

Morrow County Board of Commissioners Meeting Minutes
March 22, 2017
Bartholomew Building, Upper Conference Room
Heppner, Oregon

Present

Chair Melissa Lindsay
Commissioner Don Russell
Commissioner Jim Doherty
Jerry Sorte, Administrative Officer
Karen Wolff, Human Resources Director
Kate Knop, Finance Director
Justin Nelson, County Counsel
Anita Pranger, Coordinator, The Loop
Greg Close, Parks General Manager
Roberta Lutchter, Executive Assistant

Audience

Dan Brosnan, former Commissioner
Leann Rea, former Commissioner
Judy Buschke, Heppner
Cody High, Mayor, City of Heppner
Bobbi Childers, Clerk
Gayle Gutierrez, Treasurer
Mike Gorman, Assessor/Tax Collector
Robin Jones, Accounting Clerk
Ronda Fox, Finance Management Assistant
Lisanne Currin, Compensation Board

Call to Order: 9:00 a.m.

City and Citizen Comments

Dan Brosnan, former Commissioner

Mr. Brosnan said he opposed the Commissioners becoming full-time, and noted as a Commissioner, he was compensated at the half-time rate. He said it truly was a full-time job, but he opposed increasing the Commissioner wage to full-time.

Commissioner Doherty responded the misconception is the compensation will increase from half-time to full-time. He said that is not what the motion at the February 8th Board of Commissioners (BOC) meeting encompassed. The intent was to make people aware of the true time commitment, especially those who might consider running for a County Commission position.

Commissioner Russell said when he ran for this office, he thought he would be able to continue to run his businesses, but he learned the County time commitment was more than half-time, and has since sold some businesses. He also agreed with Commissioner Doherty's statement that people who run for this position need to be aware of the true time commitment.

Cody High, Heppner

Mr. High mentioned the hiring of an Administrative Officer by the County and asked if that position relieved some of the workload.

Commissioner Russell explained the Administrative Officer was hired because things were not getting done, one example being performance evaluations for all staff. He went on to discuss the

timeline of the elimination of the Judge position and reiterated the motion was not to increase the compensation for Commissioners.

Mr. High questioned having three full-time Commissioners and a full-time Administrator when the move to three part-time Commissioners just recently occurred. Commissioner Russell again clarified the intent of the motion was only to reflect the true time commitment for a Commissioner. Commissioner Doherty agreed, and added they are not asking to go full-time, just to have the record reflect the reality of the position. He said Commissioners are compensated at a part-time rate but he feels it's necessary to put in 30-50 hours per week for the County. It's important for the record to reflect what Commissioners have done in the past, it was donated time, he said. As a Commission, we're willing to do it, but it's not unfair to ask the record reflect that reality and it's a fantastic bargain for the County, he concluded.

County Counsel Justin Nelson offered a clarification, he said the terms part-time and full-time are not in statute. As with any elected position, a person is elected to the position. That term (part-time) has cropped up in the past. It wasn't a part-time Commissioner position listed on the ballot, just Commissioner. He continued by saying the Board's intent was to remove the idea of part-time, but that is not what statute says, it's just a Commissioner position. He said he realizes the Compensation Board is a separate body but it does take into account workload and it's important to remember the term is Commissioner.

Leann Rea, former Commissioner

Ms. Rea said she did not consider the hours she worked as Commissioner to be consistently full-time. She added she did not feel the current Board has enough experience yet to know the level of the time commitment.

Chair Lindsay stated the comments heard will be taken into consideration in the compensation review.

Open Agenda Requests/Changes: No items

Consent Calendar

Commissioner Russell moved to approve the following items in the Consent Calendar:

- 1. Accounts Payable dated March 23rd; Mid-March Retirement Taxes dated March 14th; Payroll Payables – Employee Final check and Employee Additional checks dated March 3rd & March 6th*
- 2. Resolution No. R-2017-7: Approving the Bylaws of the Morrow County Wolf Depredation Advisory Committee*
- 3. Purchase Pre-Authorization Request, Parks, OHV Park well pump replacement*
- 4. Purchase Pre-Authorization Request, The Loop – Morrow County Transportation, 14-passenger bus*

Commissioner Doherty seconded. Unanimous approval.

Business Items

Managing Oregon Resources Efficiently (MORE) Intergovernmental Agreement (IGA)

Burke O'Brien, Public Works Director

Mr. O'Brien said the IGA allows more latitude to do business with other public agencies in Oregon to share equipment and labor without additional cost to the County. He said similar IGAs have been signed with individual entities in the past but this offers greater opportunities through one agreement. Administrative Officer Jerry Sorte noted 23 counties and 36 cities, as well as other service districts, participate in the agreement. He said he and Mr. O'Brien recommend approval.

Commissioner Doherty moved to approve the Managing Oregon Resources Efficiently (MORE) Intergovernmental Agreement. Commissioner Russell seconded.

Commissioner Russell amended the motion to include authorizing Chair Lindsay and County Counsel to sign on behalf of the County. Commissioner Doherty seconded. Discussion – the Commissioners voiced concern that the agreement might put the County in competition with private business. Mr. O'Brien said he didn't believe that to be the case. Commissioner Doherty asked that it be monitored. Unanimous approval.

Permit Application for No Spray Zone on County Right-of-Way

Mr. O'Brien reviewed Jess Osmin's request that the County not spray on a designated section of the County's right-of-way on Balm Fork Road. Mr. O'Brien explained the maintenance of that area now becomes the responsibility of the landowner.

Commissioner Russell moved to approve the Permit Application for No Spray Zone on County Right-of-Way from Jess Osmin, for an area on Balm Fork Road approximately one mile southwest of Willow Creek Road (inspection and renewal are required annually and the permit will run on a calendar year). Commissioner Doherty seconded. Unanimous approval.

Review Department Reports Schedule

Mr. Sorte presented the draft schedule for monthly or quarterly reporting to the Board by Department Heads and Elected Officials. He added Department Heads/Elected Officials will be contacted for in-pu after there is tentative approval from the Board. Responding to Ms. Gutierrez's question about whether she will have to fill out the Agenda Item Cover Sheet every month, the Commissioners said that can be somewhat flexible depending on the circumstances, but they do expect a written report in advance for their meeting packets. The Board also stressed the reporting schedule does not preclude Department Heads/Elected Officials from appearing before them concerning other matters outside the report schedule.

Appointment request to Public Health Local Community Advisory Council (LCAC)

Mr. Sorte said Public Health Director Sheree Smith could not attend today's meeting but her memo requested Terry Tallman be appointed to the LCAC as a Community Representative. Commissioner Russell discussed former Judge Tallman's association with LCAC. He said the

LCAC Bylaws currently have the voting member as Donna Eppenbach but Judge Tallman would like to be appointed as a Community Representative with voting capabilities.

Commissioner Russell moved to appoint Terry Tallman as an additional voting member from the public at-large to the Local Community Advisory Council. Commissioner Doherty seconded. Discussion: Chair Lindsay questioned if the bylaws allow for an additional voting member. The Board decided to review and, if necessary, revise the bylaws prior to making the appointment. Commissioner Russell moved to rescind the previous motion in order to ensure the LCAC Bylaws allow for an additional voting member.

Update Representatives on the Morrow County Equity Fund Loan Review Committee

Mr. Sorte said there were a few unanswered questions from last week's Equity Fund update by Rex Baker with GEODC (Greater Eastern Oregon Development Corporation):

1. Are the meetings of the Equity Fund Loan Review Committee public meetings?
County Counsel reviewed public meeting requirements and determined they are public meetings. The Board requested additional research after they expressed a level of discomfort with the public having access to a borrower's confidential financial information.
2. Will the Board appoint specific individuals to the Committee or leave as-is with institutions/entities appointed?
The Board was split and decided to contact representatives of the institutions and entities to gauge their preferences.

The Board did decide to proceed with one appointment to complete the membership of the Loan Review Committee, thereby allowing the process for a pending application to move forward.

Commissioner Russell moved to appoint Kraig Cutsforth, Heppner Branch Manager, Community Bank, to the Morrow County Equity Fund Loan Review Committee. Commissioner Doherty seconded. Discussion: The Commissioners mentioned several items yet to be determined: 1.) Term lengths, and 2.) Will institutions/entities have the option of sending a different representative if there is turnover? Unanimous approval.

Compensation Board recommendations regarding compensation of Elected Officials

Karen Wolff, Human Resources Director

The following were the Compensation Board recommendations for Elected Officials for Fiscal Year 2017-2018 as outlined by Ms. Wolff:

1. Increase the District Attorney's County Stipend to \$8,000 per year.
2. In recognition of the more than half-time commitment, increase the County Commissioner wage. The increase will be calculated by taking the difference between the no longer existing full-time Judge salary (\$76,814) and that of the three half-time Commissioner salaries (\$38,407 each), and distribute one-third to each Commissioner:

$$\begin{array}{r} \$76,814 \\ -38,407 \\ \hline \$38,407 \div 3 = \$12,802 \end{array}$$

3. Flat three-percent Cost of Living Adjustment (COLA) for all Elected Officials, but not less than the COLA applied to Management. The COLA is not to be applied to the District Attorney and the three Commissioners' wages, which have already been adjusted.

Commissioner Compensation

Excerpted from Ms. Wolff's memo:

"All (Compensation) Board members believe that a person doing full-time work should be compensated at a full-time rate. There was discussion regarding the action of the Board of Commissioners recognizing that the time commitment is more than half-time. Some members of the (Compensation) Board were uncomfortable recommending increasing the wage to a 1.0 FTE (full-time equivalent) wage at this time. In the end, the (Compensation) Board agreed to increase the Commissioner wage."

Ms. Wolff said the Compensation Board members believed the increase for the Commissioners would be "budget neutral."

Surveyor Compensation

Ms. Wolff reminded the BOC that last year's Compensation Board consisted of three members, as opposed to this year's Board with five members. When last year's members were asked to clarify their intent regarding the Surveyor's compensation, they stated the \$36,000 they recommended annually for the Surveyor was to be in addition to the Subdivision and Plat Review fees he received. She said since last week's Compensation Board meeting, she questioned the way the County pays the Surveyor and has been looking into whether a Surveyor should receive a stipend or a wage, and will have more information for the BOC in the next few weeks.

Commissioner Russell moved to accept the recommendations of the Compensation Board, with the exception of the Surveyor position and the three Commissioner positions. Commissioner Doherty seconded. Discussion: Commissioner Russell stated his reasons for not accepting the recommendations at this time are to: 1.) hear the additional information Ms. Wolff will present regarding the Surveyor position, and 2.) obtain feedback from the Budget Committee regarding the Commissioner compensation recommendation. Additional discussions ensued:

Commissioner Compensation, continued

Commissioner Doherty said it would be prudent to take the recommended compensation for Commissioners to the Budget Committee. He said he attended the Compensation Board meeting and the members were understandably uncomfortable determining the level of the time commitment by Commissioners. He said their recommendation was regardless of what the Commissioners consider themselves to be, adding the Compensation Board members discussed the need for caution so their intent could not be misconstrued to mean they advocated for the compensation to be doubled at a future date. It was as if they were all comfortable that Commissioner positions are more than half-time and were able to recommend a division of

money, but if the positions move from 0.5 FTE to 1.0 FTE, their deliberation could be used as part of that decision, said Commissioner Doherty.

Lisanne Currin, Compensation Board Chair, said Commissioner Doherty's comments summarize the uneasiness of the members of the Compensation Board. Continuing, she said the concern is it wasn't the job of the Compensation Board to decide if Commissioner positions are full-time or part-time, but as a citizen, she said she was not comfortable with the process that took place to make that determination. The public voted on two part-time Commissioners with a full-time County Administrator and she said she didn't know what the process should be, but maybe this is the mechanism to make that happen. The public needs more due process, she said. Ms. Currin said she and the Compensation Board members were uncomfortable with the process.

Commissioner Doherty explained the recommendation of the Compensation Board translates to a 0.65 FTE, which isn't full-time. He said if he accepts the recommendation, and works 40 hours per week for the County, he'll be donating 40% of his time, or \$46,000. He said the person coming after him in this position needs to understand that. Commissioner Doherty said he'll be donating thousands of dollars' worth of his time.

Mr. High made several comments including the fact that the Commissioners make more than he does; a call to public service should be more important than compensation; public hearings should have been held; and he questioned the need for Budget Committee review when the funds proposed to increase the wages of the Commissioners could be used elsewhere (additional Sheriff's Office patrols in south County, for example).

Compensation Board Process

Ms. Gutierrez asked why the salaries of Elected Officials were not compared to Department Heads. The Commissioners and Ms. Currin said multiple comparisons were provided to, and reviewed by, the Compensation Board, including wage scales for Department Heads. Ms. Gutierrez said she thinks Elected Officials are not considered as valuable to the County as Department Heads because Elected Officials have no longevity or pay steps and ranges. She said Elected Officials stay at the bottom while Department Heads are vastly going up.

Commissioner Compensation, continued

Bobbi Childers, Clerk, said the County hired an Administrator because there were going to be three part-time Commissioners. She asked why the Board would then "turn around" and make the full-time designation for themselves. She said she felt the residents of the County were "sold down the river" and the Commissioners don't even have an office in the building.

Commissioner Doherty said the Commissioners have two work stations within the BOC Office in the Bartholomew Building and an office in the Public Health Department building in Boardman. Commissioners also work from their residences, he said.

Judy Buschke said the Commissioners knew when they ran for office what the compensation would be and agreed to do the job. An Administrator was hired that made the job less than before and, she said, if that isn't the case, get rid of the Administrator. She added the Commissioners "sold us a bill of goods."

Commissioner Doherty said the decision to hire an Administrator was made by the previous County Court. However, he has seen for himself that the Administrative Officer and staff are extremely busy working through backlogs. In the past 12 years, Morrow County has grown 350%. Commissioner Doherty added Mr. Brosnan said he felt he worked full-time as Commissioner but was compensated half-time. Commissioner Doherty stated he was unsure as to how the County now moves forward.

Ms. Currin asked if there is a process in statute when changing the time commitment for Commissioners. Mr. Nelson replied there is not.

Commissioner Doherty said the counterparts across the state to our Administrative Officer are recognized as either Administrator or Chief of Staff and, to be clear, ours is performing those same functions. He listed the counties that have three Commissioners and an appointed Administrator: Benton, Deschutes, Jackson, Jefferson, Lake, Linn, Marion, Polk, Union, Wasco and Yamhill. Most Commissioners in these counties make \$80,000-90,000 a year and the Administrator/Chief of Staff makes upwards of \$150,000. Morrow County pales by comparison; even if the compensation recommendation is accepted, it's still a fantastic value for this County, he stated.

Ms. Rea said she believed Commissioner Doherty's analysis compared apples to oranges, especially considering population. As a former Commissioner, she said she was extremely disappointed this Commission's primary concern is their pay. She said she hated to think that will be the sole purpose of this Commission. Commissioner Doherty said it was discouraging to hear she thinks that's what the BOC is doing or asking. Her comments were quite an insult, he said. Ms. Rea said that was her perception of where the discussion was going.

Commissioner Russell called for the question. Chair Lindsay said moving forward, the next step is planning to have FTE conversations where all department requests for additional employees are analyzed. This will be another opportunity for the three Commissioners and the public to further discuss how the original vote plays into the overall analysis. The Budget process provides another opportunity for discussion and public input. She said her original disagreement with the vote was to seek additional public input or education on what the job actually is.

Unanimous approval.

Commissioner Russell provided additional information regarding the hiring of an Administrative Officer. He said the duties that were asked of our Judge, who was Chair of the Commission, Administrator for the County, and Judge of the Juvenile Court were more than one person could

reasonably do. Judge Tallman spent a lot of time being a Commissioner and had additional duties. As the County grew, there weren't enough hours in the day for one person to do all the tasks, and that's why we decided an Administrative Officer was needed. Ms. Buschke said as a volunteer, she puts in more hours than asked, but perhaps she has the wrong concept. She said she believed a lot of this is service, which isn't always compensated. Commissioner Russell said the BOC is just stating the obvious, that to do this job justice, it's not a part-time commitment, it's a full-time commitment. He said he feels uncomfortable voting on a salary for himself. Commissioner Doherty agreed. Commissioner Russell said he knew what the pay was when he ran, but he was naive as to the time commitment. He said perhaps more process is needed, and he won't vote a raise without a strong recommendation from the Budget Committee and the Compensation Board. Once again, Commissioner Doherty agreed.

Break: 10:56 a.m.

Resumed: 11:06 a.m.

Department Reports

Budget Preparation Update

Kate Knop, Finance Director

Ms. Knop provided an update on Budget preparations with Department Heads and Elected Officials, to date. She said she will provide her quarterly report on April 5th and possibly a supplemental budget request before Budget Hearings in mid-April.

Correspondence Reviewed

- Email correspondence from Gary Kopperud, Master Clockmaker, regarding repairs to the Courthouse Clock
- Agenda for the March 28th meeting of the Planning Commission

Commissioner Reports

- Commissioner Russell said he attended the Military Economic Advisory Committee meeting since Chair Lindsay was unable to do so. He said the Navy's representative attended by phone and he made his opinion clear to him – that the Navy has not been a good partner with Morrow County and their answer to any request is always “no,” most recently pertaining to the Boardman to Hemingway Transmission Line Project. Commissioner Russell also discussed technology that allows beacon lights on wind towers to only light up when an aircraft enters its field. He said wind developers could be required to include this new technology when tax abatement agreements are negotiated.
- Commissioner Doherty said he attended the meeting of the Compensation Board and also discussed upcoming meetings, including a Chief Executive Officer forum at the Port of Morrow; a meeting with Sheriff Ken Matlack and Undersheriff John Bowles; and a Joint Area Commission on Transportation meeting in Baker.
- Chair Lindsay said she's been in-County meeting with staff about issues related to financial practices; and attended a Regional Solutions meeting in Arlington. She also

discussed efforts to spruce up the Gilliam-Bisbee window for the Wee Bit O'Ireland Celebration in Heppner. She said Babette Wall and others are willing to donate time to make the very visible area more attractive. She said she will solicit other organizations about setting up displays in the window but asked if funds may be available for supplies.

Commissioner Russell moved to approve up to \$500 in Court Discretionary funds be expended for displays in the Gilliam-Bisbee street level windows. Commissioner Doherty seconded. Unanimous approval.

Adjourned: 11:34 a.m.