

**Morrow County Board of Commissioners Meeting Minutes**  
**April 5, 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  
Roberta Lutchter, Executive Assistant

**Call to Order:** 9:01 a.m., followed by pledge of allegiance

**Open Agenda:** Request to remove item from the Consent Calendar (Payroll Payables, Immediates & Electronic dated March 28<sup>th</sup>)

**Water Resources Department Update**

Mike Ladd, North Central Regional Manager, Water Resources Department

Greg Silbernagel, Watermaster, District 5

Excerpted from correspondence from Mr. Ladd:

“In recent years, Morrow County has provided between \$7,500-10,000 per year. This amount supported 0.1 FTE (full time equivalent) of an Administrative Assistant and office expenses. It also included reimbursement of time and materials for a Umatilla County Assistant Watermaster to conduct work exclusively within Morrow County. However, in the past we have not had Morrow County reimburse Umatilla County when their Assistant Watermaster performed work on upper Butter Creek. Umatilla County would like us to now start billing for this work. As such, the 2017-2018 budget request is for \$12,217 which we believe will cover this additional work.”

“Umatilla County has informed Oregon Water Resources Department (OWRD) that they no longer want to hire or maintain county employees to do water resources management in District 5. To this end, they would like to provide a lump sum payment to OWRD for them to employ staff commencing on July 1, 2017. We would like to know if Morrow County would consider providing the sum of money they normally provide to Umatilla County as reimbursement, if they would be willing to provide that money to OWRD to maintain service levels for the citizens of Morrow County by an Assistant Watermaster.” Discussions ensued.

Commissioner Russell commented the tracking of work performed in multiple counties by the Watermasters or Assistant Watermasters is an “accounting nightmare” and if work is being performed in a particular county, that county should be billed for that work.

Commissioner Doherty said the budget questions faced by OWRD will impact the level of services offered. Mr. Ladd agreed, and added they will do their best but there will likely be slower response times as duties will have to be prioritized. He added they will be grateful for whatever contribution amount works best for Morrow County.

### **Consent Calendar**

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

- 1. Accounts Payable dated April 6<sup>th</sup>; Payroll Payables, Immediates & Electronic dated March 15<sup>th</sup>; December 2016 IRS Notice CP134B, Retirement Taxes Adjusted Amount, dated March 21<sup>st</sup>*
- 2. Minutes: March 15<sup>th</sup> Board of Commissioners (BOC) Meeting; March 15<sup>th</sup> BOC Work Session; March 22<sup>nd</sup> BOC Meeting*
- 3. Resolution R-2017-6 Formalizing the Title of the Morrow County Board of Commissioners*
- 4. Permit Application #212, Application for Approach Site Approval from James Vernon, Montana Lane, Irrigon, drive-way relocation*
- 5. Permit Application #OLO, Application for Necessity to Build on Right-of-Way from Umatilla Electric Cooperative for underground electric on Paterson Ferry Road near the intersection with Interstate-84*
- 6. Permit Application #OLP, Application for Necessity to Build on Right-of-Way from Zayo (Dan Barcomb) for conduit and fiber cable at the intersection of Fairview Road and Highway 74*

*Commissioner Doherty seconded. Unanimous approval.*

### **Regional Conservation Partnership Program Request**

John and Kerry Rietmann, Ione, members of the Direct Seed Preservation/Russian thistle Reduction Area

Burke O'Brien, Public Works Director

Stewart Wuest, Soil Scientist, Agricultural Research Service, USDA

Mr. Rietmann explained the grant application process he and a group of producers in south Morrow County are undertaking in the hopes of obtaining \$7,000,000 from the Natural Resources Conservation Service's Regional Conservation Partnership Program. The group's goal is to eradicate Russian thistle in a 97,000 acre zone called the Direct-Seed Preservation/Thistle Reduction Area. He said, if successful, the grant will require a \$7,000,000 match and the group has garnered enough cash and in-kind support from public and private entities.

Mr. O'Brien said the Road Department fully supports what the group is attempting to do and his department is going to be looking for more money this year for chemicals to do a better job on weed control along County roads. The group is not looking for a big contribution from the Road Department, just that we do a good job managing weeds, and we're all working toward the same goal, he added.

Mr. Wuest provided a summary of the Russian thistle problem, from a scientific perspective, and answered questions.

After additional discussion and clarification as to what is being asked of the County at this point, the Board agreed to draft a letter stating they generally support the project. Ms. Rietmann explained the current weed-control efforts by the County are not enough to meet the goal of eradication of Russian thistle so the County will need to do more. If the County finds additional resources for funding, our group is asking that those funds be spent on this project, she said.

**Break:** 10:43 a.m.                      **Resume:** 10:52 a.m.

### **Park Host Contracts**

Greg Close, Parks General Manager

*Commissioner Doherty moved to approve the following Park Host Contracts:*

1. *OHV Park Host – Mike Todd, May 8-November 13, 2017, \$60 per day, total amount \$9,500*
2. *OHV Park, Assistant to Park Host – Terry Todd, May 8-November 13, 2017, \$35 per day, total amount approximately \$2,000*
3. *Anson Wright Park Host, Part-Time – Robert Allen, May 8-November 13, 2017, \$35 per day, total amount \$1,269*
4. *Cutsforth Park Host – Sandra McDonald, May 8-November 13, 2017, \$45 per day, total amount \$7,000.*

*Commissioner Russell seconded. Unanimous approval.*

### **Grazing Permit Agreements for areas of the OHV Park in both Morrow and Grant Counties**

Greg Close, Parks General Manager

Burke O'Brien, Public Works Director

Mr. Close explained the Permittees (Horseshoe Hereford Ranch Inc. & Triangle Ranches) have held these permits for years and have always done a good job, especially checking fences and springs and monitoring grasses. Chair Lindsay asked how the dollar amount is determined without knowing the number of cattle. Mr. O'Brien said the agreement with the former owner was for \$1.00 an acre but since then we've cut that back and the owner removed some ground as well. It came out to a good number, he said.

The Board requested several changes to the agreements:

1. Change the Agreement Payment date to read November 18, 2017
2. Change Section 8.3 to state Permittees shall not graze livestock on the Property which is not owned or leased by Grantor or Permittees
3. Section 9.1 – strike the first reference to "Permittee" and replace it with "Grantor"

In the discussion of the contract, Chair Lindsay asked why the dollar amounts differ in the two agreements. Mr. O'Brien explained there are fewer acres associated with the Grant County agreement. He went on to say the County wants to make sure the amount of the contract is enough to cover the property taxes in each County.

Commissioner Doherty said he looked into the Animal Unit Month (AUM) rate and according to Oregon State University Extension Agent, Larry Lutcher, it would be \$25 on the high end for good mountain pasture. Commissioner Doherty said these are unique lease agreements involving recreational land and the producers are asked to move cattle off of Park property and onto private ground at various times. He said he's comfortable with the contract as it stands.

*Commissioner Doherty moved to approve the following Grazing Permits and Agreements with the modifications noted:*

- 1. Horseshoe Hereford Ranch, Inc. & Triangle Ranches, Morrow County portion of OHV Park as outlined in Exhibit A, term to be April 6, 2017-November 1, 2021, annual payment to Morrow County of \$4,900*
- 2. Horseshoe Hereford Ranch, Inc. & Triangle Ranches, Grant County portion of OHV Park as outlined in Exhibit A, term to be April 6, 2017-November 1, 2021, annual payment to Morrow County of \$3,780*

*Commissioner Russell seconded. Unanimous approval.*

### **Purchase Pre-Authorization, 2007 Ford F-550, Road Department**

Matt Scrivner, Assistant Road Master

*Commissioner Russell moved to approve the Purchase Pre-Authorization Request from Public Works/Road Department for a 2007 Ford F-550 in the amount of \$11,000. Commissioner Doherty seconded. Unanimous approval.*

### **Review draft amended Bylaws of the Morrow County Parks Committee**

Burke O'Brien, Public Works Director

Kirsti Cason, Public Works Administrative Assistant

Greg Close, Parks General Manager

After review and discussion, the Board requested additional changes and asked Mr. Nelson to research quorum questions. Mr. Sorte said an updated draft will be presented to the Board in the near future. Once the Board is satisfied with the contents, the bylaws will be formally adopted by resolution, he said.

### **Funding Request – 12<sup>th</sup> Annual Youth Fishing Derby**

Kirsti Cason, Public Works Administrative Assistant

*Commissioner Doherty moved to approve a contribution of \$250 from the Court Discretionary Fund to the Youth Fishing Derby. Commissioner Russell seconded. Unanimous approval.*

### **Appointment Request to The Loop – Morrow County Transportation Advisory Committee**

Anita Pranger, Coordinator, The Loop

Ms. Pranger explained Dan Brosnan stepped down as a member representing Heppner and Seniors, and Leann Rea requested to be appointed to the remainder of his term.

*Commissioner Russell moved to appoint Lean Rea to The Loop – Morrow County Transportation Advisory Committee to fill the unexpired term of Dan Brosnan, which ends on December 31, 2017. Commissioner Doherty seconded. Unanimous approval.*

**Lunch break:** 11:45 a.m.

**Resumed:** 1:04 p.m.

### **2017-2018 Workers' Compensation Premium Rate**

Karen Wolff, Human Resources Director

Ms. Wolff informed the Board the Workers' Compensation premium will be less for the next fiscal year as employees and the Safety Committee continue to have a positive impact on the Experience Modifier used by SAIF. That Experience Modifier will be 0.81 for fiscal year 2017/2018 as compared to 0.86 for 2016/2017. The actual premium paid for 2016/2017 was \$86,822.

### **Reclassification Requests**

Karen Wolff, Human Resources Director

Mike Gorman, Assessor/Tax Collector

Sheree Smith, Public Health Director

Ms. Wolff described the reclassification process for the Board and the evaluation she performs when reclassification requests are received. She reviewed her recommendations, and the Board received input from the Department Heads involved.

#### Assessor's Office Deputy Assessor/Tax Collector

*Based upon the recommendation of the Human Resources Director, Commissioner Russell moved to approve reclassifying the Assessor's Office Deputy Assessor/Tax Collector to Pay Range 13. Commissioner Doherty seconded. Unanimous approval.*

#### Public Health Officer Manager, Billing Supervisor

*Based upon the recommendation of the Human Resources Director, Commissioner Russell moved to approve reclassifying the Public Health Office Manager, Billing Supervisor to Pay Range 10. Commissioner Doherty seconded. Unanimous approval.*

### **New Job Descriptions and Pay Ranges – Sheriff's Office**

Karen Wolff, Human Resources Director

Sheriff Ken Matlack

Ms. Wolff's summary stated the Board of Commissioners authorized the Sheriff's Office restructure/reorganization request on March 15<sup>th</sup>, and the next step in the process is to consider the request for new Job Descriptions and Pay Ranges. The Board can accept, deny or request modifications, she said.

Chair Lindsay asked if the job descriptions are changing due to the reorganization. Sheriff Matlack said yes. Commissioner Russell said when the idea was presented on March 15<sup>th</sup>, he said to the Sheriff he can organize how he sees fit, but it's up to the Board of Commissioners to monitor the financial impact. At that time Sheriff Matlack said he could absorb the cost this year, said Commissioner Russell, but until we see the County budget in its entirety, we can't guarantee any increase for next year. He asked Sheriff Matlack if that was still his understanding. Again, Sheriff Matlack said yes. Sheriff Matlack added there will be incentives in the next budget to pay for the restructure and he will present those at the Budget Hearings in April.

Commissioner Doherty said to be clear, the restructure is great, but if the reclassifications and new pay ranges are approved, and one month later there's not money in the budget, will the reclassifications and the restructure be rolled back. Ms. Wolff said at that point the Sheriff would have a decision to make – layoff staff or restructure again, but the new job descriptions and pay ranges could not be rolled back. Sheriff Matlack said if it gets to the point of being a money issue, the best thing to do is let him know he has to cut back and he will look at the overall picture to see what he can do without. He also said he would do whatever he had to do to keep it in line. Commissioner Russell said there is room for adjustments within the Sheriff's Office budgets and the Sheriff does have options, such as cutting over time.

Sheriff Matlack said in an effort to make the Board more comfortable, he would like to provide some background information. He said the County Court previously approved the creation of a Traffic Safety position and that position has created a substantial amount of money in fines. In the six months that Patrol Deputy has been doing Traffic Safety, he's generated enough to pay for his position.

Commissioner Doherty asked again if the Sheriff would be comfortable with the Board approving the reclassifications but in a month possibly not being able to "sign-off" on any additional funds. Sheriff Matlack said yes, he'd do what he'd have to do. He said he believed the County is in a better growth position and he anticipated things getting better for the County and for the Sheriff's Office.

After questions from the Board about which positions would be eligible for overtime in the reorganization, Ms. Wolff provided the following breakdown but noted two Patrol Sergeants not in the reorganization also qualify for overtime:

- |                              |                           |
|------------------------------|---------------------------|
| 1. Operations Lieutenant     | Not eligible for overtime |
| 2. Corrections Lieutenant    | Not eligible for overtime |
| 3. Communications Lieutenant | Not eligible for overtime |
| 4. Administrative Lieutenant | Not eligible for overtime |
| 5. Criminal Sergeant         | Eligible for overtime     |
| 6. Communications Sergeant   | Eligible for overtime     |
| 7. Civil Sergeant            | Eligible for overtime     |

Chair Lindsay asked if the Sheriff's Office had no future FTE requests, would the reorganization still function without that tier not eligible for overtime. Sheriff Matlack answered it might but there are some things still not determined, such as a new School Resource Officer position funded by the Morrow County School District and Morrow County, and trying to come up with a plan to cover the County 24 hours a day/seven days a week.

Chair Lindsay said she had nothing but respect for the Sheriff and what he is attempting to do, but it's hard to see the "big picture" when information is presented one piece at a time. She said the reorganization involves nine people who will all receive increases and just one of those is for \$10,000. She said there is still the potential for overtime and perhaps this should have been a Work Session topic with final FTE information and final budget information presented. How do we get from point A to point B and not feel so confused, she asked.

Sheriff Matlack said he is trying to get data from the Justice Court. The Board will be more comfortable that the revenue is there once they see the Traffic Safety position has already paid for itself, he said.

*Based upon the recommendation of the Human Resources Director and the Sheriff, Commissioner Russell moved to approve the following Sheriff's Office Job Descriptions and Nonrepresented Pay Ranges to be effective April 24, 2017:*

- |                                     |   |
|-------------------------------------|---|
| 1. <i>Operations Lieutenant</i>     | <i>Pay Range 23</i>                     |
| 2. <i>Corrections Lieutenant</i>    | <i>Pay Range 22</i>                     |
| 3. <i>Communications Lieutenant</i> | <i>Pay Range 21</i>                     |
| 4. <i>Administrative Lieutenant</i> | <i>Pay Range 18</i>                     |
| 5. <i>Criminal Sergeant</i>         | <i>Pay Range 21 (remove from Union)</i> |
| 6. <i>Communications Sergeant</i>   | <i>Pay Range 18</i>                     |
| 7. <i>Civil Sergeant</i>            | <i>Pay Range 16 (remove from Union)</i> |

*Commissioner Doherty seconded. Unanimous approval.*

### **Pre-Budget Staffing Review**

Karen Wolff, Human Resources Director

Kate Knop, Finance Director

The following information from Human Resources and Finance shows costs associated with the two reclassification requests, four requests to increase the hours for current positions, and four requests for new positions. In the subsequent paragraph, the amounts for the first six positions (Deputy Assessor – Justice Court Clerk) reflect the increase to salary and benefits only, while the amounts listed for the four new positions in the Sheriff's Office show annual salary including benefits.

#### Two Reclassification Requests:

Deputy Assessor/Tax Collector	\$5,715
Public Health Office Manager/Billing Supervisor	<u>\$5,123</u>
<b>Reclassification Requests Total Increase:</b>	<b>\$10,838</b>

Four requests to increase the hours for current positions:

General Maintenance Assistant, currently half-time, request to make full-time	\$56,678
Public Works Office Clerk, currently half-time, request to make full-time	\$51,198
Public Health Registered Nurse/Community Health Educator, currently 0.6 FTE, request to make full-time	\$37,172
Justice Court Clerk I, currently 0.8 FTE, request to make full-time	\$13,625

Four requests for new positions:

New Position: Sheriff's Office Criminal Deputy	\$76,482
New Position: Sheriff's Office Patrol Deputy	\$76,482
New Position: Sheriff's Office Traffic Safety/Enforcement Deputy	\$76,482
New Position: Sheriff's Office School Resource Deputy	<u>\$76,482</u>
<b>Total for increased positions and new positions:</b>	<b>\$467,621</b>

Ms. Wolff said the information is provided to the Board in advance of Budget Hearings, where the requests will be considered by the Budget Committee. Chair Lindsay then asked that all budget materials be provided to the Board next year on a much earlier time frame to allow adequate time for review and analysis. Ms. Knop said the goal next year is to no longer tie the deadline for materials to the Budget Hearings date. Mr. Sorte added the Board and staff will meet sometime in the late summer or early fall to discuss the Board's long range vision and start incorporating it into the budgeting process at that time.

**Fee Comparison Analysis**

Jerry Sorte, Administrative Officer

Mr. Sorte said in late 2016 the County Court at the time requested a fee comparison between Morrow, Umatilla and Grant Counties. He said not all departments responded to the request, but he decided to present the information submitted to date and will return in the near future with the information from all departments.

**Department Reports**

Sheriff's Office and Emergency Management

Sheriff Ken Matlack

Sheriff Matlack reviewed the Emergency Management report and then asked the Board how often the Undersheriff should provide updates as his schedule is very full. After discussion, the Board requested quarterly updates from the Emergency Management Department (Undersheriff) and monthly updates from the Sheriff's Office. The Board discussed two options if neither the Sheriff nor the Undersheriff is available - send an alternate to provide the report, or provide the written report only. Sheriff Matlack said the report schedule for his office can remain on a Heppner BOC meeting day (currently the first Wednesday of each month).

Administrative Officer Report

Jerry Sorte, Administrative Officer

Excerpted from Mr. Sorte's report:



“During the past month, my efforts have been devoted to project work; holding budget preparation meetings with the Finance Director and staff; project meetings with Department Heads; Board of Commissioners meeting preparation, attendance, and follow-up, and a host of day-to-day administrative tasks. I supervise 10 employees and devote time each week to supervisory duties. I attended the Annual CEO Forum for the Boardman Community Development Association on March 23<sup>rd</sup>, a training seminar on March 28<sup>th</sup>, and the Willow Creek Valley Economic Development Group meeting on March 29<sup>th</sup>.

My objectives have been to ensure that County operations comply with the Board of Commissioners policies and all applicable state statutes. I have also worked with staff to define and streamline administrative processes. This will be an ongoing effort with the desired outcome of a more efficient administrative system. Our staff are working at full capacity, and it will be essential that we find efficiencies wherever possible.

Staff continues to add content to the new Morrow County website: [www.co.morrow.or.us](http://www.co.morrow.or.us). This has been a tool to distribute information to the public as well as to increase the transparency of our organization. Current job openings are posted to the website, as are requests for bids and proposals.

Board of Commissioners office staff are in the process of finalizing a schedule with Department Heads and Elected Officials for department updates. The Board should expect to see written department reports included in the Board’s meeting packets; in addition to brief department presentations at the Wednesday Board meetings.

Please find the following list of primary projects with which I am currently engaged or plan to start in the relatively near future:

- Fiscal Year 2017-2018 budget preparation...
- North Morrow County facility planning...
- Ordinance regarding road right-of-way permits...
- Rodeo Committee organizational structure...

Projects that are upcoming include:

- Financial Policies Update...
- Sister County discussion with Benton County...
- Morrow County Code Update...
- County smoking policy draft...”

### Treasurer’s Monthly Report

Gayle Gutierrez, Treasurer

The report generated by Ms. Gutierrez included a Pooled Cash Report which showed the cash amount in each fund; a listing of interest rates: Local Government Investment Pool 1.30% and Bank of Eastern Oregon 0.05%; and outstanding checks as of February 2, 2017: \$71,191.90. Ms. Gutierrez fielded a variety of questions from the Board as they continue to come to an understanding of the County’s financial processes.

Ms. Gutierrez asked the Board about the recent Compensation Board meeting and if anything would be done about what she said are salary inequities of three of the Elected Officials – Bobbi Childers, Clerk; Ann Spicer, Justice of the Peace; and herself. She said she'd like to see something along the lines of longevity increases. Commissioner Russell said he would reply in the same way two of those three Elected Officials have to him in the past, "You knew what the job paid when you ran, why do you want more now?" Ms. Gutierrez said the Compensation Board asked that same question of Justin Nelson regarding his request to increase the County stipend as District Attorney and he received it.

At this point, discussion centered on the information that was taken into consideration by the Compensation Board - pay of other Elected Officials and the number of employees supervised, and pay of non-elected Department Heads, for example. Ms. Gutierrez then said she's to the point of thinking the salary difference between the three Elected Officials she cited and Mike Gorman (elected Assessor/Tax Collector) is due to the fact they are all female. Chair Lindsay said her thought process was based on a lot of things but it was not whether you're male or female; Commissioner Russell echoed those same sentiments.

Clerk Bobbi Childers brought up the longevity issue and said the comparison information seen by the Compensation Board for the Wasco County Clerk wasn't correct because that position does include longevity. The pay for Wasco County's new Clerk dropped \$20,000 from the previous Clerk, she said. She also said she agreed with Ms. Gutierrez that longevity should be considered for Elected Officials here. Commissioner Russell asked if that same reasoning should be applied to a Commissioner who has served longer than another Commissioner, to which she replied it should because they've been in their position longer and elected positions are not "for sure jobs" whereas management positions are. Commissioner Russell disagreed saying as an Elected Official he is guaranteed four years and management positions have no guarantees whatsoever. Ms. Childers said longevity payments are an incentive to stay and concluded by saying when she performed juvenile court duties her wage did not change. Additional discussion.

Ms. Gutierrez once again asked if the Board planned to consider anything for the Elected Officials she mentioned. Chair Lindsay said she gave her answer, the information was presented to the Compensation Board. Chair Lindsay said she reviewed it as did the members of the Compensation Board. Ms. Gutierrez noted the Commissioners have the option of accepting, altering or rejecting the Compensation Board's recommendations. Chair Lindsay said she is still considering the recommendations. Discussion. Ms. Gutierrez commented she would be back next year with the same question.

### **Correspondence**

- Email from the Boardman to Hemingway Project Team to Cooperating Agencies informing them of an anticipated Record of Decision release schedule of mid to late April.

## **Commissioner Reports**

- Commissioner Russell said he attended the Public Health Local Community Advisory Council meeting; the Morrow County Citizens Economic Development Task Force (MCCEDTF) meeting; and the Eastern Oregon Counties Association meeting via telephone; spoke with Liz Fuller, President of Gard Communications, a public relations firm, concerning the status of the CAFO (confined animal feeding operation) permit for Lost Valley Farm; and toured Threemile Canyon Farms and Dairy with a journalist from Northwest Public Radio based in the Tri-Cities.
- Commissioner Doherty also participated in the Eastern Oregon Counties Association meeting via phone; met with a researcher from Oregon State University who is embarking on a four-year study of our local economy as it relates to water; and worked with Greg Wolf, Association of Oregon Counties, Director of Oregon County Solutions, on water-related matters that impact Morrow County.
- Chair Lindsay attended the CEO Forum in Boardman; and the MCCEDTF meeting where she presented a proposal to encourage the communities in the County to take advantage of the services offered by the LPSCC (Local Public Safety Coordinating Council) Coordinator shared with Umatilla County. She said housing issues in both north and south County were also a main topic of discussion at the MCCEDTF meeting.

**Adjourned:** 4:08 p.m.