

**Morrow County Board of Commissioners Meeting Minutes**  
**January 23, 2019**  
**Bartholomew Building**  
**Heppner, Oregon**

**Present**

Chair Jim Doherty  
Commissioner Don Russell  
Darrell Green, Administrator  
Kate Knop, Finance Director  
Justin Nelson, County Counsel

Karmen Carlson, Human Resources Director  
Roberta Lutcher, Executive Assistant  
**Excused**  
Commissioner Melissa Lindsay

**Call to Order & Pledge of Allegiance:** 9:00 a.m.

**City & Citizen Comments:** No comments

**Open Agenda:** Request for temporary employee in the Office of District Attorney.

**Consent Calendar**

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

- 1. Accounts Payable, January 24<sup>th</sup>, \$564,723.79; Payroll Payables – Monthlies, January 4<sup>th</sup>, \$192,919.72; Payroll Payables, Immediates & Electronic 4<sup>th</sup> Quarter SUTA/WBF, January 9<sup>th</sup>, \$7,164.46*
- 2. Oregon Military Department, Office of Emergency Management, Emergency Management Performance Grant CFDA #97.042, Morrow County, Grant No. 18-525, not to exceed amount \$52,542; effective July 1, 2018 – June 30, 2019; and authorize Chair Doherty to sign on behalf of the County*

*Chair Doherty seconded. Unanimous approval.*

**Business Items**

Request by District Attorney to amend Personnel Policy regarding vehicle use

Justin Nelson, D.A./County Counsel

The following excerpt from the November 28, 2018 minutes is provided as background for Mr. Nelson's current request:

“District Attorney Vehicle Replacement and Policy Change

Justin Nelson, District Attorney/County Counsel

Mr. Nelson's request encompassed several actions: a new vehicle and an amendment to existing Personnel Policies with respect to vehicle use. The amendment to policy consisted of the following (amended portion is underlined):

**SECTION 3.7 VEHICLE USE**

- B. No Personal Use of County Vehicles Required to be Used for Commuting – The Morrow County Board of Commissioners hereby requires all of the employees listed below to commute to and from work in the following County vehicles assigned to them:

1. Marked police vehicles assigned to sheriff deputies.
2. Unmarked law enforcement vehicles assigned to the sheriff, undersheriff and detectives, district attorney, and deputy district attorney (when acting as on-call counsel).

Mr. Nelson said the first question he would like resolved is whether the Board wants County Counsel to review Columbia River Enterprise Zone (CREZ) II Board agreements for the County. Extensive discussions took place on the history of legal counsel for CREZ, and the pros and cons of Morrow County Counsel reviewing CREZ agreements. At the core of Mr. Nelson's presentation was a request for additional compensation, in some form, if County Counsel takes on added duties to review CREZ agreements. It was discussed delaying a decision until after the next CREZ meeting (Monday, December 3<sup>rd</sup>) to ascertain that Board's willingness to contribute toward the costs incurred by the County when Morrow County Counsel reviews CREZ-related materials. Mr. Nelson said if the County decides not to have Morrow County Counsel review CREZ agreement, then it ends the discussion on the vehicle acquisition and Personnel Policy amendment.

*Commissioner Doherty moved to allow County Counsel to represent the County as CREZ Counsel. Chair Russell seconded. Additional discussion to clarify the motion. Commissioner Doherty called for the vote. Vote – Aye: Chair Russell, Commissioner Doherty. Nay: Commissioner Lindsay. Motion carried.*

Chair Russell asked what would compensation for that be (see above motion)?

*Commissioner Doherty moved to table the discussion of the vehicle and present the idea of County Counsel being allowed to represent the County to the CREZ Board for discussion to see if there's a level of compensation they're willing to reimburse the County. Chair Russell seconded. Discussion. Commissioner Doherty withdrew his motion." [End excerpt]*

Mr. Nelson said the CREZ Board opted to continue with outside counsel, so he decided to renew his request for a policy change. He said he planned to propose a replacement vehicle during the budget meetings, or wait for the Fleet Team to determine a possible vehicle rotation schedule.

The following were points of discussion:

- Finance Director Kate Knop brought up Internal Revenue Service Publication 15-B, Employer's Tax Guide to Fringe Benefits. She requested when a vehicle is sought out to be taken home, she have the determination from the IRS.
- Ms. Knop explained when the decision was made to allow the Commissioners to take County vehicles home, they signed a document stating it would be used for business purposes only; she encouraged the same in the case of the D.A. and Deputy D.A.
- From a safety standpoint, the vehicles used by the D.A. and Deputy D.A. need to be marked in some way, which is especially important when responding to crime scenes.

*Commissioner Russell moved to approve Resolution No. R-2019-2 – In the Matter of Amending the Morrow County Personnel Policies with Respect to Vehicle Use. Chair Doherty seconded. Discussion: Chair Doherty said he'd like Mr. Green to follow-up with Ms. Knop on the IRS 15-B publication and signing of a document relative to use of the vehicle. Unanimous approval.*

#### Request for Temporary Employee – Office of District Attorney

Mr. Nelson explained the request is for a temporary employee, up to six months, to fill-in for an employee on extended medical leave. Discussion.

*Commissioner Russell moved to allow Mr. Nelson to hire a temporary employee, three days a week for up to six months, either through a temporary employment agency or as a County hire, and to work with the Administrator and Human Resources Director to do so. Chair Doherty seconded. Chair Doherty requested a moment of silence for the employee on medical leave. Unanimous approval.*

#### Independent Financial Audit Report

Cameron Anderson, Barnett & Moro

Ms. Knop

The County's Financial Statements and Independent Auditors' report for fiscal year ending June 30, 2018 were finalized on January 4, 2019, according to Ms. Knop.

Mr. Anderson said the report reflects an unmodified opinion, which is good. However, it also showed a significant deficiency, noted as Finding 2018-1. Page 134 of the report states "A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance."

Finding 2018-1: "Good accounting controls require proper review of the bank reconciliation process. All bank and investment accounts appear to have been reconciled in a timely fashion, but not all account reconciliations were reviewed by a second party. We recommend that all bank and investment account reconciliations be reviewed in a timely fashion after the reconciliation process has occurred."

Mr. Anderson said when a significant deficiency is found, a Corrective Action Plan is required to be submitted to the Secretary of State. He said the recommended Corrective Action Plan, as stated in the report, is "Every month the bank and investment account reconciliations will be reviewed by an individual within management who did not prepare the reconciliation." Mr. Anderson said he understood these steps had been taken already, but the correspondence to the Secretary of State will come before the Board.

Commissioner Russell asked about the advisability of an Audit Committee.

Mr. Anderson replied it wouldn't hurt, and should consist of a few members from management and one commissioner. The committee would also meet with the auditor, he added. Brief discussion.

First Reading – ORD-2019-2, Columbia Mill Site Rezone

Carla McLane, Planning Director

Ms. McLane provided the First Reading by title: “An Ordinance Amending the Morrow County Comprehensive Plan taking an Exception to Goals 3, 11 and 14, changing the Comprehensive Plan designation from Agricultural to Industrial, and changing the Zoning Map from Resource Related Industrial to Port Industrial”

Re-appoint Road Committee Boardman Area Position

Sandi Pointer, Management Assistant, Public Works

Ms. Pointer said Kevin Kennedy would like to remain as the Boardman representative on the Committee and Public Works recommended the same.

*Commissioner Russell moved to appoint Kevin Kennedy to the Road Committee position representing the Boardman area, term to be January 23, 2019 – January 23, 2022. Chair Doherty seconded. Unanimous approval.*

Proposed Budget Calendar for Fiscal Year 2019-2020

Ms. Knop reviewed the budget calendar, noting Budget Committee Meetings will be held Tuesday, April 16<sup>th</sup>-Thursday, April 18<sup>th</sup>. It was decided Work Sessions will be held February 13<sup>th</sup> in Irrigon and March 6<sup>th</sup> in Heppner to allow Department Directors the option of a more in-depth review of their budgets.

Oregon Health Authority Agreement #154124, Amendment 8

Sheree Smith, Public Health Director

Ms. Smith said the amendment provides additional funding within the Public Health Emergency Preparedness Program in the amount of \$9,690.

*Commissioner Russell moved to approve the Eighth Amendment to Oregon Health Authority 2017-2019 Intergovernmental Agreement #154124 for the Financing of Public Health Services; award amount \$9,690; award period July 1, 2018 – June 30, 2019; and authorize Chair Doherty to sign on behalf of the County. Unanimous approval.*

**Department Reports**

Public Health Department Quarterly Report

Ms. Smith

Shelley Wight, Communicable Diseases/Emergency Preparedness/Medical Reserve Corps

Ms. Smith and Ms. Wight reviewed their respective reports. Ms. Smith took the opportunity to introduce Myla Kurtz as the new CARE Team Registered Nurse/Health Educator. She said the discussions regarding the smoke-free campus concept need to start again, now that Ms. Kurtz is on-board.

#### Road Department Monthly Report

Eric Imes, Assistant Road Master

Mr. Imes reviewed his report of activity for January. Commissioner Russell brought up the Vadata (Amazon) project near the Wilson Lane/Olson Road interchange. He said in talking with Ryan Neal, Port of Morrow Executive Director, as well as several Port Commissioners, he learned Amazon can move on this project fairly quickly but the documents have not gotten yet to the appropriate people to approve an access point. He said a meeting is scheduled in two days with Public Works Director Matt Scrivner and, if after that meeting Mr. Scrivner is satisfied with the outcome, the Port is asking that a temporary access point for 30 days be granted until the necessary documents are in place. Commissioner Russell asked Mr. Imes to convey the Port Commissions' message that this is a \$2 billion project and the Port competes regularly, nationally and internationally to get these projects in Morrow County. The Port Commission wanted to remind us the easier we can make it on them, the better the chance of landing future projects, said Commissioner Russell.

#### Weed Department Quarterly Report

Dave Pranger, Weed Coordinator/Inspector

Mr. Pranger reviewed his report for October-December 2018.

**Break:** 10:56 a.m.-11:05 a.m.

#### Clerk's Quarterly Report

The written report provided by Clerk Bobbi Childers was reviewed in her absence.

#### Surveyor's Quarterly Report

Stephen Haddock, County Surveyor

Mr. Haddock reviewed his report. A discussion took place on Mr. Haddock's concern that the County has been billed for surveys that haven't been officially recorded. Chair Doherty commented it should be looked into, and after additional discussion, it was decided a group consisting of Mr. Green, County Counsel, Mr. Scrivner and Commissioner Russell will meet and review the matter.

#### Human Resources Quarterly Report

Karmen Carlson, HR Director

Ms. Carlson reviewed her report. Regarding the February 12<sup>th</sup> meeting of the Compensation Board, where salaries of elected officials are reviewed, she asked the Commissioners if there was any specific information they'd like included in the packet. It was suggested the packet include the financial impact to the County for several Cost of Living Adjustment (COLA) options.

### **Correspondence**

- Email from Brandon Houck, Forest Service District Ranger, regarding the Federal government partial shutdown.
- Copies of Port of Morrow Resolutions accepting jurisdiction over several roads. The corresponding County Orders were OR-2019-3 through OR-2019-6.

### **Commissioner Reports**

- Commissioner Russell plans to attend the Special Districts Association of Oregon Annual Conference. He said longtime Port of Morrow Commissioner Larry Lindsay will be honored, as will retired Port General Manager Gary Neal.
- Chair Doherty said he attended Governor Brown's inaugural gala and also received a phone call from her yesterday. He said he will visit with her in the near future about issues of concern to eastern Oregon.

### **Signing of documents**

**Adjourned:** 12:35 p.m.