

**Morrow County Board of Commissioners Meeting Minutes**  
**July 25, 2018**  
**Bartholomew Building Upper Conference Room**  
**Heppner, Oregon**

**Present**

Chair Don Russell  
Commissioner Jim Doherty  
Commissioner Melissa Lindsay  
Darrell Green, Administrator  
Justin Nelson, County Counsel  
Roberta Lutcher, Executive Assistant

**Call to Order and Pledge of Allegiance:** 9:01 a.m.

**Open Agenda:** It was decided to move the afternoon Work Session from 2:00 to 3:00 so the Commissioners could attend the 2:00 Forest Service briefing on the Wilson Prairie Fire.

**City and Citizen Comments:** Heppner resident and business owner, John Murray, asked if meetings to hear public comment on north County facility planning could be held at a time the working public could attend, such as in the evening. The Commissioners commented meetings are planned for both north and south County, and will take place at varying times. Chair Russell added the Commissioners will be making a presentation at the August 2<sup>nd</sup> Heppner Chamber of Commerce Meeting regarding the status of facility planning in Irrigon and Boardman, as well as other County-related matters.

**Consent Calendar**

Commissioner Lindsay requested to move the three Purchase Pre-Authorization Requests to Business Items.

*Commissioner Lindsay moved to approve the following Consent Calendar items:*

- 1. Accounts Payable dated July 26<sup>th</sup> in the amount of \$566,338.11; July One-Time Retirement Taxes dated July 18<sup>th</sup> in the amount of \$15,000; Fair 4-H Presentations & Ground Beef Contest Judges Manual Checks dated July 18<sup>th</sup> in the amount of \$400; 2018 Q2 SUTA/WBF Quarterly Payment dated July 19<sup>th</sup> in the amount of \$21,060.93; Six Payroll Payables: Monthlies dated June 27<sup>th</sup> in the amount of \$181,670.58; Immediates & Electronic dated July 5<sup>th</sup> in the amount of \$157,860.52; Immediates & Electronic, HRA/VEBA dated July 5<sup>th</sup> in the amount of \$2,750; Immediates & Electronic, Employee Final, dated July 9<sup>th</sup> in the amount of \$8,248.15; Immediates & Electronic, Employee Paycheck, dated July 13<sup>th</sup> in the amount of \$14.08; Immediates & Electronic dated July 18<sup>th</sup> in the amount of \$158,004.68*
- 2. Minutes: June 27<sup>th</sup>; July 11<sup>th</sup>; July 18<sup>th</sup>*
- 3. Clerk's Office Replacement Vote Tally Machine Sales Order Agreement in the amount of \$74,606, and authorize Chair Russell to sign on behalf of the County*

4. *Order No. OR-2018-8: In the Matter of Designating an Official Newspaper for Publication of County Public Notices – Heppner Gazette Times for facsimile ballots; real property tax foreclosure lists; and service of warrants by publication. In addition, the Heppner Gazette Times and East Oregonian are recognized as newspapers of general circulation in Morrow County*
5. *Resolution No. R-2018-17: In the Matter of Amending the Bylaws of the Morrow County Parks Committee in the 2010-2030 Morrow County Parks Master Plan; correcting a scrivener’s error in Resolution No. R-2017-8*

*Commissioner Doherty seconded. Unanimous approval.*

### **Business Items**

Purchase Pre-Authorization Request from Public Works – Bobcat Asphalt Planer

Purchase Pre-Authorization Request from Public Works – Bobcat 108” Grader Attachment

Purchase Pre-Authorization Request from Parks – John Deere Multi-Use Tractor

Matt Scrivner, Public Works Director

Mr. Scrivner reviewed the Agenda Item Coversheet and documentation for each request.

*Commissioner Lindsay moved to approve the Purchase Pre-Authorization Request from Public Works for a Bobcat 24” Asphalt Planer in the amount of \$14,019, and authorize Chair Russell to sign on behalf of the County. Commissioner Doherty seconded. Unanimous approval.*

*Commissioner Lindsay moved to approve the Purchase Pre-Authorization Request from Public Works for a Bobcat 108” Grader Attachment in the amount of \$11,517.08, and authorize Chair Russell to sign on behalf of the County. Commissioner Doherty seconded. Unanimous approval.*

*Commissioner Lindsay moved to approve the Purchase Pre-Authorization Request from Parks for a John Deere 3033R Multi-Use Tractor in the amount of \$30,011.22, and authorize Chair Russell to sign on behalf of the County. Commissioner Doherty seconded. Unanimous approval.*

### Oregon Equal Pay Law

Darrell Green, Administrator

Mr. Green explained the Equal Pay Law becomes effective January 1, 2019. He said Umatilla County engaged HR Answers, Inc. to conduct a compensation survey to assist them with compliance with the new law. He then asked for discussion as to the merits of Morrow County doing the same. The Board agreed to discuss this in more detail at a Work Session after a new Human Resources Director or Manager is hired.

### Payment in Lieu of Taxes (PILT) Class Action Lawsuit

Commissioner Doherty

The lawsuit seeks to recover monies the U.S. Court of Federal Claims determined the Federal government owes each Class Member due to underpayment in fiscal years 2015, 2016 and/or 2017. (A Class Member means all units of local government that received PILT payments during those years.) Commissioner Doherty said Morrow County was underpaid approximately

\$10,000 and the legal cost to participate would be around \$3,000; an amount much lower than litigating ourselves. He said this judgement will hold the Federal government's "feet to the fire" to pay what they were originally required.

*Commissioner Doherty moved to approve joining the Class Action Lawsuit and completing the Class Action Opt-In Notice Form, authorizing Chair Russell to sign on behalf of the County. Commissioner Lindsay seconded. Unanimous approval.*

#### Award Asphalt and Tack Oil Bid

Matt Scrivner, Public Works Director

Mr. Scrivner said of the two bids received, Granite Construction Company, Hermiston, was substantially lower. However, the prices quoted are good through October 31<sup>st</sup> only. He said if the Board accepts Granite's bid, he will issue a new Request for Proposals in the spring. The County should take advantage of this kind of savings, concluded Mr. Scrivner.

*Commissioner Doherty moved to award the Asphalt bid of \$46 per ton; and Tack Oil bid of \$550 per ton to Granite Construction Company, and authorize Chair Russell to sign the Material Quotation on behalf of the County. Commissioner Lindsay seconded. Unanimous approval.*

### **Department Reports**

#### Road Department Monthly Report

Mr. Scrivner reviewed the report of activity and permits issued for July. After discussing the soon-to-be-completed improvements at the Lexington Airport, the Board agreed to hold a site visit next Wednesday at 8:00 a.m.

Mr. Scrivner also provided an update on the Wilson Prairie Fire. He said it's at 700 acres, 50 of which are on OHV property, but the wind shifted and it's been pushed south.

#### Clerk's Quarterly Report

The Board reviewed Clerk Bobbi Childers' report in her absence. They discussed the amount Ms. Childers reported her office has sent to the State since 2009 for the Housing Alliance Tax - \$294,520. Her report said this fee for document recording was recently increased by the legislature from \$20 to \$60.

#### Human Resources Quarterly Report

Darrell Green, Administrator/Interim HR Director

Mr. Green reviewed his report.

#### Surveyor's Quarterly Report

Stephen Haddock, County Surveyor

Mr. Haddock reviewed his report. He was given permission to proceed with an informational pamphlet he created on the importance of property corner markers. It will be available at several County offices and posted to the website, he explained.

**Break:** 10:26 a.m.    **Resumed:** 10:37 a.m.

### **Business Items, continued**

#### Introduction of the new Forest Supervisor for the Umatilla National Forest

Eric Watrud, Forest Supervisor, UNF

Brandon Houck, Heppner District Ranger, UNF

Darcy Weseman, Public Affairs Officer, UNF

As both Mr. Watrud and Mr. Houck are newly assigned to their current positions, both took the opportunity to introduce themselves and relay information about their professional backgrounds. Commissioner Doherty brought up the Ellis Integrated Vegetation Project, which according to the Forest Service website is a project encompassing an area approximately 15 miles south east of Heppner and seven miles west of Ukiah, that proposes to increase forest resiliency to wildfire and insect/disease infestations to provide wood products. He said he plans to stay engaged and Mr. Houck offered to meet individually with Commissioner Doherty. Commissioner Lindsay said there is growing concern about potential road closures and asked if there will be opportunities for public input. Mr. Houck said the Forest Service will definitely seek public input but this is still in the early stages and no decisions have been made. He added this is a heavily “roaded” district and there are competing demands for the budget. Mr. Watrud outlined the various timelines associated with the project, particularly those that allow for comment and input. At the conclusion of the discussion, Mr. Watrud and Mr. Houck thanked the Commissioners for their time today.

### **Department Reports, continued**

#### Public Health Department Quarterly Report

Sheree Smith, Public Health Director

Ms. Smith reviewed her report.

#### District Attorney Update

Justin Nelson, District Attorney/County Counsel

Mr. Nelson informed the Board that Umatilla County filed affidavits against Sixth District Circuit Court Judge Eva Temple, who serves both Morrow and Umatilla County. The Umatilla County District Attorney is seeking to block her from presiding over new criminal cases, according to the *East Oregonian*. Mr. Nelson said his concern is that it could impact the rotation of judges to Morrow County, especially if a decision is made to assign her solely to Morrow County.

### **Commissioner Reports**

- Commissioner Doherty referred to the previous discussion with the Forest Service representatives and said his concern is road closures are not showing up strictly under the heading of “Road Closures” but instead show up in other areas such as “Hunting Opportunities” or “Wildlife Mitigation.” Commissioner Doherty went on to discuss his upcoming meeting schedule.

- Chair Russell reported on the recent Columbia Development Authority meeting. He said the hope was the deed to transfer the depot property would come through in September, but that timeline now may have been pushed back significantly.
- Commissioner Lindsay provided an update on the Pacific Northwest Economic Region Summit she attended. She said she learned a great deal at the Summit but felt Oregon was not well represented, especially so for the presentations regarding water policy and planning related to the Columbia River.

**11:58 a.m. Executive Session:** Pursuant to ORS 192.660(2)(f) – To consider information or records that are exempt by law from public inspection

**12:07 p.m. Closed Executive Session:** No decisions

**12:07 p.m. Executive Session:** Pursuant to ORS 192.660(2)(d) – To conduct deliberations with persons designated by the governing body to carry on labor negotiations

**12:13 p.m. Closed Executive Session:** No decisions

**Adjourned:** 12:14 p.m.