the amateur radio system.
- Reviewed an invoice from Patrick Hart to rewrite the Morrow County Emergency Response Plan (current invoice \$1,500 toward a total amount of \$5,300). Undersheriff Bowles said he expects grant funding to cover this expense. Mr. Sorte requested it be processed through Accounting for payment next week.
- Female stabbed at the Boardman rest area – Undersheriff Bowles said a 17 year-old male was arrested after allegedly stabbing a woman. The victim and suspect did not know each other, he explained.

Request to Advertise and Hire – Communications Deputy and Patrol Deputy

Ms. Wolff reminded the Court these positions were approved through the Budget Hearing process and are existing job descriptions.

Commissioner Rea moved to approve the Sheriff's Department advertising and filling the Communications Deputy position and the Patrol Deputy position, with the start date to be July 1, 2016, or shortly thereafter. Commissioner Russell seconded. Unanimous approval.

Old Business

Letter of Support

The Court agreed by consensus to sign the letter in support of Greater Oregon Behavioral Health, Inc. and Community Counseling Solution's application to fund a rental assistance program for veterans and youth.

New Business

Unfunded Mandate Discussion

Justin Nelson, County Counsel
Richard Tovey, County Counsel

Mr. Nelson explained Linn County intends to pursue litigation regarding unfunded mandates, the most recent being the new Sick Leave Law that went into effect January 1, and the minimum wage increase. Linn County hired the law firm of Rietmann & Rietmann, LLP and is not requiring other counties assist with the legal fees, he said. There may be minimal costs to other counties associated with discovery, he estimated.

Mr. Nelson said there are two questions-

1. Does Morrow County want to join in the litigation?
2. Does Morrow County qualify? The threshold being liability incurred by the County since January 1st that is one-hundredth of one percent of the County's annual budget, or approximately \$3,000.

After hearing input from Mr. Sorte, it was determined the County does meet the minimum threshold. As to the issue of the Sick Leave law, the Court agreed offering it is not the problem, unfunded mandates are. They said that is the message they would like to convey.

Commissioner Russell moved to approve Morrow County joining in Linn County's lawsuit, and have it be made known that Morrow County's issue is with the continually increasing unfunded mandates from the State of Oregon, not with the Sick Leave requirement itself. In addition, formal notice will be sent to Senator Bill Hansell and Representative Greg Smith explaining such. Commissioner Rea seconded. Unanimous approval.

Intergovernmental Services Agreement, Oregon Department of Revenue – Map Maintenance

Commissioner Rea moved to approve Intergovernmental Services Agreement, Contract #3522-16 with the Oregon Department of Revenue for map maintenance and related cartographic activities, total cost \$18,000. Commissioner Russell seconded. Unanimous approval.

Amended County Assessment Function Funding Assistance (CAFFA) Grant Application Resolution

Mr. Sorte said Mike Gorman, Assessor/Tax Collector, was provided with an updated dollar amount after the original resolution (R-2016-8) was signed on April 27th. Mr. Gorman requested the Court sign the amended document.

Commissioner Russell moved to approve the Amended Grant Application Resolution, Resolution Number R-2016-9, which updates the dollar amount to \$847,033. Commissioner Rea seconded. Unanimous approval.

Second Reading and Decision on Adopting Ordinance – Comprehensive Plan, Zoning Ordinance and Zoning Map Amendments to Authorize the Airport Light Industrial Use Zone

Hank Pieper, GIS Planning Tech, Planning Department

Mr. Pieper provided the second reading.

Commissioner Rea moved to approve An Ordinance Amending the Morrow County Comprehensive Plan, Zoning Ordinance, and Zoning Map, Specifically Taking a Goal 3 Exception to Rezone a Portion of the Boardman Airport from Air Industrial Park to Airport Light Industrial; Adding the Airport Light Industrial Use Zone to the Zoning Ordinance; and Applying the Airport Light Industrial Use Zone to the Subject Property at the Boardman Airport, County Ordinance No. ORD-2016-3. Commissioner Russell seconded. Unanimous approval.

Second Reading and Decision on Adopting Ordinance – Airport Approach, Airport Hazard, and Airport Safety and Compatibility Overlay Zone

Mr. Pieper provided the second reading.

Commissioner Rea moved to approve An Ordinance Amending the Morrow County Zoning Ordinance, Specifically Amending the Airport Approach and Airport Hazard Use Zones, Removing Reference to the Boardman Airport, and Adopting the Airport Safety and Compatibility Overlay Zone and Applying it to the Boardman Airport, County Ordinance No. ORD-2016-4. Commissioner Russell seconded. Unanimous approval.

Miscellaneous

In reference to Ms. Waite's discussion on agri-tourism, Ms. Wolff asked Mr. Pieper if there may be land-use implications for property owners interested in this type of venture. He replied his colleague, Stephanie Loving, has been researching this and is the contact person in the Planning Department. Mr. Sorte added the County will work with individuals to help them understand how their land is zoned, and what, if any, limitations there may be for them as they attempt to spur economic activity.

County Counsel Report

Mr. Tovey reviewed recent County Counsel activity.

Commissioner Russell said there may soon be a new Columbia River Enterprise Zone II agreement, but the business has asked for a change to the contract involving the venue for litigation. He said they want it changed from Morrow County to Multnomah County. Mr. Tovey brought up several factors, but Morrow County would be the preference, he said. It depends on how bad each party wants the contract, he concluded. Commissioner Russell said he will suggest that the attorney for the Enterprise Zone review contracts, in addition to Planning Director, Carla McLane, who also serves as Enterprise Zone Manager.

Administrative Officer Report

- After reviewing calendars, the County Court field trip to the OHV Park was rescheduled to June 22nd (from June 1st). The County Court meeting will take place at the OHV Park but a staff member will remain at the Bartholomew Building Upper Conference Room for phone conference capabilities to allow public participation.
- Surplus furnishings liquidation – Mr. Sorte estimated two-thirds of the volume is now gone. He said partitions, metal connecting units for miscellaneous items, desks and two-

drawer lateral file cabinets remain. The objective is to empty the Ione and Lexington locations and consolidate to Heppner. He said what can't be used by the County may end up being recycled or discarded. The Commissioners agreed.

- Mr. Sorte said he hopes to have a Purchasing Pre-Authorization Request next week for the heating and cooling repairs at the Courthouse.
- There has been a renewed interest in the Gilliam Bisbee Building, said Mr. Sorte. He said he will explore the County's legal obligations for selling property and report back.

Claims

Commissioner Rea moved to approve the Retirement Taxes, dated May 12th; Quarter One 2016 SUTA/WBF Payments, dated May 12th; and Accounts Payable, dated May 19th, in the amount of \$207,026.52. Commissioner Russell seconded. Unanimous approval.

Minutes

Commissioner Rea moved to approve the minutes of May 11th, with corrections. Commissioner Russell seconded. Unanimous approval.

Commissioner Reports

- Commissioner Rea said she and the chairperson of the Morrow County Wolf Depredation Advisory Committee, Dean Robinson, attended a Workshop on Non-Lethal Predation Management Techniques in Pendleton on May 13th. Commissioner Rea also discussed the previous evening's Wolf Committee meeting.
- Commissioner Russell said last week's OACES Conference was a good learning experience, and a work session on collaborative leadership was particularly worthwhile. He said he was unable to attend the groundbreaking for the recreational facility in Boardman because he was participating in a webinar on transportation on the Columbia River. Topics undertaken were a potential risk management analysis of shipping oil down the Columbia River, and how other places in the world ship oil.
- Judge Tallman said the Coordinated Care Organization (CCO) is in the process of rewriting the three goals of their health improvement plan. He said he'd like to see workforce improvement efforts incorporated as a goal since many are already taking place across the County.

Adjourned: 11:51 a.m.