

**Morrow County Court**  
**June 1, 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/District Attorney  
Roberta Lutchter, Court Executive Assistant

**Audience**

Jim Doherty, Commissioner-Elect  
Mike Gorman, Assessor/Tax Collector  
Melissa Lindsay, Judge-Elect  
Shelley Wight, Health Department

**Call to Order:** 9:02 a.m., followed by pledge of allegiance

**City and Citizen Comments:** No comments

**Open Agenda:** No items

**Public Hearing**

Morrow County Fiscal Year 2016/2017 Budget

Judge Tallman opened the Public Hearing at 9:07 a.m. and asked for the Staff Report. Mr. Sorte said the 2016/2017 Fiscal Year Budget was approved by the Budget Committee on April 21<sup>st</sup> and two minor changes have occurred:

- The ending fund balance in the general fund increased by \$38,388 due to an over-estimate on staff positions, and
- County Counsel Services were moved to non-departmental

Judge Tallman called for proponents to speak: no comments; opponents: no comments; neutral parties: no comments. He then said the hearing would be left open to allow for additional comment while the regular business meeting proceeded.

**Department Reports and Business Items**

Road Report

Burke O'Brien, Public Works Director

Mr. O'Brien reviewed the Road Report for June 1<sup>st</sup>. He then explained he asked Mitch Ferguson of Ferguson Surveying and Engineering to attend today's meeting to discuss a recent incident of water over the roadway on Kunze Road. He said Mr. Ferguson was the designer and on-site inspector when the road was built. Mr. O'Brien said the County needs to be more diligent about

ditch cleaning. Mr. Ferguson agreed, adding if the problem area is cleaned out and a smooth grade is achieved, the pipe that is in-place should work. He then shared his construction drawings for the Court to review, and illustrated how the problem was remedied.

#### Sheriff's Department Update

Undersheriff John Bowles

Undersheriff Bowles reviewed the Sheriff's Department Report for May 2016. He then discussed several personnel-related matters. He said due to a recent resignation, he is requesting permission to fill an existing Patrol Deputy position.

*Commissioner Rea moved to authorize the Sheriff's Department to fill an existing Patrol Deputy position as soon as possible. Commissioner Russell seconded. Unanimous approval.*

Undersheriff Bowles said that a Patrol Deputy position approved during the Budget Hearing process (effective July 1, 2016) will be filled in-house by Probation Officer Aaron Haak. This now creates a vacancy in Parole & Probation.

*Commissioner Rea moved to authorize the Sheriff's Department to advertise and fill the vacated Probation Officer position (after July 1, 2016). Commissioner Russell seconded. Unanimous approval.*

Vehicle Acquisition: Undersheriff Bowles explained he can secure a better price if he begins the ordering process now for vehicles to be purchased in the next budget cycle. The vehicles will be invoiced after July 1, he said. The Court agreed as long as Mr. Sorte and the Finance Department are kept informed. It was suggested he pursue quotes from dealerships in this area, as well as those on the State of Oregon Procurement List.

#### Human Resources Business Items

Karen Wolff, Human Resources Director

Ms. Wolff said a meeting took place May 31<sup>st</sup> between AFSCME (general employees and road department employees union) and County administration. She said it was a positive and constructive meeting.

Finance Director Search: Mr. Sorte said he hopes to extend an offer to a candidate right away and plans to report back. Judge Tallman noted there were very good candidates interviewed.

#### **Public Hearing, continued**

Hearing no additional comments, Judge Tallman closed the Public Hearing at 10:18 a.m. Mr. Sorte said Budget Adoption is scheduled for June 15<sup>th</sup>.

#### **New Business**

Draft County Comment Letter – Wheatridge Wind Energy Facility

Carla McLane, Planning Department Director (via telephone conference)

Jerry Rietmann, Wheatridge Wind Energy

Ms. McLane outlined concerns with some of the Oregon Department of Energy's Conditions of Approval in its Draft Proposed Order for the Wheatridge project. Those concerns will be reflected in the letter she'll draft to ODOE that will be signed by the Court. Discussion ensued.

### **County Counsel Report**

Justin Nelson, County Counsel

Mr. Nelson said he was asked to determine if meetings between a Commissioner-Elect and a current Commissioner present any problems related to Oregon Public Meeting Laws. He explained a review of the Public Meeting Law Manual, Oregon Statute, and case law appear to indicate a Commissioner-Elect is viewed as another member of the public. This means there are no quorum or public meeting law issues, he said.

### **Administrative Officer Report**

Jerry Sorte

- The County Court Office hired a temporary employee for the month of June. The goal is to update and input the Morrow County Code Book for online access. The last update occurred in 1986.
- Public Works obtained several quotes for the heating and cooling system in the Courthouse, and the expectation is to move forward during the month of June.
- Mr. Sorte reviewed a letter from Roy Blaine, Trial Court Administrator, Sixth Judicial District to Morrow County, which states "the following must be resolved without delay:
  1. The co-location of the Justice Court at the Circuit Court causes legal, ethical, and security problems.
  2. The reduction in space in the current jury room due to the clock tower project has eliminated that room as an effective jury deliberation room.
  3. Repurposing County Court offices in the Courthouse has eliminated space in the Courthouse provided by the County Court for jury assembly over the last 20 years, or more.

...Tangentially related to the space issue for jurors, the Circuit Court will be acquiring additional furniture and equipment to prepare the judges' work space for transition to Odyssey, our new court management system. As a result, the Circuit Court is directing that the Circuit Judge chambers furniture be moved to the current jury room, that the jury furniture be moved to the current chambers, and that a secure door be made from the hallway between the current chambers and the courtroom into the new Circuit Judges' chambers for judge and staff access and safety. The TCA (Trial Court Administrator) has been directed to accomplish the initial movement by May 30, 2016..."

Mr. Sorte said he met with Mr. Blaine and emphasized the Circuit Court needs to ask the County before structural changes are made to the Courthouse. Discussion took place concerning the structural modifications recently made to accommodate their new court management system, and that they did not ask or notify the County.

Mr. Nelson said it appears the Circuit Court is attempting to make things uncomfortable for Judge Ann Spicer, Justice of the Peace. He said this is happening while she is on vacation and she will return to a very large jury table in her office. Where will she go while jurors deliberate, he asked.

### **Claims**

*Commissioner Rea moved to approve the May 2016 Retirement Taxes, dated May 31<sup>st</sup>; and the Accounts Payable, dated June 2<sup>nd</sup>, in the amount of \$13,605.64. Commissioner Russell seconded. Unanimous approval.*

### **Minutes**

*Commissioner Rea moved to approve the minutes of the April 18<sup>th</sup> Special Meeting of the County Court, as presented. Commissioner Russell seconded. Unanimous approval.*

### **Correspondence Reviewed:**

- Correspondence from the Association of Oregon Counties Veterans Committee consisted of the following:
  1. Invitation to tour the Portland Veterans Administration Hospital on Friday, June 10<sup>th</sup> and the USS Howard on Saturday, June 11<sup>th</sup>.
  2. Press release from State Representative Paul L. Evans, District 20 (D-Monmouth), regarding House Joint Resolution 202, which sets aside 1.5% of lottery funds for Veterans' Services. It is now scheduled to be on the November ballot.
  3. Copy of an article appearing in *The Statesman Journal* that Oregon hired the nation's first advocate for lesbian, gay, bisexual and transgender veterans.

### **Commissioner Reports**

- Commissioner Rea said she attended the Solid Waste Advisory Committee (SWAC) meeting last week. A tour of the landfill and generating plant took place, she said.
- Commissioner Russell said he also attended the SWAC meeting. He said he participated in the meeting between County management and AFSCME, and agreed with Ms. Wolff that it went well.

### **Calendars were reviewed**

**Adjourned:** 11:35 a.m.