

**MORROW COUNTY BOARD OF COMMISSIONERS
BUSINESS MEETING AGENDA
Wednesday, October 18, 2017 at 7:30 a.m.
Port of Morrow Riverfront Center, Wells Springs Room
2 Marine Drive, Boardman, OR**

- 1. Call to Order and Pledge of Allegiance: 7:30 a.m.**
- 2. Open Agenda**
- 3. Adjournment**

Agendas are available every Friday on our website (www.co.morrow.or.us/boc under "Upcoming Events").

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Roberta Lutcher at (541) 676-5613.

This meeting is open to the public and interested citizens are invited to attend. Executive sessions are closed to the public; however, with few exceptions and under specific guidelines, are open to the media. If you have any questions, please contact Kim Cutsforth, Interim Administrative Officer at (541) 676-2529.

Morrow County Board of Commissioners Business Meeting Minutes
October 18, 2017
Port of Morrow Riverfront Center, Wells Springs Room
Boardman, Oregon

Present

Chair Melissa Lindsay
Commissioner Don Russell
Commissioner Jim Doherty
Kim Cutsforth, Interim Administrative Officer
Karen Wolff, Human Resources Director
Richard Tovey, County Counsel

Call to Order: 7:28 a.m.

Open Agenda

Discuss structure of the meeting: discussions will be of an informal nature; no decisions will be made; written minutes will be produced.

Topics discussed:

1. Human Resources/Finance Department re-organization – Moving Payroll and some employee benefits (to be determined) to Human Resources. This would involve Kate Knop, Finance Director; Ronda Fox, Finance Management Assistant; and Karen Wolff, Human Resources Director. Possible use of extra office on the lower level of the Bartholomew Building and use of the storage room adjoining the Finance Office. Further research required.
2. Retirement Program – Prioritize researching options to make changes to current program. The impact this would have on employee wages. Research changing to a 401 with shared contributions. Keeping existing employees grandfathered. Invite the Retirement Account Manager to assist the County with decision-making. This needs to be organized for a meeting this fall.
3. Surveyor Compensation Study – Review packet. Distributed information packet and asked the Board to review, contact with questions. A time for a BOC meeting will be scheduled to discuss and determine a course of action.
4. Facilities Plan – A short discussion regarding how to proceed with the selection of a company to begin a north end facility plan.
5. Discussed establishing a BOC and Department Head liaison system. Further research is necessary.
6. Discussed Leadership Training with Rabiner Resources.

Adjourned: 8:44 a.m.



Human Resources

P.O. Box 788 • Heppner OR 97836
(541) 676-5620

Karen Wolff
Human Resources Director
kwolff@co.morrow.or.us

TO: Morrow County Commissioners
FROM: Karen Wolff, Human Resources Director
DATE: October 17, 2017
RE: Surveyor Compensation

A handwritten signature in cursive script that reads "Karen Wolff".

Over the last several months several individuals have been involved in various discussions regarding the compensation of the County Surveyor.

Specifically, is the method of compensation correct? Independent contractor vs. employee.

Following this memo are many documents as background information for a future discussion. I would like to bring this subject to the Commissioners on October 25, 2017 for discussion and hopefully a decision.

As I was researching this topic, it seemed that one answer lead to many more questions. In support of the research/answers/questions, I have provided the documents that I have referenced and/or created. I apologize for the size of the packet of information, but I thought it would be best to provide as much information up front as possible to hopefully facilitate an effective discussion next week.

Surveyor Compensation Documents

Exhibit A – My Executive Summary to Interim Administrator, Kim Cutsforth.

Exhibit B – My rough draft document prepared for the Commissioners in July.

Exhibit C – Memo from Finance Director, Kate Knop.

Exhibit D – Summary of Surveyor compensation.

Exhibit E – Portions of the Morrow County Fee Schedule.

Exhibit F – Current Surveyor's budget.

Exhibit G – Current Monumentation budget.

Exhibit H – Report provided by Finance of all payments made to Stephen Haddock, dba Witness Tree Surveying since 8/2013. I have marked payments that are Fees, payments that are Monumentation,

Exhibit I – Documents from the 2017 Compensation Board book relating to the Surveyor, including a summary of time expenditures.

Exhibit J – Letter from Steve Haddock to the County Court that was reviewed by the 2016 Compensation Board.

Exhibit K – Report provided by Finance listing payments to Steve Haddock and the checks/invoices supporting these payments. The intent of this is to show the method that has been used to submit for payment.

Exhibit L – Spreadsheet prepared by Commissioner Lindsay in September 2017 summarizing her research into how other counties compensate their Surveyors.

Exhibit M - Spreadsheet prepared by Karen Wolff in April 2017 summarizing her research into how other counties compensate their Surveyors.

Exhibit N – Minutes from Compensation Board meetings and County Court/Commissioner meetings regarding Surveyor compensation.

Exhibit O – Page 7 from IRS Pub 5138 regarding Fee Based Officials. This is what started it all.

Exhibit P – IRS web pages regarding whether a person is an Independent Contractor or and Employee. These pages were originally provided by Steve Haddock, however, his copies were very light so I printed new pages. The format is a little different from what was provided by Steve, but I believe the information is basically the same.

Human Resources



P.O. Box 788 • Heppner OR 97836
(541) 676-5620

Karen Wolff
Human Resources Director
kwolff@co.morrow.or.us

TO: Kim Cutsforth, Interim County Administrator
FROM: Karen Wolff, Human Resources Director
DATE: September 28, 2017
RE: Surveyor Compensation – Executive Summary

The discussion of the Surveyor Compensation has turned out to be much more involved than I expected. There have been many more twists and turns in my research than I originally anticipated. One question is answered, but that also leads to several additional questions.

Attached to this memo is a draft memo that I prepared at the end of July for presentation to the Board of Commissioners the first part of August. For a number of reasons the subject was pulled from the agenda and has not been presented to the Commissioners yet. This memo provides a pretty simple summary of how we have arrived at this point. Below I will address the highlighted areas of the memo.

The simple question is: Is the Elected Surveyor to be paid as a Fee-Based Official or as our other Elected Officials, which is basically the same as an employee?

County Counsel provided an opinion on July 27, 2017.

The Morrow County Surveyor is an elected official. The fixed payment to the Morrow County Surveyor is currently \$36,000. The County Surveyor also may collect fees for services rendered. If the fixed amount paid to the Morrow County Surveyor becomes the principle source of compensation for that position then the Morrow County Surveyor may not be classified as a fee basis official. The Morrow County Surveyor would be classified as an employee and subject to IRS requirements.

I then asked Counsel if we could extend a Professional Services contract to a Fee-Based Surveyor for Professional Surveyor services. County Counsel deferred to Labor Counsel on this question.

Labor Counsel's opinion reads:

I have reviewed the email and attachments you provided me with respect to the surveyors compensation. The surveyor is a fee based Elected Official. As such, he may retain the fees he actually collects. He may also be provided with a Professional Services Agreement with additional compensation paid for by the County. This is one of the three options set forth by your Finance Director. In my opinion, this meets the intent of the statute ORS 204.116 as long as the amount in his Professional Services Agreement does not exceed his fees.)

The County Auditor, Cameron Anderson, was asked to provide an opinion as well:
After reviewing Pub 5138, I would lean towards agreeing with you. I think it is pretty clear from the publication, and publication 963 as well, that since he is receiving a fixed amount each month, those funds are a salary subject to all employment taxes.

As far as retirement and insurance, you would want to consult with those entities who are responsible for eligibility.

The question that I put to Mr. Anderson that he references in his response is:
Based on this Publication, I believe that we need to treat the Surveyor as an employee, pay a wage, withhold taxes, etc. That also probably means we need to offer retirement and health insurance.

Now, the question that needs to be answered is: How do we want to move forward?

- Take no action and continue to pay the Surveyor in the same manner as last year. This could result in IRS penalties.
- Continue to classify the Surveyor as a Fee-Based Official and allow him to collect fees. Along with this, offer a Professional Services contract for Professional Surveyor services in the amount of \$36,000.
- Classify the Surveyor as an employee, the same as our other Elected Officials. Pay his \$36,000 as a wage, with withholdings and retirement and possibly health insurance benefits.
- Reconvene the Compensation Board to review the situation and to make a recommendation to the Commissioners.
- Commissioners make a decision, then reconvene the Budget Committee to review the decision of the Commissioners and accept, reject or modify the Commissioner's decision.
- Something else.

There is a great deal of background information, emails and data that I have compiled in my research on this subject. I am happy to review this information with you at your convenience.

As always, I am available to answer any questions that you may have regarding this subject.

.....
10/10/2017

I spoke with Rich Tovey, County Counsel regarding the necessary process if the Commissioners choose to change the Surveyor's compensation. Do we need to reconvene the Compensation Board and then the Budget Committee? May we take the recommendation straight to the Budget Committee? Mr. Tovey said we could take it straight to the Budget Committee. I would recommend that we advise the Compensation Board that this item will be on the Commissioner's agenda and the Budget Committee agenda and invite their input if they so choose.



Human Resources

P.O. Box 788 • Heppner OR 97836
(541) 676-5620

Karen Wolff
Human Resources Director
kwolff@co.morrow.or.us

To: Morrow County Board of Commissioners
From: Karen Wolff, Human Resources Director
Date: July 28, 2017
Re: Morrow County Surveyor Compensation

The Morrow County Compensation Board met this year and made a recommendation for compensation for all Elected Officials, including the Surveyor. This recommendation was to continue to pay the Surveyor an amount of \$36,000 per year, beyond any fees collected. This is the same amount that was paid to the surveyor in FY 16-17. This amount of compensation began 7/1/2016.

This recommendation was reviewed by the Board of Commissioners and by the Budget Committee and was included in the final budget.

After the Budget Hearings, while researching a different subject in IRS Publication 5138, I found a section on compensation of Elected Officials. It was at that time that I questioned whether we were handling the compensation of our Surveyor correctly. It appeared to me, based on information in the IRS Publication, we would need to begin treating the Surveyor compensation as employee wages rather than a stipend, therefore requiring Withholdings and possibly benefits.

I have met with Steve Haddock, County Surveyor; Kate Knop, Finance Director; Jerry Sorte, Administrative Officer; and Rich Tovey, Deputy DA and County Counsel. Attached with this memo is the memo that I prepared for discussion with Kate and Steve. This memo outlines more of the details of the IRS rules and ORSs.

Recently, Rich has provided an opinion of the situation and a conclusion. This memo is also attached. His opinion is that the compensation changes the status to that of an employee.

When I met with Steve Haddock, he stated that he did not want to be considered an employee. He said he would prefer to be an independent contractor. I asked if he would consider being a Fee Based Official with a separate Professional Services contract. He said he would, because that is kind of how he operates now. He submits an invoice each quarter for \$9,000.

Counsel response to Professional Services

Auditor response

Based on this information, the question I put to the Commissioners is:
How do you want to proceed to a resolution?

What resolution would be your preference? Employee?

If directed by the Commissioners, I could convene the Compensation Board again to specifically review the Surveyor compensation. This could be a conference call. From this meeting, we could ask for a revised recommendation.

The compensation of an Elected Official may not be changed without first being reviewed by the Budget Committee. This will require a special meeting of the Budget Committee. I believe our Finance Director would be agreeable to a special Budget Committee meeting, which might include other topics as well.



Finance Department

P.O. Box 867 • Heppner OR 97836
(541) 676-5615

Kate Knop
Finance Director
kknop@co.morrow.or.us

TO: Board of Commissioners

FROM: Kate Knop, Finance Director *UK*

DATE: October 18, 2017

RE: Surveyor Compensation & Classification

The question of whether the Surveyor is an employee or an independent contractor has important tax consequences. If he or she is classified as an employee, the County has liability to pay and withhold Federal Income tax, and Medicare tax. If he or she is classified as an independent contractor, no withholding is required.

The following information will provide the definition on “Compensation” and “Classification” and note current practice.

Compensation. The majority of Morrow County’s Elected Officials are treated as employees for income tax purposes under the section 3401(c) provision that applies to public officials. They are subject to a degree of control that typically makes them employees under the common law, and are subject to social security and Medicare taxes.

Very few elected officials could be considered independent contractors but one exception is the “Fee-Basis Official”. A fee-basis public official receives and retains remuneration directly from the public. This work is considered self-employment under IRC 1402(c)(2)(E) and these individuals are not employees with respect to this work. However, an official who receives salary, even if it is called “fees”, is a common-law employee and is subject to social security and Medicare withholding. A position compensated by salary and fees is *only* considered a fee-basis position if the public fees are the principal source of compensation.

In the fiscal year 2016-2017 the Surveyor’s adopted general fund budget appropriated “Professional Surveyor” services in the amount of \$36,000 and fee-based compensation “Plat Checks” up to \$2,600. The actual expenditures paid were the \$36,000 for service and \$2,030 for plat check fees. The direct public fees revenue totaled \$2,030 and the remainder was paid by government funds.

In addition, the Surveyor’s Remonumentation Certification was paid out of special revenue fund “Surveyor Preservation” in the amount of \$200.

Classification. To determine whether an individual is an employee or an independent contractor, the relationship of the worker and the business must be examined. In any determination, all information that provides evidence of the degree of control and the degree of independence must be considered.

The following categories can assist in determining the degree of control and independence:

Behavioral Control

- Instruction that the business gives to the worker.
- Training the business gives to the worker.

Financial Control

- The extent to which the worker has unreimbursed business expenses.
- The extent of the worker's investment.
- The extent to which the worker makes his or her services available to the relevant market.
- How the business pays the worker. (An employee is generally guaranteed a regular wage amount for an hourly, weekly, or other period of time.)

Type of Relationship

- Written contracts describing the relationship the parties intended to create.
- The permanency of the relationship.
- The extent to which services performed by the worker are a key aspect of the regular business of the company.

The Surveyor, while an Elected Official, receives a guaranteed regular wage, has a somewhat permanent relationship with the County, and provides services that are a key aspect of regular business. The County has also paid for Remonumentation Certification for monumenting preservation.

In conclusion, it is important to define if the Surveyor is an employee or an independent contractor based on his or her compensation and classification. This will direct whether the County has liability to pay and withhold taxes or have no withholding.

Surveyor Compensation Summary

As of October 5, 2017

Surveyor Department	2012/2013	2013/2014	2014/2015	2015/2016	2016/2017	Subtotal	Total
Surveyor Compensation	\$ 1,300.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 36,000.00	\$ 46,300.00	
Reimbursements				\$ 402.75	\$ 212.70	\$ 615.45	
OR Map Project				\$ 500.00		\$ 500.00	
Fees	\$ 650.00		\$ 3,830.00	\$ 1,420.00	\$ 2,030.00	\$ 7,930.00	\$ 55,345.45
Yearly Subtotal	\$ 1,950.00	\$ 3,000.00	\$ 6,830.00	\$ 5,322.75	\$ 38,242.70		
Monumentation	\$ -	\$ 800.00	\$ -	\$ 15,680.00		\$ 16,480.00	\$ 16,480.00

Fair & Rodeo

See Attachment C

Justice Court

See Attachment D

Juvenile Dept.

See Attachment E

Planning Department

See Attachment F

Public Health Department

See Attachments G & Attachment H

Tobacco Education Group (TEG)\$25.00

Public Works Department

Transfer Station Fees

Attachment I

Public Works Fees

Attachment J

Airport Fees

Attachment K

County Park Fees

Attachment L

Sheriff's Department:

See Attachment M

Code Enforcement – *See Attachment N*

Parole & Probation – *See Attachment N*

Surveyor

Surveyors filing fees\$ 25.00

Vacation Fee\$25.00

Subdivision Surveyor Review \$300.00 + \$10.00 per lot

Partition Surveyor Review \$200.00

Surveyor Maps - *See attachment B*

MAP FEES

GIS Maps*

Color Maps:

X	8.5" x 11"	\$7.00
X	11" x 17"	\$8.00
X	17" x 22"	\$12.00
X	22" x 34"	\$15.00
X	34" x 44"	\$25.00

Black & White Maps:

X	8.5" x 11"	\$0.50
X	11" x 17"	\$6.00
X	17" x 22"	\$8.00
X	22" x 34"	\$10.00
X	34" x 44"	\$15.00

*Labor for custom products is additional \$75.00/hour with a minimum charge of one hour.

GIS Layer Maps that are created/maintained by the Planning Department.
(Zoning, Transportation System Plan components, Special Districts, Enterprise Zone Boundary, Meteorological Towers, Wind Projects, Transmission and Utility, etc.)

Electronic or Printed \$200.00

Surveyor Maps

A size	8.5" x 11"	\$0.50
B size	11" x 17"	\$2.00
C size	18" x 24"	\$3.00
D size	24" x 36"	\$4.00

APPROVED BUDGET

AS OF: JULY 31ST, 2017

101-GENERAL FUND
SURVEYOR'S DEPARTMENT

			(----- 2016-2017 -----)		(----- 2017-2018 -----)	
	2014-2015	2015-2016	CURRENT	Y-T-D	REQUESTED	APPROVED
	ACTUAL	ACTUAL	BUDGET	ACTUAL	BUDGET	BUDGET
REVENUES						
<u>CHARGES FOR SERVICES</u>						
101-118-3-40-4014 PART. PLAT CHECK	950	800	1,500	0	1,500	1,500
101-118-3-40-4044 SURVEYOR FILING FEES	225	175	250	0	250	300
101-118-3-40-4186 PHOTO COPY FEES	0	0	300	0	300	0
101-118-3-40-4187 SUBDIVISION PLAT CHECK	1,750	620	1,100	0	1,100	1,100
101-118-3-40-4194 VACATION FEES	0	0	0	0	0	0
TOTAL CHARGES FOR SERVICES	2,925	1,595	3,150	0	3,150	2,900
<u>MISCELLANEOUS REVENUE</u>						
101-118-3-60-4187 MISC REVENUE	0	0	0	0	0	0
TOTAL MISCELLANEOUS REVENUE	0	0	0	0	0	0
TOTAL REVENUES	2,925	1,595	3,150	0	3,150	2,900
EXPENDITURES						
<u>MATERIALS & SERVICES</u>						
101-118-5-20-2110 OFFICE SUPPLIES	0	0	500	0	500	500
101-118-5-20-3121 PROFESSIONAL SURVEYOR	3,000	3,000	36,000	0	0	36,000
101-118-5-20-3135 MICROFILM SERVICE	1,341	403	500	0	500	500
101-118-5-20-3314 OACES DUES & EXPENSES	40	40	40	0	40	40
101-118-5-20-3420 SUBDIVISION PLAT CHECK	2,580	620	1,100	0	1,100	1,100
101-118-5-20-3421 PLAT CHECKS	1,250	800	1,500	0	1,500	1,500
101-118-5-20-3425 SURVEYOR	0	0	0	0	36,000	0
TOTAL MATERIALS & SERVICES	8,211	4,863	39,640	0	39,640	39,640
<u>CAPITAL OUTLAY</u>						
101-118-5-40-4401 OFFICE FURNITURE	0	0	0	0	0	0
101-118-5-40-4402 OFFICE EQUIPMENT	0	0	0	0	0	0
TOTAL CAPITAL OUTLAY	0	0	0	0	0	0
TOTAL EXPENDITURES	8,211	4,863	39,640	0	39,640	39,640
REVENUE OVER/(UNDER) EXPENDITURES (5,286)	(3,268)	(36,490)	0	(36,490)	(36,740)

APPROVED BUDGET

AS OF: JULY 31ST, 2017

Monumentation

208-SURVEYOR PRESERVATION

SURVEYOR'S DEPARTMENT

(----- 2016-2017 -----) (----- 2017-2018 -----)

	2014-2015	2015-2016	2016-2017	Y-T-D	2017-2018	2017-2018
	ACTUAL	ACTUAL	CURRENT BUDGET	ACTUAL	REQUESTED BUDGET	APPROVED BUDGET
REVENUES						
CHARGES FOR SERVICES						
208-118-3-40-4323 PRESERVATION ACCOUNT	13,481	14,820	12,500	0	12,500	12,500
TOTAL CHARGES FOR SERVICES	13,481	14,820	12,500	0	12,500	12,500
TOTAL REVENUES	13,481	14,820	12,500	0	12,500	12,500
EXPENDITURES						
MATERIALS & SERVICES						
208-118-5-20-3123 MONUMENTING	1,815	34,775	218,450	0	218,450	229,950
TOTAL MATERIALS & SERVICES	1,815	34,775	218,450	0	218,450	229,950
ENDING FUND BALANCE						
208-118-5-90-9002 UNAPPROPRIATED ENDING	0	0	0	0	0	0
TOTAL ENDING FUND BALANCE	0	0	0	0	0	0
TOTAL EXPENDITURES	1,815	34,775	218,450	0	218,450	229,950
REVENUE OVER/(UNDER) EXPENDITURES	11,666	(19,955)	(205,950)	0	(205,950)	(217,450)

VENDOR SET: 01 Morrow County, OR
 BANK: APBK AP DISBURSEMENT ACCT
 DATE RANGE: 7/01/2011 THRU 99/99/9999

8/2013 - 9/30/2017

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02394	HADDOCK, STEPHEN K. <i>dba Witness Tree Surveying</i>							
I-MCS 1	JAN-JUNE 2013 SERVICES RENDERE	R	8/15/2013			150656		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		JAN-JUNE 2013 SERVIC	1,300.00				
101 118-5-20-3421	PLAT CHECKS		JAN-JUNE 2013 SERVIC	450.00				
101 118-5-20-3420	SUBDIVISION PLAT CHECKS		JAN-JUNE 2013 SERVIC	200.00				1,950.00
<hr/>								
02394 <i>FY 13/14</i>	HADDOCK, STEPHEN K.							
I-MCS 2	SURVEYOR SERVICES	R	1/09/2014			152924		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		SURVEYOR SERVICES	1,500.00				1,500.00
<hr/>								
02394	HADDOCK, STEPHEN K.							
I-13-09	REMONUMENTATION & PRESERVATION	R	5/23/2014			154509		
208 118-5-20-3123	MONUMENTING		REMONUMENTATION & PR	800.00	<i>-M</i>			800.00
<hr/>								
02394	HADDOCK, STEPHEN K.							
I-MCS3	JAN-JUNE 2014 SURVEYOR SERVICE	R	7/02/2014			155016		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		JAN-JUNE 2014 SURVEY	1,500.00				1,500.00
<hr/>								
02394 <i>FY 14/15</i>	HADDOCK, STEPHEN K.							
I-MCS4	SURVEYOR SERVICES/PLAT CHECKS	R	12/29/2014			157562		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		SURVEYOR SERVICES/PL	1,500.00				
101 118-5-20-3420	SUBDIVISION PLAT CHECKS		SURVEYOR SERVICES/PL	830.00				
101 118-5-20-3421	PLAT CHECKS		SURVEYOR SERVICES/PL	300.00				2,630.00
<hr/>								
02394	HADDOCK, STEPHEN K.							
I-MCS 5	JAN-JUNE 2015 SURVEYOR SERVIC	R	6/18/2015			159523		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		JAN-JUNBE 2015 SURVE	1,500.00				1,500.00
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02394	HADDOCK, STEPHEN K.							
I-201507071048	SURVEYING SERVICES	R	7/09/2015			159789		
101 118-5-20-3420	SUBDIVISION PLAT CHECKS		SURVEYING SERVICES	1,750.00				
101 118-5-20-3421	PLAT CHECKS		SURVEYING SERVICES	950.00				2,700.00
<hr/>								
02394 <i>FY 15/16</i>	HADDOCK, STEPHEN K.							
I-15-02 CERT	REMOUNT/PRESERV. SERVICES	R	9/17/2015			160832		
208 118-5-20-3123	MONUMENTING		REMOUNT/PRESERV. SER	200.00	<i>-M</i>			
I-MCS7	PHOTO COPY REIMBURSEMENT	R	9/17/2015			160832		
101 118-5-20-3135	MICROFILM SERVICE		PHOTO COPY REIMBURSE	192.00	<i>-Reimb</i>			392.00
<hr/>								
02394	HADDOCK, STEPHEN K.							
I-15-12-CERT	REMOUNUMENTATION FEES	R	10/08/2015			161369		
208 118-5-20-3123	MONUMENTING		REMOUNUMENTATION FEE	400.00	<i>-M</i>			400.00

VENDOR SET: 01 Morrow County, OR
 BANK: APBK AP DISBURSEMENT ACCT
 DATE RANGE: 7/01/2011 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02394	HADDOCK, STEPHEN K.							
I-15-13	LEX PUBLIC LAND REMONUM PRJCT	R	10/15/2015			161470		
208 118-5-20-3123	MONUMENTING		LEX PUBLIC LAND REMO	14,680.00	-M			14,680.00
02394	HADDOCK, STEPHEN K.							
I-MCS 8	PLAT CHECKS-SUBDIV & PARTITION	R	1/14/2016			162567		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		PLAT CHECKS-SUBDIV &	1,500.00				
101 118-5-20-3420	SUBDIVISION PLAT CHECKS		PLAT CHECKS-SUBDIV &	310.00				
101 118-5-20-3421	PLAT CHECKS		PLAT CHECKS-SUBDIV &	400.00	> Fees			2,210.00
02394	HADDOCK, STEPHEN K.							
I-16-10	SURVEY WORK FOR OR MAP PROJECT	R	5/05/2016			163867		
101 103-5-20-3140	PROFESSIONAL SERVICES		SURVEY WORK FOR OR M	500.00	-OR Map			500.00
02394	HADDOCK, STEPHEN K.							
I-15-20 CERT	REMONUMENTATION FEE	R	5/26/2016			164117		
208 118-5-20-3123	MONUMENTING		REMONUMENTATION FEE	200.00	-M			
I-MCS 9	SCANS & COPIES REIMBURSEMENT	R	5/26/2016			164117		
101 118-5-20-3135	MICROFILM SERVICE		SCANS & COPIES REIMB	210.75	-Reimb			410.75
02394	HADDOCK, STEPHEN K.							
I-16-17-cert	REMONUMENTATION CERTIFICATE	R	7/14/2016			164742		
208 118-5-20-3123	MONUMENTING		REMONUMENTATION CERT	200.00	-M			
I-201607066890	PLAT CHECKS-SURVEYOR REMUNERAT	R	7/14/2016			164742		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		PLAT CHECKS-SURVEYOR	1,500.00				
101 118-5-20-3420	SUBDIVISION PLAT CHECKS		PLAT CHECKS-SURVEYOR	310.00				
101 118-5-20-3421	PLAT CHECKS		PLAT CHECKS-SURVEYOR	400.00	> Fees			2,410.00
02394	FY 16/17 HADDOCK, STEPHEN K.							
I-MCS11	JULY 2016 SURVEYOR REMUNERATIO	R	8/11/2016			165146		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		JULY 2016 SURVEYOR R	3,000.00				3,000.00
02394	HADDOCK, STEPHEN K.							
I-MCS 12	AUG 2016 SURVEYOR REMUNERATION	R	9/15/2016			165609		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		AUG 2016 SURVEYOR RE	3,000.00				3,000.00
02394	HADDOCK, STEPHEN K.							
I-MCS 13	SEPT 2016 SURVEYOR REMUNERATIO	R	10/13/2016			165970		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		SEPT 2016 SURVEYOR R	3,000.00				3,000.00
02394	HADDOCK, STEPHEN K.							
I-MCS 14	OCT 2016 SURVEYOR REMUNERATION	R	11/17/2016			166736		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		OCT 2016 SURVEYOR RE	3,000.00				3,000.00

VENDOR SET: 01 Morrow County, OR
 BANK: APBK AP DISBURSEMENT ACCT
 DATE RANGE: 7/01/2011 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02394	HADDOCK, STEPHEN K.							
I-MCS 15	NOV 2016 SURVEYOR REMUNERATION	R	12/15/2016			167157		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		NOV 2016 SURVEYOR RE	3,000.00				3,000.00
02394	HADDOCK, STEPHEN K.							
I-MCS 16	DEC 2016 SURVEYOR SERVICES	R	1/26/2017			167588		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		DEC 2016 SURVEYOR RE	3,000.00				
101 118-5-20-3420	SUBDIVISION PLAT CHECKS		DEC 2016 SUBDIVISION	320.00				
101 118-5-20-3421	PLAT CHECKS		DEC 2016 PARTITION P	800.00				4,120.00
02394	HADDOCK, STEPHEN K.							
I-MCS 17	JAN-FEB 2017 SURVEYOR REMUNERA	R	4/06/2017			168332		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		JAN-FEB 2017 SURVEYO	6,000.00				6,000.00
02394	HADDOCK, STEPHEN K.							
I-MCS 18	MAR 2017 SURVEYOR REMUNERATION	R	4/19/2017			168537		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		MAR 2017 SURVEYOR RE	3,000.00				
I-MCS 19	PHOTO COPY EXPENSE REIMB	R	4/19/2017			168537		
101 118-5-20-3135	MICROFILM SERVICE		PHOTO COPY EXPENSE R	212.70				3,212.70
02394	HADDOCK, STEPHEN K.							
I-201706262562	MAY 2017 SURVEYOR REMUNERATION	R	7/05/2017			169394		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		MAY 2017 SURVEYOR RE	3,000.00				
I-201706262563	JUNE 2017 SURVEYOR REMUNERATIO	R	7/05/2017			169394		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		JUNE 2017 SURVEYOR R	3,000.00				
I-201706262564	PLAT CHECKS	R	7/05/2017			169394		
101 118-5-20-3420	SUBDIVISION PLAT CHECKS		PLAT CHECKS	600.00				
101 118-5-20-3421	PLAT CHECKS		PLAT CHECKS	310.00				
I-MCS 20	APRIL 2017 SURVEYOR REMUNERATI	R	7/05/2017			169394		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		APRIL 2017 SURVEYOR	3,000.00				9,910.00

> Fees

- Reimb.

> Fees

* * T O T A L S * *	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	23	71,825.45	0.00	71,825.45
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0	VOID DEBITS 0.00		
		VOID CREDITS 0.00	0.00	0.00

TOTAL ERRORS: 0



Human Resources

P.O. Box 788 • Heppner OR 97836
(541) 676-5620

Karen Wolff
Human Resources Director
kwolff@co.morrow.or.us

TO: Morrow County Compensation Board
FROM: Karen Wolff, Human Resources Director
DATE: February 21, 2017
RE: Compensation – Surveyor

Our current County Surveyor, Stephen Haddock, has been in office since 2012. The Surveyor receives a monthly stipend of \$3,000, which began 7/1/2016. The Surveyor also receives a fee for the review of plats and subdivisions.

In preparing for the Compensation Board meeting, the County Commissioners directed me to reach out to our Elected Officials and ask them two questions: Who do they believe would be good compensation comparators for their office, and please provide a brief description of what they do in order to educate us to their duties. Attached is the response that was received from Mr. Haddock.

The attached spreadsheet lists the salaries for County Surveyors from the Counties chosen by the County Commissioners as comparators for all Elected Officials. Some Surveyors are full-time employees, some receive only fees, and then there are various forms in between.

The below table lists the amounts paid to the Morrow County Surveyor in fees for the listed Fiscal Years.

	FY 16/17 (to date)	FY15/16	FY 14/15
Subdivision Plat Checks	\$320	\$620	\$2,580
Plat Checks	\$800	\$800	\$1,250
Annual Total	\$1,120	\$1,420	\$3,830

I do not have a recommendation for Surveyor compensation, but will defer to the Compensation Board.

Morrow County Surveyor Time Sheet
 Stephen K. Haddock, PLS, CFedS

February

Date	Hours	Activity	Date	Hours	Activity
25-Feb-16	4	File Edwards corner certificates, update index and prepare document on duties of the County Surveyor.	2-Apr-16	2	Update index and send scanned surveys to webmaster.
25-Feb-16	4	File Edwards corner certificates, update index	4-Apr-16	1	Preliminary review of map for Baalman.
29-Feb-16	4	Work on list of County Surveyor's duties, deliver map and sign plat.	5-Apr-16	4	Contact with U.S. Navy for information on South Boundary of Bombing Range.
----- MARCH -----			6-Apr-16	6.5	Meeting with County Court concerning county surveyor duties & compensation.
1-Mar-16	2	Take maps to Lexington to put in the connex and take scan updates to webmaster.	7-Apr-16	1	Respond to Bill Wells concerning the Navy research situation.
14-Mar-16	2	Work with David Cutting on assessor map issue in 6S28 Section 12.	11-Apr-16	12	Review Baalman map and verify their field work on Bombing Range Road.
15-Mar-16	1	Download 2015 State Statutes release.			Visit County Planning to review the data they have on the Bombing Range.
16-Mar-16	2	OACES discussion on county elected officials.	12-Apr-16	9	Review Baalman survey. Research of additional Navy records and respond to architect on May and Sperry St. issues.
18-Mar-16	1	Scanning Gary Wagner affidavit of correction.			Additional contact with the Navy and review Rogers Surveying map.
23-Mar-16	2	Went to Pendleton to pick up unfiled survey by Baalman.	13-Apr-16	4	FOIA applications for the U.S. Navy, Army Corps of Engineers and BLM.
24-Mar-16	1	Report for compensation committee.	14-Apr-16	5	review Rogers Surveying map.
25-Mar-16	2	Review Gary Wagner temporary map.	15-Apr-16	1	Budget meeting with County Court.
26-Mar-16	0.5	Return map to Dave Krumbein.	18-Apr-16	4.5	Research at Lexington for Bill Wells. File maps of survey. Budget meeting and refine FOIA for Corps of Engineers.
29-Mar-16	3.5	Compensation committee meeting and deed research for the Ayer's 3rd question.	20-Apr-16	6	Review map for Dave Krumbein.
30-Mar-16	1	File two survey maps.	21-Apr-16	1	Retrieve returned brass caps (Rogers) from Hermiston, review McKinnis map of BMCC partition. Research deeds for Felbourne Street vacation.
31-Mar-16	4.5	Compensation committee meeting and additional deed research for the Ayer's 3rd question.	22-Apr-16	3	
----- APRIL -----					
1-Apr-16	2	File maps 1756 and 1757.			

Morrow County Surveyor Time Sheet
 Stephen K. Haddock, PLS, CFedS

July					
Date	Hours	Activity	Date	Hours	Activity
6-Jul-16	2	File maps for Miller and Pettyjohn.	29-Aug-16	3.5	Discussing road file with Mike Gorman.
13-Jul-16	3	Maps to Lexington and update assessor's copy of electronic files.			Filing Welty map and reviewing map for Primm.
14-Jul-16	4	Records search for Primm on Wilson Lane	30-Aug-16	2	Compiling and mailing Primm review.
19-Jul-16	2	Research on Wilson Lane through Ron McKinnis and Bob Butler	----- SEPTEMBER -----		
25-Jul-16	1	Assessor on question about Tomkins map.	2-Sep-16	4	Review of map for Primm.
26-Jul-16	2	Conference with Tomkins about Heppner issues and send research data to Primm on Wilson Lane	6-Sep-16	1	Filing Terra Poma map for Primm.
27-Jul-16	3	Meeting with Mike Gorman on a map question and with Primm concerning Wilson Lane data.	7-Sep-16	3	Review Sandlin plat for Primm. Scan Primm Terra Poma survey.
28-Jul-16	3.5	Email Primm on Wilson Lane issues. Map inquiry by Lance King and review Brit Primm survey.	9-Sep-16	1	Interdepartmental review for Springer.
----- AUGUST -----			13-Sep-16	2	Review of map for B. Wells. Sweeney.
1-Aug-16	6	Phone conference with Brit Primm. Review map and letter from Paul Tomkins on Heppner survey.	14-Sep-16	1	Pick up signs in Lexington for Wells
2-Aug-16	1	Updated map index to website.	15-Sep-16	3	Deliver signs to Wells. Assessors review of McKinnis map.
4-Aug-16	0.5	File map for Neiffer.	16-Sep-16	2	Scanning and filing maps of survey.
5-Aug-16	1	scan survey maps.	19-Sep-16	3	Review of McKinnis Dean Kegler partition.
8-Aug-16	3	Meeting with Bobbi Childers on River Ridge protective covenants and review map for Tomkins.	20-Sep-16	6	Review of McKinnis Dean Kegler partition and map for Catterson.
9-Aug-16	2	Additional review of Tomkins map and update survey index.	21-Sep-16	2	Review and indexing of State Highway electronic files.
11-Aug-16	1	Review Primm map of survey.	22-Sep-16	2	2nd Review of Kegler plat and indexing State Highway electronic files.
12-Aug-16	2	Review map for Mike Springer.	23-Sep-16	8	Prepare OSBEELS complaint for unfiled map of survey by Delano on Big Butter Creek.
15-Aug-16	1	Mail review to Primm.	24-Sep-16	1	Interdepartmental review for Springer and Primm.
22-Aug-16	8	Discussion with County Planning, filing, scanning and mailing maps.			

Morrow County Surveyor Time Sheet
Stephen K. Haddock, PLS, CFedS

December					
Date	Hours	Activity	Date	Hours	Activity
27-Dec-16	1	Review 3 of McKinnis VADATA plat.	2-Feb-17	1	Research compensation committee request.
30-Dec-16	2	Conference with Jerry Sorte concerning online records and sign VADATA plat for McKinnis.	3-Feb-17	2.5	Research county surveyor statutes for list of duties for discussion with county commissioners. Prepare list of past County Surveyors for OACES
----- JANUARY -----					
3-Jan-17	1	Conference with David Hadley concerning Britt plat.	6-Feb-17	8	Upload data to county surveyor web page and meeting with planning and assessors and Bill Wells on lot of record issues.
4-Jan-17	5	File and scan maps. Update index.			
12-Jan-17	2	Conference with Lance King on survey issues.	9-Feb-17	2	Review statutes for county surveyors fees.
18-Jan-17	2	Pick up plats at assessor's office.	10-Feb-17	1	Phone conference with Bill Wells
19-Jan-17	6	Conference with Primms concerning online records issues, update indexes and scan old survey field books.	13-Feb-17	2	Review of vacation statutes for OACES meeting on 23rd.
20-Jan-17	8	Index and scan old survey field books.	14-Feb-17	9	Pick up maps from Denny Edwards who wanted to deliver his maps in Morrow County after his retirement.
23-Jan-17	7	Morrow County Website training.	15-Feb-17	2	Research LUBA cases for data on the property vacation statutes for OACES.
23-Jan-17	8	Index and scan old survey field books.	17-Feb-17	6	Preparation of County Surveyor time report for submission to County Commissioners.
25-Jan-17	6	Index and scan old survey field books.			
26-Jan-17	11	Index and scan old survey field books and OACES conference call.			
27-Jan-17	12	Index and scan old survey field books, website development, research county surveyor history for OACES.			
28-Jan-17	7	Complete index and scanning of old field books.			
----- FEBRUARY -----					
1-Feb-17	4.5	Research Morrow County Surveyor history for OACES.			

MORROW COUNTY SURVEYOR

STEPHEN K. HADDOCK, PLS, CFedS

P.O. BOX G

PILOT ROCK, OREGON 97868

(541) 443-2922 ph.

February 3rd, 2017

To: Karen Wolff
Human Resources Director
P.O. Box 788
Heppner, OR 97836

Re: Summary of County Surveyor duties.

Dear Karen,

This letter is in response to your request via email on February 1st to answer the two questions concerning acceptable comparators for the elected office we hold and for a brief summary of the duties of that office. I have compiled a list of the duties required of the County Surveyor by Oregon State Statute and the Morrow County Ordinance which is attached herewith.

Concerning acceptable comparators I would offer the following input.

First, under ORS 209.155 a county surveyor must be a registered professional surveyor so a good place to start would be an investigation into the range of pay that licensed professional surveyors receive.

Second, as indicated in ORS 209.250 and ORS 92.100, the county surveyor has review and approval authority over the work of every surveyor performing boundary surveys in this county. So the list of acceptable comparators should be reduced to those in upper management who have oversight and review responsibilities in larger organizations such as the BLM, ODOT, CH2MHill, W&H Pacific, etc...

Thirdly, when comparing Morrow County among the other county surveyor positions, there should be a review of the composition of each of the offices. In Morrow County, the surveyor's position is part time without any health benefits, retirement, etc... Also, Morrow County has never had the equipment required under ORS 209.230 and has chosen to have each surveyor provide their own equipment. So, in Morrow County the surveyor provides his own health coverage, his own retirement, his own transportation, his own surveying equipment, etc..

Essentially Morrow County is using the surveyor's private business to provide the necessities of the office and should consider compensation at a rate commensurate with that ideology.

Please let me know if you need anything else.

Sincerely,

Stephen K. Haddock, PLS, CFedS

MORROW COUNTY SURVEYOR

SUMMARY OF DUTIES

- Be available to the State and or County Courts for surveys relating to the location of roads, surveys of lands to which the title is in dispute before such courts and for all partitioning of County lands. ORS 209.020 & 209.030.
- Keep a fair and correct record of all surveys made in Morrow County by the County Surveyor, Road Official and all private surveyors. ORS 209.070 (1).
 - * Maintenance of the record requires receipt and indexing of originals and the preparation and distribution of the physical copies to the various sites. Also scanning and delivery of images to the Webmaster and Assessor's Office.
 - ** Currently physical copies of the record are kept in Irrigon, Lexington, at the County Surveyor's Office and in an electronic format on the County's Web Page.
 - ***The County Surveyor also maintains a backup copy of the County subdivision and partition plats in accordance with ORS 92.120(3) and ORS 92.130.
- Prepare and maintain a correct index of all surveys indicating by whom, for whom and where made. ORS 209.070 (2)
 - *An electronic version is also maintained and provided to the County Webmaster for online use by the public.
- Provide copies of any survey to any person or court requiring the same. ORS 209.070(3)
 - * Requires compliance with public records law ORS192.410 through ORS192.440.
- Administers oaths to members of the public concerning facts about roads, surveys, and public land corners. ORS 209.100
- Protect, establish, reestablish and maintain all public land survey corners. ORS 209.070(5)&(6), ORS 209.130, 209.140, 209.150, and 209.155.
 - *The County Surveyor administers a fund that was established solely for this purpose as described in ORS203.148.
 - (NOTE: Morrow County does not have any surveying equipment designated under ORS209.230 and therefore relies on the County Surveyor to use his own private equipment.
- Review and approval of all maps of survey filed for record in this County and all affidavits of correction for any recorded surveys in compliance with the time constraints of ORS209.250(4). See ORS209.250 and ORS209.255.
- Cooperation with OSBEELS (State Board of Examiners for engineering and land surveying) in law enforcement matters. ORS209.250(4)(c) and ORS209.250(11).
 - *This duty requires the preparation of a formal complaint form providing a detailed description of the offense and statutes violated and the collection of available evidence upon which the complaint is based. Also, subsequent communications with OSBEELS when further contacted during the course of their investigation.

- The County Surveyor works with Morrow County Planning and is a member of the County Subdivision Review Committee conducting preliminary and final reviews of subdivisions, partitions, replats, and boundary adjustments. This duty involves the preparation of reports to County Planning describing any deficiencies in the documents provided as they relate to the survey related issues of these planning actions. See Morrow County Ordinance 2.030(c) and ORS92.
- The County Surveyor reviews all subdivision and partition plats for compliance with state statute and the Morrow County Subdivision Ordinance. See Morrow County Ordinance Section 4.080 and ORS92.100(1)(a).
*This review includes performing the necessary mathematical calculations to confirm that all of the technical data on a plat is correct and, in the case of subdivisions, a trip to the site to make measurements and confirm that the monuments have been set and comply with the precision requirements set by law. ORS92.100.
- The County Surveyor may not review or approve plats prepared by him in a private capacity. ORS92.100(4) The Morrow County Surveyor currently provides review services to both the Planning Department and County Surveyors of Gilliam and Umatilla Counties.

As Morrow County Surveyor I have had frequent interaction with the County Road Department, the County Assessor, the County Clerk, the State Department of Revenue, and the party performing the County's remapping of its Assessor's maps, Mr. David Cutting. I also receive numerous calls and emails from the public and private surveyors requesting help with finding information necessary to their use of the records. This requires as close to an "on demand" presence to interested individuals and agencies as may be provided.

- Communication with the County Court concerning all matters covered by the duties described above.

Surveyor's Office

Surveyor
Steve Haddock

No FTE. Stipend.

February 2016

Morrow County Information Request

2016/2017

Surveyor

	Annual Salary	Full or Part time	Total # employees supervised	Elected or Appointed?	
<u>Surveyor</u>					
Jmatilla					
Jnion	0				
Nasco	\$75,276	Full	1	Direct Hire	
ood River	Appointed				
efferson	\$35.04/hr	Full	0	Elected	
rook	Fees Only				
Morrow	\$36,000	Stipend	0	Elected	

Chapter 209 — County Surveyors

2015 EDITION

COUNTY SURVEYORS

COUNTIES AND COUNTY OFFICERS

- 209.005 Definitions
- 209.015 Authority to enter upon land; no unnecessary damage; notice
- 209.020 Surveys on court order; fees
- 209.030 Surveys on court order of land divided by county line; fees
- 209.040 Substitution when county surveyor interested in land
- 209.070 Duties in respect to surveys
- 209.080 Compensation of county surveyor
- 209.090 Procuring and filing copies of plats and field notes of United States surveys; copies as evidence
- 209.100 Administering oaths
- 209.115 Qualifications of county surveyor
- 209.130 Establishment of corners; references; additional reference using coordinate system
- 209.140 Necessary interference with corners or accessories; prior notice to county surveyor required; exception for emergency; fees
- 209.150 Removal or destruction of survey monument; notice to county surveyor; replacement of monument; exception
- 209.155 Removal or destruction of survey monument during road construction; survey map in lieu of replacement; delineation of newly defined right of way
- 209.200 Resurvey of government-surveyed lands
- 209.220 Oath taken by employees
- 209.230 Materials for certain purposes

(2) Any person exercising the right of entry granted under subsection (1) of this section shall do so with no unnecessary damage to the land entered upon.

(3) A county surveyor or any employee or agent of the county surveyor shall not enter upon or establish any permanent survey monument upon any property without first providing notice to the landowner or landowners and the occupant of the property. [1993 c.219 §2]

209.020 Surveys on court order; fees. The county surveyor shall execute all orders directed to the surveyor by any court of record or county court for surveying roads, or surveying or resurveying any tract of land the title to which is in dispute before such court, and all orders of survey for the partition of real estate. The county surveyor may charge and collect a fee that will reimburse the county for work performed under this section. [Amended by 1979 c.653 §1; 1989 c.394 §4]

209.030 Surveys on court order of land divided by county line; fees. When lands the title to which is in dispute before any court are divided by a county line, the court making an order of survey may direct such order to the surveyor of any county in which any part of such land is situated. The county surveyor may charge and collect a fee that will reimburse the county for work performed under this section. [Amended by 1989 c.394 §5]

209.040 Substitution when county surveyor interested in land. When it appears that the county surveyor is interested in any tract of land, the title to which is in dispute before the court, the court shall direct the survey or resurvey to be made by a registered professional land surveyor, who is in nowise interested. The substitute surveyor shall be authorized to administer oaths in the same manner as the county surveyor, return the survey or resurvey on oath or affirmation and receive for the services the same fees that the county surveyor would receive for similar services. [Amended by 1979 c.653 §2; 1989 c.394 §6]

209.070 Duties in respect to surveys. The county surveyor of each county shall:

(1) Keep a fair and correct record of all surveys made by the county surveyor and deputies thereof and by the county road official, all surveys received pursuant to ORS 209.250 and all surveys under ORS 368.106 or 368.206.

(2) Number progressively all surveys received and state by whom and, if provided, for whom made.

(3) Provide a copy of any survey to any person or court requiring the same, on payment of the fee allowed by law.

(4) Make all surveys of legal subdivisions with reference to the current United States Manual of Surveying Instructions.

(5) Establish or reestablish and maintain all public land survey corners, where evidence of the corners can be found and the corners can be positively located, and keep a separate record of

(2) Section corners, Donation Land Claim corners, center corners and quarter-section corners shall be witnessed by at least four references. Meander corners, angle point corners or other approved public land survey corners shall be witnessed by at least two references. References shall be of durable quality. All references shall be carefully described, and their bearings and distances noted in the report or on the survey.

(3) For the purpose of providing an additional reference, the county surveyor may, when maintaining or reestablishing survey corners, establish coordinates on public land survey corners using the Oregon Coordinate System, pursuant to ORS 93.312, or another coordinate system, adopted by the appropriate public agency, that can be referenced directly to a geodetic control monument. [Amended by 1979 c.653 §8; 1989 c.394 §10; 2001 c.391 §1; 2005 c.230 §4; 2011 c.179 §2]

209.140 Necessary interference with corners or accessories; prior notice to county surveyor required; exception for emergency; fees. (1) Any person or public agency that finds it necessary to interfere with or pave over any established public land survey corner or accessories for any reason, shall notify the county surveyor prior to the interference, who shall lower and witness the monument, or place another monument and witness over the existing monument or reference and replace or set a witness monument, as the case may demand, and record the proceedings in the record of permanent surveys. The county surveyor may charge a fee in an amount that will reimburse the county for the work performed.

(2) When an emergency exists and the county surveyor is unavailable, the person or public agency causing the interference shall cause a registered professional land surveyor to preserve the monument as required in subsection (1) of this section. The registered professional land surveyor referencing the monument shall notify the county surveyor of the references within two business days after the references or interference, whichever occurs first. [Amended by 1979 c.653 §9; 1985 c.582 §8; 1989 c.394 §11]

209.150 Removal or destruction of survey monument; notice to county surveyor; replacement of monument; exception. (1) Any person or public agency removing, disturbing or destroying any survey monument of record in the office of the county surveyor or county clerk shall cause a registered professional land surveyor to reference and replace the monument within 90 days of the removal, disturbance or destruction. The registered professional land surveyor referencing and replacing the monument shall do so in the same manner that is provided for public land survey corners according to ORS 209.140 and shall notify the county surveyor of that action within two business days. The costs of referencing and replacing the survey monument shall be paid by the person or public agency causing the removal, disturbance or destruction.

(2) Notwithstanding subsection (1) of this section, a county surveyor may, upon written request and written notice to an affected property owner, provide written authorization to a registered professional land surveyor to remove a survey monument other than a public land survey corner as defined in ORS 209.005. A county surveyor may require that the position of the removed monument be referenced to another survey monument and noted on a survey map filed in accordance with ORS 209.250. [Amended by 1979 c.653 §10; 1989 c. 394 §12; 1991 c.339 §2; 1997 c.336 §3; 1997 c.489 §10]

209.200 Resurvey of government-surveyed lands. In the resurvey of lands surveyed under the authority of the United States, the county surveyor or a registered professional land surveyor shall observe the following rules:

(1) Section and quarter-section corners, and all other corners established and approved by the General Land Office or its successors, must stand as the legal and permanent corners.

(2) A legal and permanent corner must be reestablished at the identical spot where the original corner was located by the government survey, when the identical spot can be determined.

(3) When the identical spot cannot be determined, the legal and permanent corner must be reestablished with reference to the current United States Manual of Surveying Instructions. [Amended by 1979 c.653 §13; 1989 c.394 §13; 2007 c.71 §70]

209.220 Oath taken by employees. Each person employed by the county surveyor or a deputy shall, before commencing the duty assigned, take an oath or affirmation faithfully and impartially to execute the duties of employment. The county surveyor or a deputy shall administer the oath or affirmation of each employee. [Amended by 1979 c.653 §14]

209.230 Materials for certain purposes. The county surveyor shall procure at the expense of the county the materials and requisites for carrying into effect ORS 209.100 to 209.230. The county court shall pay for the same and all expenses incurred therein out of the general fund of the county.

209.250 Survey by registered land surveyor; requirements for map, narrative or report of survey; waiver of required filing; effect of noncompliance. (1) A registered professional land surveyor making a survey of lands within this state wherein the surveyor establishes or reestablishes a boundary monument shall, within 45 days thereafter, submit for filing a permanent map of the survey to the county surveyor for review. When filed, the map is a permanent public record in the office of the county surveyor. In establishing or reestablishing a public land survey corner, the surveyor shall comply with ORS 209.070 (4), 209.130 and 209.200. If the surveyor is unable to complete the survey and submit a permanent map within 45 days, the surveyor shall, within 45 days of establishing or reestablishing a boundary monument, provide written notice to the county surveyor containing the reasons for the delay, an estimate of the amount of time reasonably necessary to complete the survey but not exceeding 180 days, and a temporary map showing the position of monuments established or reestablished.

(2) The permanent map must have a written narrative that may be on the face of the map. If the narrative is a separate document, the map and narrative must be referenced to each other. The map and narrative must be made on a suitable drafting material in the size required by the county surveyor. The lettering on the map and narrative must be of sufficient size and clarity to be reproduced clearly. The narrative must explain the purpose of the survey and how the boundary lines or other lines were established or reestablished and must state which deed records, deed

The surveyor shall return the corrected survey map to the county surveyor within 30 days of receipt of the survey map from the county surveyor.

(c) A map that is not corrected within the specified time period must be forwarded to the State Board of Examiners for Engineering and Land Surveying for action, as provided in subsection (11) of this section.

(d) An action may not be maintained against the county surveyor for recording a survey map that does not comply with this section.

(e) An action may not be maintained against the county surveyor for refusal to file a survey map that does not comply with this section.

(5)(a) When a survey within this state is funded entirely or in part by public funds and the survey results in the establishment of horizontal or vertical monuments for geodetic control, the registered professional land surveyor performing the survey, within 45 days after completion of the survey, shall file a report of the survey with the county surveyors of those counties where the newly established monuments are located.

(b) Notwithstanding paragraph (a) of this subsection, the governing body of a county may, by resolution or order, waive the filing of the report of the survey.

(6) A report required by subsection (5)(a) of this section may include maps or diagrams. The maps or diagrams, if included, must be referenced to each other. The report must contain the following:

(a) The name and number of each newly established geodetic control monument.

(b) Location of newly established geodetic control monuments by Section, Township and Range.

(c) Location of the horizontal component of geodetic control monuments by the Oregon Coordinate System referenced in ORS 93.312, including the scale factor, combined scale factor, convergence and geographic or geodetic coordinates, indicating datum used.

(d) Location of the vertical component of geodetic control monuments by orthometric height, ellipsoidal height and geoidal separation, indicating datum used.

(e) The date of survey.

(f) The business name and address of the surveyor.

(g) A description of all monuments set or found, including narrative or graphic information sufficient to locate the monuments.

209.255 Amendment of survey map or narrative by affidavit of correction; preparation, certification and recording of affidavit. (1) Any survey map or narrative filed and recorded under the provisions of this chapter may be amended by an affidavit of correction:

- (a) To show any courses or distances omitted from the map or narrative;
 - (b) To correct an error in any courses or distances shown on the map or narrative;
 - (c) To correct an error in the description of the real property shown on the map or narrative;
- or
- (d) To correct any other errors or omissions where the error or omission is ascertainable from the data shown on the map or narrative as recorded.

(2) Nothing in this section shall be construed to permit changes in courses or distances for the purpose of redesigning parcel configurations.

(3) The affidavit of correction shall be prepared by the registered professional land surveyor who filed the map or narrative. In the event of the death, disability or retirement from practice of the surveyor who filed the map or narrative, the county surveyor may prepare the affidavit of correction. The affidavit shall set forth in detail the corrections made. The seal and original signature of the registered professional land surveyor making the affidavit shall be affixed to the affidavit.

(4) The county surveyor having jurisdiction of the map or narrative shall certify that the affidavit of correction has been examined and that the changes shown on the map or narrative are changes permitted under this section.

(5) The surveyor who prepared the affidavit shall cause the affidavit to be recorded in the office of the county recorder of the county where the survey or narrative is recorded. The county clerk shall promptly return the recorded affidavit to the county surveyor who shall note the correction and the recorder's filing information with permanent ink, upon the original survey or narrative filed in accordance with ORS 209.250. The corrections and filing information shall be marked in such a manner so as not to obliterate any portion of the survey or narrative.

(6) In addition to the fees established by ORS 205.320 for recording the affidavit in the county deed records, the county clerk shall collect a fee set by the county governing body. The county clerk shall collect the fee as set by the county governing body to be paid to the county surveyor for services provided under this section. [1983 c.309 §10; 1989 c.394 §15; 1993 c.219 §14; 1999 c.654 §23]

209.260 Fee for filing and indexing. The county governing body, by resolution or order, may establish the fee to be collected by the county surveyor for filing and indexing a map or report of a survey. [1981 c.429 §2; 1985 c.582 §9; 1991 c.339 §4; 1991 c.621 §2]

MORROW COUNTY SURVEYOR

STEPHEN K. HADDOCK, PLS, CFedS

P.O. BOX G

PILOT ROCK, OREGON 97868

(541) 443-2922 ph.

February 24th, 2016

To: Morrow County Court
COURT HOUSE
Heppner, OR 97836

Re: County Surveyor's report.

Dear Morrow County Court,

Since my last report at the end of October, there have been several events of interest involving the County Surveyor's Office.

In November a question arose concerning how the Morrow County Assessor's maps are drawn. This question came up because the gentleman from Lane County who is doing the remapping had noticed that the occupation lines seen on aerial photos from ESRI and also ORMAP showed that on many properties the actual use lines often did not agree with the way the prior assessor's map were drawn. In researching how the assessor's maps are drawn, it was found that, by statute, the assessor's maps are required to be based only on the recorded legal descriptions just as legal boundary surveys are. The existence of discrepancies between the described lines and actual occupation is common with virtually all properties and is a matter of a legal investigation requiring a correct survey to resolve. However, now that services like ORMAP and Google Earth are showing "supposed" property lines superimposed over aerial photos, many land owners, Realtors, and Government agencies are using those products under the assumption that the photo's are correct and often try to resolve the issues on their own. This will only lead to more disputes in the future as any of those types of solutions are based on incorrect and inaccurate information.

A similar issue arose from the remapping of Ayer's 3rd Addition in which the error exists in the original plat. I will be working with the Assessor's Office on the process of determining which part of the information on the original plat is in error and needs to be disregarded.

In December I received a contact from the new Gilliam County Planner and was able to review that County's ordinance and work out what the requirements for a proper tentative plan were. This service was requested because the plat in question was being prepared by the Gilliam County Surveyor and the statutes do not allow a County Surveyor to perform the required statutory review of his own plats. The statutes require that a County Surveyor send his plats to another County to be reviewed. I receive similar help from the Umatilla County Surveyor for all of the plats that I personally prepare in Morrow County.

In January I reviewed and filed the survey of the Umatilla Army Depot that has been done for the Columbia Development company. This is one more step completed in the process of having that process completed.

VENDOR SET: 01 Morrow County, OR
 BANK: APBK AP DISBURSEMENT ACCT
 DATE RANGE: 7/01/2011 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02394	HADDOCK, STEPHEN K.							
I-MCS 1	JAN-JUNE 2013 SERVICES RENDERE	R	8/15/2013			150656		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		JAN-JUNE 2013 SERVIC	1,300.00				
101 118-5-20-3421	PLAT CHECKS		JAN-JUNE 2013 SERVIC	450.00				
101 118-5-20-3420	SUBDIVISION PLAT CHECKS		JAN-JUNE 2013 SERVIC	200.00				1,950.00
02394	HADDOCK, STEPHEN K.							
I-MCS 2	SURVEYOR SERVICES	R	1/09/2014			152924		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		SURVEYOR SERVICES	1,500.00				1,500.00
02394	HADDOCK, STEPHEN K.							
I-13-09	REMONUMENTATION & PRESERVATION	R	5/23/2014			154509		
208 118-5-20-3123	MONUMENTING		REMONUMENTATION & PR	800.00				800.00
02394	HADDOCK, STEPHEN K.							
I-MCS3	JAN-JUNE 2014 SURVEYOR SERVICE	R	7/02/2014			155016		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		JAN-JUNE 2014 SURVEY	1,500.00				1,500.00
02394	HADDOCK, STEPHEN K.							
I-MCS4	SURVEYOR SERVICES/PLAT CHECKS	R	12/29/2014			157562		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		SURVEYOR SERVICES/PL	1,500.00				
101 118-5-20-3420	SUBDIVISION PLAT CHECKS		SURVEYOR SERVICES/PL	830.00				
101 118-5-20-3421	PLAT CHECKS		SURVEYOR SERVICES/PL	300.00				2,630.00
02394	HADDOCK, STEPHEN K.							
I-MCS 5	JAN-JUNE 2015 SURVEYOR SERVIC	R	6/18/2015			159523		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		JAN-JUNBE 2015 SURVE	1,500.00				1,500.00
02394	HADDOCK, STEPHEN K.							
I-201507071048	SURVEYING SERVICES	R	7/09/2015			159789		
101 118-5-20-3420	SUBDIVISION PLAT CHECKS		SURVEYING SERVICES	1,750.00				
101 118-5-20-3421	PLAT CHECKS		SURVEYING SERVICES	950.00				2,700.00
02394	HADDOCK, STEPHEN K.							
I-15-02 CERT	REMOUNT/PRESERV. SERVICES	R	9/17/2015			160832		
208 118-5-20-3123	MONUMENTING		REMOUNT/PRESERV. SER	200.00				
I-MCS7	PHOTO COPY REIMBURSEMENT	R	9/17/2015			160832		
101 118-5-20-3135	MICROFILM SERVICE		PHOTO COPY REIMBURSE	192.00				392.00
02394	HADDOCK, STEPHEN K.							
I-15-12-CERT	REMONUMENTATION FEES	R	10/08/2015			161369		
208 118-5-20-3123	MONUMENTING		REMONUMENTATION FEE	400.00				400.00

VENDOR SET: 01 Morrow County, OR
 BANK: APBK AP DISBURSEMENT ACCT
 DATE RANGE: 7/01/2011 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02394	HADDOCK, STEPHEN K.							
I-15-13	LEX PUBLIC LAND REMONUM PRJCT	R	10/15/2015			161470		
208 118-5-20-3123	MONUMENTING		LEX PUBLIC LAND REMO	14,680.00				14,680.00
02394	HADDOCK, STEPHEN K.							
I-MCS 8	PLAT CHECKS-SUBDIV & PARTITION	R	1/14/2016			162567		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		PLAT CHECKS-SUBDIV &	1,500.00				
101 118-5-20-3420	SUBDIVISION PLAT CHECKS		PLAT CHECKS-SUBDIV &	310.00				
101 118-5-20-3421	PLAT CHECKS		PLAT CHECKS-SUBDIV &	400.00				2,210.00
02394	HADDOCK, STEPHEN K.							
I-16-10	SURVEY WORK FOR OR MAP PROJECT	R	5/05/2016			163867		
101 103-5-20-3140	PROFESSIONAL SERVICES		SURVEY WORK FOR OR M	500.00				500.00
02394	HADDOCK, STEPHEN K.							
I-15-20 CERT	REMONUMENTATION FEE	R	5/26/2016			164117		
208 118-5-20-3123	MONUMENTING		REMONUMENTATION FEE	200.00				
I-MCS 9	SCANS & COPIES REIMBURSEMENT	R	5/26/2016			164117		
101 118-5-20-3135	MICROFILM SERVICE		SCANS & COPIES REIMB	210.75				410.75
02394	HADDOCK, STEPHEN K.							
I-16-17-cert	REMONUMENTATION CERTIFICATE	R	7/14/2016			164742		
208 118-5-20-3123	MONUMENTING		REMONUMENTATION CERT	200.00				
I-201607066890	PLAT CHECKS-SURVEYOR REMUNERAT	R	7/14/2016			164742		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		PLAT CHECKS-SURVEYOR	1,500.00				
101 118-5-20-3420	SUBDIVISION PLAT CHECKS		PLAT CHECKS-SURVEYOR	310.00				
101 118-5-20-3421	PLAT CHECKS		PLAT CHECKS-SURVEYOR	400.00				2,410.00
02394	HADDOCK, STEPHEN K.							
I-MCS11	JULY 2016 SURVEYOR REMUNERATIO	R	8/11/2016			165146		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		JULY 2016 SURVEYOR R	3,000.00				3,000.00
02394	HADDOCK, STEPHEN K.							
I-MCS 12	AUG 2016 SURVEYOR REMUNERATION	R	9/15/2016			165609		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		AUG 2016 SURVEYOR RE	3,000.00				3,000.00
02394	HADDOCK, STEPHEN K.							
I-MCS 13	SEPT 2016 SURVEYOR REMUNERATIO	R	10/13/2016			165970		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		SEPT 2016 SURVEYOR R	3,000.00				3,000.00
02394	HADDOCK, STEPHEN K.							
I-MCS 14	OCT 2016 SURVEYOR REMUNERATION	R	11/17/2016			166736		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		OCT 2016 SURVEYOR RE	3,000.00				3,000.00

VENDOR SET: 01 Morrow County, OR
 BANK: APBK AP DISBURSEMENT ACCT
 DATE RANGE: 7/01/2011 THRU 99/99/9999

VENDOR I.D.	NAME	STATUS	CHECK DATE	AMOUNT	DISCOUNT	CHECK NO	CHECK STATUS	CHECK AMOUNT
02394	HADDOCK, STEPHEN K.							
I-MCS 15	NOV 2016 SURVEYOR REMUNERATION	R	12/15/2016			167157		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		NOV 2016 SURVEYOR RE	3,000.00				3,000.00
02394	HADDOCK, STEPHEN K.							
I-MCS 16	DEC 2016 SURVEYOR SERVICES	R	1/26/2017			167588		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		DEC 2016 SURVEYOR RE	3,000.00				
101 118-5-20-3420	SUBDIVISION PLAT CHECKS		DEC 2016 SUBDIVISION	320.00				
101 118-5-20-3421	PLAT CHECKS		DEC 2016 PARTITION P	800.00				4,120.00
02394	HADDOCK, STEPHEN K.							
I-MCS 17	JAN-FEB 2017 SURVEYOR REMUNERA	R	4/06/2017			168332		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		JAN-FEB 2017 SURVEYO	6,000.00				6,000.00
02394	HADDOCK, STEPHEN K.							
I-MCS 18	MAR 2017 SURVEYOR REMUNERATION	R	4/19/2017			168537		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		MAR 2017 SURVEYOR RE	3,000.00				
I-MCS 19	PHOTO COPY EXPENSE REIMB	R	4/19/2017			168537		
101 118-5-20-3135	MICROFILM SERVICE		PHOTO COPY EXPENSE R	212.70				3,212.70
02394	HADDOCK, STEPHEN K.							
I-201706262562	MAY 2017 SURVEYOR REMUNERATION	R	7/05/2017			169394		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		MAY 2017 SURVEYOR RE	3,000.00				
I-201706262563	JUNE 2017 SURVEYOR REMUNERATIO	R	7/05/2017			169394		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		JUNE 2017 SURVEYOR R	3,000.00				
I-201706262564	PLAT CHECKS	R	7/05/2017			169394		
101 118-5-20-3420	SUBDIVISION PLAT CHECKS		PLAT CHECKS	600.00				
101 118-5-20-3421	PLAT CHECKS		PLAT CHECKS	310.00				
I-MCS 20	APRIL 2017 SURVEYOR REMUNERATI	R	7/05/2017			169394		
101 118-5-20-3121	PROFESSIONAL SURVEYOR		APRIL 2017 SURVEYOR	3,000.00				9,910.00

** T O T A L S **	NO	INVOICE AMOUNT	DISCOUNTS	CHECK AMOUNT
REGULAR CHECKS:	23	71,825.45	0.00	71,825.45
HAND CHECKS:	0	0.00	0.00	0.00
DRAFTS:	0	0.00	0.00	0.00
EFT:	0	0.00	0.00	0.00
NON CHECKS:	0	0.00	0.00	0.00
VOID CHECKS:	0 VOID DEBITS	0.00		
	VOID CREDITS	0.00	0.00	0.00

TOTAL ERRORS: 0

~~154509~~ 154509

VEND:02394 WITNESS TREE SURVEYING

154509 05/23/2014

DATE	I.D.	PO #	DESCRIPTION	----- G/L DISTRIBUTION -----	AMOUNT
5/14/2014	13-09		REMONUMENTATION & PRESERVA	208-118-5-20-3123	800.00

CHECK TOTAL 800.00

INVOICE

WITNESS TREE SURVEYING

STEPHEN K. HADDOCK, PLS, CFedS

Morrow County Surveyor

P.O. BOX G

PILOT ROCK, OREGON 97868

(541) 443-2922 ph.

(541) 443-2924 fax

To: Morrow County
Attn: Gayle Gutierrez, Treasurer
100 S. Court Street
P.O. Box 788
Heppner, Or. 97836

02394

Please make checks payable to Witness Tree Surveying.

PROJECT: Fee for public land corner remonumentation.

Invoice #: 13-09 Certs **Invoice Date:** May 14, 2014 **Payment due date:** May 31, 2014

Amount Due: \$800.00 — From Account (208-118-5-20-3123)

Previous balance on this project: \$0.00

Description of Services: Remonumentation and preservation of Public Land Survey
Corners by the Morrow County Survey 2014-1700C east of Lexington, Morrow County
Oregon.

The specific corners are: 1S25R19, 1S25V19, 1S25V21, 1S25V25.

Four corners at \$200 per each remonumentation = \$800.

Office hours	Field hours	Date	Activity
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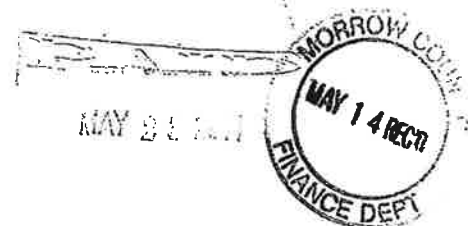
Totals:

Terms:

Submitted By:

Stephen K. Haddock

Morrow County Surveyor



[Handwritten signature]

Morrow County Treasurer • Heppner, Oregon 97836

PLEASE DETACH BEFORE DEPOSITING CHECK

160832

VEND:02394 WITNESS TREE SURVEYING

160832 09/17/2015

DATE	I.D.	PO #	DESCRIPTION	----- G/L DISTRIBUTION -----	AMOUNT
9/07/2015	15-02		REMOVAL/PRESERV. SERVICES	208-118-5-20-3123	200.00
7/13/2015	MCS7		PHOTO COPY REIMBURSEMENT	101-118-5-20-3135	192.00

CHECK TOTAL 392.00

02394

..0..
192.00 +
200.00 +
392.00 *

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WITNESS TREE SURVEYING

STEPHEN K. HADDOCK, PLS, CFedS
Morrow County Surveyor
P.O. BOX G
PILOT ROCK, OREGON 97868
(541) 443-2922 ph.
(541) 443-2924 fax

NOT
10/9/15

To: Morrow County
Attn: Gayle Gutierrez, Treasurer
100 S. Court Street
P.O. Box 788
Heppner, Or. 97836

Please make checks payable to Witness Tree Surveying.

PROJECT: Morrow County Surveyor reimbursement for copies.

Invoice #: MCS 7 **Invoice Date:** July 13th, 2015 **Payment due date:** July 31, 2015

Amount Due: \$192.00 --- From Account (101-118-5-20-3135)

Total \$192.00

Klo 9/14/15

Previous balance on this project: \$0.00

Description of Services: Reimbursement for photo copy expenses as per attached receipt from Master Printers in Pendleton, Oregon.

Office hours	Field hours	Date	Activity

Totals:

Terms:

Stephen K Haddock
Submitted by Stephen K. Haddock, PLS, CFedS
Morrow County Surveyor

SEP 17 2015



Rw

MASTER PRINTERS

NORTHWEST

206 S.E. Court Avenue P.O. Box 189
Pendleton, Oregon 97801 276-7845

Date 7-8-15

Sold to: Stephen Haddock

Address: _____

City, State, Zip _____

Sold by	Cash	Check	Account #	Order#
<u>SH</u>			<u>MC</u>	
Quantity	Description		Unit	Amount
<u>9</u>	<u>24x36 black</u>		<u>4"</u>	<u>240⁰⁰</u>
<u>150</u>	<u>18x24 black</u>		<u>3"</u>	<u>1560⁰⁰</u>
<u>17000</u>			Total	<u>1800⁰⁰</u>

Received by: _____



PAID
SEP 17 2015

SH

INVOICE

WITNESS TREE SURVEYING

STEPHEN K. HADDOCK, PLS, CFedS
Morrow County Surveyor
P.O. BOX G
PILOT ROCK, OREGON 97868
(541) 443-2922 ph.
(541) 443-2924 fax

1099

To: Morrow County
Attn: Gayle Gutierrez, Treasurer
100 S. Court Street
P.O. Box 788
Heppner, Or. 97836

Please make checks payable to Witness Tree Surveying.

PROJECT: Morrow County Surveyor remuneration.

Invoice #: 15-02 Cert **Invoice Date:** September 7, 2015 **Payment due date:** September 30, 2015

Amount Due: \$200.00 --- From Account (208-118-5-20-3123)

(KW) 9/14/15

Previous balance on this project: \$0.00

Description of Services: Remonumentation and preservation of Public Land Survey
Corner by Morrow County Survey 2015-1746C South of Ione, Morrow County Oregon.

The specific corner is: 3S24C9.

One corner at \$200 per each remonumentation = \$200.

Office hours	Field hours	Date	Activity
_____	_____	_____	_____

Totals:

Terms:



[Handwritten signature]

10/08/2015

Morrow County Treasurer • Heppner, Oregon 97836

PLEASE DETACH BEFORE DEPOSITING CHECK

161369

VEND:02394 WITNESS TREE SURVBYING

161369 10/08/2015

DATE	I.D.	FO #	DESCRIPTION	----- G/L DISTRIBUTION -----	AMOUNT
9/30/2015	15-12-CERT		REMUNERATION FEES	208-118-5-20-3123 400.00	400.00

CHECK TOTAL 400.00

INVOICE

WITNESS TREE SURVEYING

STEPHEN K. HADDOCK, PLS, CFedS
P.O. BOX G
PILOT ROCK, OREGON 97868
(541) 443-2922 ph.
(541) 443-2924 fax

To: Morrow County
Attn: Gayle Gutierrez
100 S. Court Street
P.O. Box 788
Heppner, OR 97836

02394

1099

Please make checks payable to Witness Tree Surveying.

PROJECT: Remonumentation certificates for boundary adjustment survey in Sections 26-28, T1S, R26E, W.M., Morrow County, Oregon.

Invoice #: 15-12 - cert **Invoice Date:** September 30th, 2015 **Payment due date:** October 31, 2015

Amount Due: \$400.00

Previous balance on this project: \$0.00

Description of Services: Remonumentation of two section corners. Specifically 1S26R19 and 1S26T13 which were remonumented on September 28, 2015 and certificates filed in the Morrow County Survey Records on September 30, 2015. Remonumentation fee is \$200 per each for a total of \$400.

Office hours	Field hours	Date	Activity

Totals: Payment is due as of the date shown above.

OCT - 8 2015

Please pay out of account 208-118-5-20-3123

Authorized by Stephen K. Haddock, PLS, CFedS
Morrow County Surveyor

Stephen K. Haddock



RW J

161470

VEND:02394 WITNESS TREE SURVEYING

161470 10/15/2015

DATE	I.D.	PO #	DESCRIPTION	----- G/L DISTRIBUTION -----	AMOUNT
10/07/2015	15-13		LEK PUBLIC LAND REMUNER	208-118-5-20-3123	14,680.00

CHECK TOTAL 14,680.00

INVOICE

WITNESS TREE SURVEYING

STEPHEN K. HADDOCK, PLS, CFedS
Morrow County Surveyor
P.O. BOX G
PILOT ROCK, OREGON 97868
(541) 443-2922 ph.
(541) 443-2924 fax

1099

02394

To: Morrow County
Attn: Gayle Gutierrez, Treasurer
100 S. Court Street
P.O. Box 788
Heppner, Or. 97836

Please make checks payable to Witness Tree Surveying.

PROJECT: Lexington are public land corner remonumentation project.

Invoice #: 15-13 **Invoice Date:** October 7, 2015 **Payment due date:** October 31, 2015

Amount Due: \$14,680.00

Previous balance on this project: \$0.00

Description of Services: Remonumentation and preservation of Public Land Survey Corners in and around the Town of Lexington, Morrow County, Oregon. The map of survey has been recorded as Morrow County Survey 2015-1748C along with the following corner certifications: 1S25L17, 1S25N9, 1S25N13, 1S25P17, 1S25R9, 1S25R13, 1S25R15, 1S25R17, 1S25T9, 1S25T13, 1S25T15, 1S25T17-2, 1S25V5, 1S25V7, 1S25V9, 1S25V11, 1S25V13, 1S25V15, 1S25V17, 1S25X9-2, 1S25X13, 1S25Z9-2, and 1S25Z17-2. Services are as detailed below:

Office hours	Field hours	Date	Activity
3		07-28-2015	Preparation of initial request for proposal and contract documents for Wallowa Associates.
2		07-29-2015	Draft and mail notice and access letters to affected land owners.
3		08-03-2015	Review WA RFP submittal, draft and complete final contract.
2	10	08-10-2015	Begin field work of initial measurements and field evaluations of existing corners.
3		08-11-2015	Coordination of field crews for additional data collection.



P A D
OCT 15 2015

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Office hours	Field hours	Date	Activity
2	11	08-12-2015	Supervise field crew for completion of the initial data collection of existing conditions.
2		08-13-2015	Review of initial survey data collection for completeness.
2	2	08-17-2015	Additional corner search for the northwest corner of Section 21.
8		08-18-2015	Data reduction and calculations of missing corner reestablishments.
2		08-19-2015	Develop plan for remonumentation efforts.
4		08-20-2015	Coordination with field crew for plans for remonumentation efforts.
2		08-21-2015	Calculating final corner resolutions.
2	4	08-25-2015	Trip to Lexington to paint corner locates information.
7		08-26-2015	Preliminary map review and data entry for setting corners.
	12	09-01-2015	Begin remonumentation.
	12	09-02-2015	Continue remonumentation.
	8	09-03-2015	Completion of remonumentation efforts.
3		09-12-2015	Computation of bearing object data.
2		09-14-2015	Begin map of survey.
8		09-16-2015	Continue map of survey.
6		09-17-2015	Continue map of survey.
7		09-18-2016	Finish map of survey and begin corner monumentation reports.
12		09-19-2015	Finish corner certifications.
2		09-21-2015	Print map and certificates and deliver for review to Umatilla County Surveyor.
7		09-28-2015	Print final documents and add corner sketches to final certificate documents.

Totals: 91 59 $91 \times \$90 + 59 \times \$110 = \$14,680.00$

Terms: This invoice is to be paid from Account (208-118-5-20-3123)

Invoice submitted by Morrow County Surveyor, Stephen K. Haddock, PLS, CFedS.
Stephen K. Haddock



P A I D
OCT 15 2015

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163867

163867 05/05/2016

VEND:02394 WITNESS TREE SURVEYING

DATE	I.D.	PO #	DESCRIPTION	----- G/L DISTRIBUTION -----	AMOUNT
4/23/2016	16-10		SURVEY WORK FOR CR MAP PRO	101-103-5-20-3140	500.00

CHECK TOTAL 500.00

INVOICE

02394

MORROW COUNTY SURVEYOR

STEPHEN K. HADDOCK, PLS, CFedS

P.O. BOX G

PILOT ROCK, OREGON 97868

(541) 443-2922 ph.

(541) 443-2924 fax

* Survey work for ORMAP Project

To: Morrow County Assessor
Attn: Mr. Mike Gorman
P.O. Box 247
Heppner, OR 97836

1099

Please make checks payable to Witness Tree Surveying.

PROJECT: Review of discrepancies with the Ayers' 3rd Addition plat.

Invoice #: 16-10 **Invoice Date:** April 23rd, 2016 **Payment due date:** April 30th, 2016

Amount Due: \$500.00

Previous balance on this project: \$0.00

Description of Services: Research of deed and plat documentation, field ties of existing fence lines, sidewalks and alley ways, preparation of map and report concerning discrepancies found on the plat.

Office hours	Field hours	Date	Activity
—	—		

Totals: Payment is due as of the date shown above.

101-103-5-20-3140

REC'D APR 29 PM

8

164117

164117 05/26/2016

VEND:02394 WITNESS TREE SURVEYING

DATE	I.D.	PO #	DESCRIPTION	G/L DISTRIBUTION	AMOUNT
5/19/2016	15-20		REMUNERATION FEE	208-118-5-20-3123	200.00
5/19/2016	MCS 9		SCANS & COPIES REIMBURSEME	101-118-5-20-3135	210.75

CHECK TOTAL 410.75

MAY 26 2016

INVOICE

WITNESS TREE SURVEYING

STEPHEN K. HADDOCK, PLS, CFedS
Morrow County Surveyor
P.O. BOX G
PILOT ROCK, OREGON 97868
(541) 443-2922 ph.
(541) 443-2924 fax

1099

02394

To: Morrow County
Attn: Gayle Gutierrez, Treasurer
100 S. Court Street
P.O. Box 788
Heppner, Or. 97836

Please make checks payable to Witness Tree Surveying.

PROJECT: Remonumentation fee for corner 4S28E17.

Invoice #: 15-20 Cert Invoice Date: May 19, 2016 Payment due date: May 31, 2016

Amount Due: \$200.00 ---- From Account (208-118-5-20-3123)

Previous balance on this project: \$0.00

Description of Services: Remonumentation and preservation of Public Land Survey
Corner by Morrow County Survey 2016-1760D At the Blake Ranch in Township 4
South, Range 28 East, Morrow County Oregon.

The specific corner is the Northwest corner of Section 11.

One corner at \$200 per each remonumentation = \$200.

Office hours	Field hours	Date	Activity
—	—		

Totals:

Terms:

Stephen K. Haddock 5-19-2016
Morrow County Surveyor

REC'D MAY 23 AM 10:31
07

INVOICE

WITNESS TREE SURVEYING

STEPHEN K. HADDOCK, PLS, CFedS

Morrow County Surveyor

P.O. BOX G

PILOT ROCK, OREGON 97868

(541) 443-2922 ph.

(541) 443-2924 fax

not
1099

To: Morrow County
Attn: Gayle Gutierrez, Treasurer
100 S. Court Street
P.O. Box 788
Heppner, Or. 97836

Please make checks payable to Witness Tree Surveying.

PROJECT: Morrow County Surveyor reimbursement for scans and copies.

Invoice #: MCS 9 **Invoice Date:** May 19th, 2016 **Payment due date:** May 31, 2016

Amount Due: \$210.75 --- From Account (101-118-5-20-3135)

Total \$210.75

Previous balance on this project: \$0.00

Description of Services: Reimbursement for photo copy and scanning expenses as per attached receipt from Master Printers in Pendleton, Oregon.

Office hours	Field hours	Date	Activity
—	—		

Totals:

Terms:

Submitted by Stephen K. Haddock, PLS, CFedS
Morrow County Surveyor

Stephen K. Haddock 5-19-2016

REC'D MAY 23 AM

8

164742

VEND:02394 WITNESS TREE SURVEYING

164742 07/14/2016

DATE	I.D.	PO #	DESCRIPTION	G/L DISTRIBUTION		AMOUNT
7/06/2016	16-17-cert		REMONSTRATION CERTIFICAT	208-118-5-20-3123	200.00	200.00
6/24/2016	201607066890		PLAT CHECKS-SURVEYOR REMON	101-118-5-20-3121	1,500.00	2,210.00
			PLAT CHECKS-SURVEYOR REMON	101-118-5-20-3420	310.00	
			PLAT CHECKS-SURVEYOR REMON	101-118-5-20-3421	400.00	

CHECK TOTAL 2,410.00

02394

109

INVOICE

WITNESS TREE SURVEYING

STEPHEN K. HADDOCK, PLS, CFedS

Morrow County Surveyor

P.O. BOX G

PILOT ROCK, OREGON 97868

(541) 443-2922 ph.

(541) 443-2924 fax

To: Morrow County
Attn: Gayle Gutierrez, Treasurer
100 S. Court Street
P.O. Box 788
Heppner, Or. 97836

Please make checks payable to Witness Tree Surveying.

PROJECT: Morrow County Surveyor remuneration.

Invoice #: MCS 10 **Invoice Date:** June 24, 2016 **Payment due date:** June 30, 2016

Amount Due: \$1500.00 ---- From Account (101-118-5-20-3121)
\$310.00 ---- From Account (101-118-5-20-3420)
\$400.00 ---- From Account (101-118-5-20-3421)

Total \$2,210.00

Previous balance on this project: \$0.00

Description of Services: Subdivision plat checks and partition plat checks as described for each budget category listed above and County Surveyor remuneration for the period January 1, 2016 through June 30, 2016.

Office hours	Field hours	Date	Activity

Totals:

Terms:

Stephen K. Haddock

Submitted by Stephen K. Haddock, PLS, CFedS
Morrow County Surveyor

JUN 24 2016

REC'D JUN 30 PM

2

INVOICE

WITNESS TREE SURVEYING

STEPHEN K. HADDOCK, PLS, CFedS
P.O. BOX G
PILOT ROCK, OREGON 97868
(541) 443-2922 ph.
(541) 443-2924 fax

1099

To: Morrow County
Attn: Gayle Gutierrez
100 S. Court Street
P.O. Box 788
Heppner, OR 97836

Please make checks payable to Witness Tree Surveying.

PROJECT: Remonumentation certificate for boundary adjustment survey in Sections 22, 23, 26, 27, 35, and 36, T1S, R26E, W.M., Morrow County, Oregon.

Invoice #: 16-17 - cert **Invoice Date:** July 6th, 2016 **Payment due date:** July 31, 2016

Amount Due: \$200.00

Previous balance on this project: \$0.00

Description of Services: Remonumentation of section corner 1S26V21 which was remonumented on June 17th, 2016 and the certificate was filed in the Morrow County Survey Records on July 6th, 2016. Remonumentation fee is \$200.

Office hours	Field hours	Date	Activity
—	—		

Totals: Payment is due as of the date shown above.

Please pay out of account 208-118-5-20-3123

Authorized by Stephen K. Haddock, PLS, CFedS
Morrow County Surveyor

REC'D JUL 06 PM

2

2017 Comparison of County S

Prepared by Karen Wolff

4/19/2017

	Form Of Government	# of Com Judg
Baker	Bd of Comm	
Benton	Home Rule	
Clackamas	Bd of Comm	
Clatsop	Home Rule	
Columbia	Bd of Comm	
Coos	Bd of Comm	
Crook	County Court	
Curry	Bd of Comm	
Deschutes	Bd of Comm	
Douglas	Bd of Comm	
Gilliam	County Court	
Grant	County Court	
Harney	County Court	
Hood River	Home Rule	
Jackson	Home Rule	
Jefferson	Bd of Comm	
Josephine	Home Rule	
Klamath	Bd of Comm	
Lake	Bd of Comm	
Lane	Home Rule	
Lincoln	Bd of Comm	
Linn	Bd of Comm	
Malheur	County Court	
Marion	Bd of Comm	
Morrow	Bd of Comm	

Surveyor County Analysis			by Commissioner Lindsay						
FY	County	Elected/Appointed	Employee Contract	Benefits	Withholdings	Full/Part Time	Pay	MISC	
17	Baker	Elected	Contracted	N	N	PT	\$11,000/budeted	fees only	
15	Benton	Appointed	Employee			FT	\$5820/MO		
15	Clackamas	Appointed				FT	\$120,000/YR		
17	Clatsop	Appointed	Employee	y	y	FT	\$71,000-\$97,000/YR		
17	Columbia	Appointed	Contracted	N	N	FT			
15	Coos	Elected	Employee	y	y	FT	\$63,000/YR		
17	Crook	Elected	Contracted	N	N	PT	\$7,000 budget	fees only	
15	Curry	Elected				PT	\$49/HR		
17	Deschutes	Appointed	Employee	Y	Y	FT	\$91,800 YR	Roads	
17	Douglas	Appointed	Employee	Y	Y	FT	\$2,500-\$5,000/Mo		
17	Gilliam	Elected	Contracted	N	N		Fee based only		
	Grant								
17	Harney	Appointed	Contracted	N	N	PT	\$9,000 budgeted		
17	Hood River	Appointed	Contracted	N	N	PT	fee based only	w/Wasco	
	Jackson								
15	Jefferson	Elected	Employee				\$35/hour		
15	Jefferson	Elected				PT	\$9207/YR		
17	Josephine	Elected	Employee	N	y	PT/.2	\$8296/YR		
15	Klamath					PT	\$18,100/YR		
15	Lake	Elected		N		PT	\$5938/YR		
15	Lane	Appointed	Employee	Y	Y	PT		PW dpt	
	Lincoln								
15	Linn	Elected				PT	\$84,900/YR		
17	Malheur	Appointed	Employee	Y	Y	FT	\$66,000/year	Has Cntrcted	
15	Marion	Appointed				FT	\$99,000/yr		
17	Morrow	Elected	Contracted	N	N		\$36,000/YR	plus fees	
15	Polk	Appointed				FT	\$65,000-\$82,000/yr		
17	Sherman	Appointed	Contracted	N	N	PT	\$10,200/yr		
15	Tillamook	Appointed	Employee			FT	\$64,400/YR		
17	Umatilla	Appointed	Contracted	N	N	PT	\$580/Mo	limited basis	
17	Union	Appointed	Contracted	N	N	PT	fee based only		
17	Wallowa	Appointed	Employee	N	Y	PT/.5	\$18,000/yr		
17	Wasco	Appointed	Employee	Y	Y	FT	\$5000-\$5900		
	Washington								
17	Wheeler	Appointed	Contracted	N	N	PT	Hourly		
15	Yamhill	Appointed				PT	\$60/hour		

EXHIBIT L

2017 Comparison of County Surveyor Compensation

Prepared by Karen Wolff

4/19/2017

	Form Of Government	# of Comm/ Judge	Surveyor Elected or Appointed	Surveyor Comp		Provide office and Equipment?
Baker	Bd of Comm	3		10,000/yr + fees	Elected	No
Benton	Home Rule	3	Appointed			Yes
Clackamas	Bd of Comm	5				
Clatsop	Home Rule	5	Appointed	\$70,383	Pay Range and steps	Yes
Columbia	Bd of Comm	3	Appointed		Pay Range and steps	Yes
Coos	Bd of Comm	3				
Crook	County Court	3	Elected	No addl	Professional services contract	No
Curry	Bd of Comm	3	Appointed		Pay Range and steps.	Yes
Deschutes	Bd of Comm	3				
Douglas	Bd of Comm	3				
Gilliam	County Court	3				
Grant	County Court	3	Elected	\$3,804	Has a budget for dues, travel, supplies	No
Harney	County Court	3				
Hood River	Home Rule	5				
Jackson	Home Rule	3	Elected	\$88,740 + health ins	Payroll	Yes
Jefferson	Bd of Comm	3		\$35/hr + health ins	Payroll based on hrs worked. Submits timecard. + fees	
Josephine	Home Rule	3	Elected	\$36/hr + health ins	20 hrs/mo	
Klamath	Bd of Comm	3	Elected	\$1,529 w/ no addl fees	Surveyor may contract out services, paid by fees.	Yes
Lake	Bd of Comm	3				
Lane	Home Rule	5				
Lincoln	Bd of Comm	3				
Linn	Bd of Comm	3				
Malheur	County Court	3				
Marion	Bd of Comm	3				
Morrow	Bd of Comm	3				

2017 Comparison of County Surveyor Compensation

	Form Of Government	# of Comm/Judge	Surveyor Elected or Appointed	Surveyor Comp		Provide office and Equipment?
Multnomah	Home Rule	5				
Polk	Bd of Comm	3	Appointed	\$5,602/mo	Pay Range and steps. Public Works Dept.	Yes
Sherman	County Court	3	Appointed	\$60/hr	Professional services contract	No
Tillamook	Bd of Comm	3				
Umatilla	Home Rule	3				
Union	Bd of Comm	3	Elected	Fees + \$22,000	Bills for services, w/in budget. May bill for some office supplies.	No
Wallowa	Bd of Comm	3				
Wasco	Bd of Comm	3	Appointed	Pay range w/steps		Yes
Washington	Home Rule	5				
Wheeler	County Court	3	Elected	1099 Vendor	Professional services contract	No
Yamhill	Bd of Comm	3	Appointed	Part time		

	Health	Dental	Total/mo	Annual	\$36,000 - insurance	Diff per mo.
Emp + spouse	\$ 1,348.56	\$ 85.00	\$ 1,433.56	\$ 17,202.72	\$ 18,797.28	\$ 1,578.97
Emp + fam	\$ 1,817.96	\$ 147.48	\$ 1,965.44	\$ 23,585.28	\$ 12,414.72	\$ 1,042.84

Morrow County Compensation Committee
March 29, 2016
Heppner, Oregon
Bartholomew Building Upper Conference Room

Committee Members

Lisanne Currin, Chief Financial Officer, Morrow County Grain Growers

Rob Brown, Irrigon, (retired)

Andy Fletcher, Manager of Finance & Administration, Columbia Basin Electric Cooperative

Staff/Audience

Jerry Sorte, Administrative Officer

Ronda Fox, Finance Management Assistant

Bobbi Childers, Clerk

Mike Gorman, Assessor/Tax Collector

Gayle Gutierrez, Treasurer

Stephen Haddock, Surveyor

Melissa Lindsay, Heppner

Ken Matlack, Sheriff

Greg Sweek, Heppner

Excused

Karen Wolff, Human Resources Director

Roberta Lutchter, Court Executive Assistant

Call to Order: 9:14 a.m.

Election of Chair

Mr. Brown nominated Ms. Currin as Chair. Mr. Fletcher seconded. Unanimous approval.

Duties of Compensation Committee

Mr. Sorte reviewed the statutory duties of a county compensation committee. He said statute specifies the committee shall recommend a compensation schedule for Sheriff, Clerk, Assessor, Treasurer, Commissioners, and Surveyor, but does not refer to District Attorney or Justice of the Peace.

Sheriff's Compensation

Mr. Sorte explained Undersheriff Steve Myren received a step increase, effective January 3, 2016. This created a situation in which he was earning more than Sheriff Ken Matlack, which is not allowed by statute (the Sheriff has to earn more than the next highest paid person in that department). Mr. Sorte explained Undersheriff Myren will retire April 1, 2016, so the time period of concern is January 3rd-April 1st. Discussion ensued.

Mr. Fletcher moved to make the Sheriff's pay greater than the Undersheriff's pay, retroactive to January 3, 2016 through April 1, 2016; with a recommendation to the County Court that they address and take care of the salary deficiency. Mr. Brown seconded. Unanimous approval.

Surveyor Compensation

The current yearly amount paid to the Surveyor is \$3,000. Mr. Haddock presented diaries of his activities starting in 2013. They showed he spent over 600 hours in the first year bringing the survey records up to a usable level. However, the hours decreased each year as the condition of the records improved. He said he now estimates he will spend about 40 hours per month on County Surveyor duties. However, in his upcoming fiscal year budget request, he said he used 30 hours per month, which equals \$36,000 using his office rate charge.

The Committee asked many questions of Mr. Haddock, but decided they would like additional information before making a recommendation.

Mr. Fletcher moved to request County staff gather additional information in order to pursue a more realistic salary or stipend recommendation to the County Court for the County Surveyor. Mr. Brown seconded. Unanimous approval.

Break

Commissioner Compensation

The group discussed the impending change in structure of the County Court and sought clarification from staff.

Ms. Currin moved to recommend all three part-time Commissioners be compensated equally (upon the elimination of the Judge position), with the understanding if one Commissioner has more responsibility, there should be additional compensation or stipend. Mr. Fletcher seconded. Unanimous approval.

Comments

Ms. Gutierrez said she received the Compensation Committee information packet on Friday, March 25th, which didn't give her enough time to address some issues. She said she would postpone her comments until next year unless this Committee will be meeting again. Ms. Currin said if the Committee is needed, they are available.

Mr. Gorman said he agreed with Ms. Gutierrez that additional time for review would have been appreciated. He also said the packet included a great deal of useful information. He then asked the Committee to consider the fact that the County has grown substantially as far as real market value, assessed value, and in-lieu-of tax payments, all of which impact public officials.

Ms. Childers stated she is the only County Clerk in the state who deals with confidential juvenile records and documents, and in past years, that difference was not considered by this Committee.

She also said she has endeavored to be a better elected official by additional education, and has been involved with an election center professional group.

Sheriff's Compensation and Cost of Living Adjustments (COLAs)

Mr. Fletcher moved to recommend a three-percent COLA for the following positions: Commissioner, Assessor, Treasurer, Sheriff, and Clerk (leaving the Judge position to be determined by another body). Discussion about Sheriff's pay and how to apply a COLA. Motion died for lack of a second.

Cost of Living Adjustments

Mr. Fletcher moved to recommend three-percent COLAs for the following positions: Commissioner, Assessor, Treasurer, Sheriff and Clerk, effective July 1, 2016. Mr. Brown seconded. Unanimous approval.

Closing

Mr. Sorte recommended the Compensation Committee meet again to review additional market rates for surveyor work. The members decided to meet at this same location, 9:00 a.m., Thursday, March 31st with Mr. Brown attending by phone.

Adjourned: 11:00 a.m.

Morrow County Compensation Committee

March 31, 2016

Heppner, Oregon

Bartholomew Building Upper Conference Room

Committee Members

Lisanne Currin, Chief Financial Officer, Morrow County Grain Growers

Rob Brown, Irrigon, (by phone)

Andy Fletcher, Manager of Finance & Administration, Columbia Basin Electric Cooperative

Staff/Audience

Jerry Sorte, Administrative Officer

Ronda Fox, Finance Management Assistant

Roberta Lutcher, Court Executive Assistant

Mike Gorman, Assessor/Tax Collector

Stephen Haddock, Surveyor

Greg Sweek, Heppner

Excused

Karen Wolff, Human Resources Director

Call to Order: 9:05 a.m.

Mr. Sorte asked if the Committee was open to receiving new information from elected officials as Gayle Gutierrez submitted comment following the meeting of March 29th. The members indicated they were willing to receive it. He then explained the committee reconvened today to review new information on surveyor compensation.

Surveyor Compensation

Mr. Sorte reviewed his memo to the Compensation Committee which contained hourly rates for field work and office work from survey firms in the region. He also referenced surveyor wage comparison information previously provided in the Compensation Committee binders. Extensive discussions took place.

Ms. Currin moved to make a recommendation to the County Court and Budget Committee that the elected Surveyor position compensation fall within the range of \$15,000 to \$36,000 (based on 300-400 hours worked annually). Mr. Fletcher seconded. Unanimous approval.

New Information from Treasurer

Mr. Fletcher explained Ms. Gutierrez's memo shows Treasurer, Clerk and Justice of the Peace wages when compared to Assessor wages in various counties. He said there appears to be a discrepancy (higher wage for Assessor), but some Assessor positions show they supervise more employees and oversee a larger budget than the other positions.

Ms. Currin said comparisons are always difficult because job duties vary so widely. She added the Treasurer position in Morrow County is well above the average for the other counties. At what point do we stop comparing, she asked. Mr. Fletcher said he would like to see the discrepancy with the Assessor wage looked into and addressed, if necessary.

Future Agenda Items

- Mr. Fletcher said the Committee will need to address the issue of subordinate wages nearing the wage of their supervisor (elected official).
- Mr. Brown said longevity issues need to be addressed.
- Ms. Currin said she would like to expand the counties used for comparisons. Mr. Fletcher agreed, and noted Clackamas County isn't appropriate for comparison purposes.

Mr. Sorte said he would present the Committee's recommendations to the County Court on April 6th, and obtain direction on how to move the recommendations through the budget process.

Adjourned: 10:01 a.m.

Morrow County Court
April 6, 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/Dist. Atty.
Roberta Lutcher, Court Executive Assistant

Audience

Jim Doherty, Boardman
Ronda Fox, Finance Management Assistant
Mike Gorman, Assessor/Tax Collector
Stephen Haddock, County Surveyor
Brian Kollman, Columbia Basin Elec. Coop
Melissa Lindsay, Lexington
Greg Sweek, Heppner

Call to Order: 9:06 a.m.

City and Citizen Comments – Heppner: No comments

Open Agenda: No items

Department Reports

Road Report

Matt Scrivner, Assistant Road Master

- Spring road grading – most of the roads in the spring/fall road grading plan have been bladed at least once, and two graders are currently finishing the remaining roads. When conditions allowed for truck traffic, rock was hauled to numerous roads.
- Pot hole patching – the Stepp Manufacturing pot hole patching machine was demonstrated for two weeks. Crews patched holes on Ione-Gooseberry Road, Halvorsen Lane, Ella Road, Ione-Boardman Road, Baseline Lane, Kilkenny Road, Pole Line Road, Frontage Lane, Homestead Lane, 4th, Division Road, Utah Avenue, and others.
- Broom shoulder rock – all of the spring brooming of sanding materials has been completed, except Coal Mine Hill and a few roads in Irrigon.
- Coal Mine Hill – the closure was removed on March 10th since no snow remained on the paved portion, and a request was received from the snowmobile club. The hill and other County roads in the area were inspected before removing the barricades.
- Ione-Gooseberry Bridge – old decking was removed and a new steel decking with asphalt installed; new guard rail was also installed.
- Sunflower Flat Road Rocking Project – work will continue here for approximately six weeks. There will be a grader, roller, water truck, two Public Works belly dump trucks, and two Ashbeck belly-dump trucks working to install over 30,000 cubic yards of rock.
- Big Butter Creek Lane – prior to chip sealing here in July, crew members have been sloping banks, building shoulders, cleaning ditches, repairing cattle guards, installing culverts, and paver patching bad areas.
- Sign repair – when crew levels allow, sign repair has been taking place in the County.
- Training – four crew members attended the Gravel Road Workshop in Redmond. Attendees shared their experiences with different stabilization and dust abatement

procedures. Two crew members stayed to attend a workshop to earn continuing education hours toward maintaining their herbicide applicator licenses.

Amendment #1 to Right of Way Services Agreement – Wilson Lane & Laurel Road Intersection
Burke O'Brien, Public Works Director

Commissioner Rea moved to approve Amendment Number 01 to Miscellaneous Contracts and Agreements No. 31023-01, Right of Way Services Agreement, Wilson Lane & Laurel Road Intersection Improvements, with the Oregon Department of Transportation. Commissioner Russell seconded. Unanimous approval.

Contract for Materials and Supplies – Portable Toilets
Sandi Putman, Public Works Management Assistant

Based on the recommendation of Public Works, Commissioner Russell moved to approve the Contract for Materials and Supplies – Portable Toilets, with CB's LLC Portable Restrooms, for a three-year period beginning April 6, 2016 and ending April 2, 2019. Commissioner Rea seconded. Unanimous approval.

Sheriff Department Monthly Update

Sheriff Ken Matlack

Undersheriff John Bowles

Sheriff Matlack discussed several items from the report of activity for March, including a fatality on I-84 on March 28th; a subject with possible mental health issues waving a gun in Irrigon on March 22nd; a successful search and rescue in the Cutsforth Park area on March 26th; and several animal related incidents. He also mentioned the need for an additional staff person in Probation and Parole. He said his budget is significantly falling behind on the daily costs of jail beds. For example, it was over by \$12,000 last month, he said.

Old Business

Association of Oregon Counties (AOC) 2016 Dues

Commissioner Rea moved to approve the AOC 2016 Dues, Invoice # 2016 AOC, with the exception of one of the voluntary dues – Public Employees Retirement System (PERS) Alliance Dues (\$175.85), leaving a balance due of \$9,972.70. Commissioner Russell seconded. Unanimous approval.

New Business

Request to Recruit/Fill Assessment & Tax Clerk Position

Mike Gorman, Assessor/Tax Collector

Mr. Gorman explained a recent resignation created the opening. Brief discussion.

Commissioner Rea moved to approve allowing the Assessor's Office to advertise and fill the position of Assessment and Tax Clerk. Commissioner Russell seconded. Unanimous approval.

Break

10:06 a.m. – Public Hearing, Road Vacation Request, Fellbourne Street, Heppner

Carla McLane, Planning Department Director

Hank Pieper, GIS (Geographic Information Systems) Technician

Judge Tallman called for abstentions, conflicts of interest, and ex-parte contact. Hearing none, he called for the Staff Report.

Mr. Pieper explained the City of Heppner is the petitioner; Fellbourne Street is outside the city limits, but within the urban growth boundary; all required criteria have been met; and the adjacent landowners have cooperated throughout the process. Mr. Pieper made note of a memo in the information packet from the County Road Master, Burke O'Brien, in support of the vacation request. Mr. Pieper stated Planning staff recommend approval. Brief discussion.

Judge Tallman called for comment from opponents, proponents and neutral parties. As there were no comments, he closed the hearing at 10:15 a.m.

On the recommendation of Planning Staff, and confirmed by a letter from the County Road Master, Commissioner Rea moved to approve the request as presented, and grant the vacation of Fellbourne Street within the Urban Growth Boundary, and direct Planning Staff to prepare the order for signature at a future date. Commissioner Russell seconded. Unanimous approval.

Continued Public Hearing to Consider Replacing the Economic Element of the Morrow County Comprehensive Plan

Ms. McLane

Judge Tallman said this is a continuation of the Public Hearing of March 23rd. Ms. McLane then provided her Staff Report. She said the requested text/grammatical changes were made, but regarding Commissioner Rea's request to include information about the negative impact of the Bombing Range, she does not recommend expending the additional effort at this time. She said when the Planning Commission completed the update of the Economic Element, they knew it was with the understanding they would return to address additional issues, such as the concern expressed by Commissioner Rea. Discussions ensued.

At this point, County Counsel, Justin Nelson, said the prudent step would be to open back up for public comment. Judge Tallman then called for comment from proponents: no comments; opponents: no comments; neutral parties: Melissa Lindsay said she is a member of the Morrow County Planning Commission and appreciated the detailed look taken by the County Court. She also said the Planning Commission was aware the Economic Element would be an ever-evolving document and some items would need to be addressed in the future. Additional discussion. Judge Tallman closed the hearing at 10:52 a.m.

On the recommendation of the Morrow County Planning Commission and the Planning Department, Commissioner Russell moved to amend the Comprehensive Plan Economic Element, replacing the current Economic Element in its entirety. Commissioner Rea seconded. Unanimous approval.

The Commissioners asked Ms. McLane to extend their appreciation to the Planning Commission members for their continuing efforts to update the Comprehensive Plan.

New Business

Review of Compensation Committee Recommendation on Pay for the Sheriff, Clerk, Assessor, Treasurer, Commissioners, and Surveyor

Jerry Sorte, Administrative Officer

Mr. Sorte reviewed the recommendations of the Compensation Committee from its March 29th and 31st meetings. His memo outlined the recommendations as follows:

- A temporary increase in pay for the Sheriff from January 3 – April 1, 2016 (the date the Undersheriff received a Step increase) to an amount greater than the Undersheriff's pay. The Sheriff's pay would return to its current level (\$93,471) from April 2nd through the end of the fiscal year (June 30, 2016).
- All three Commissioners should be paid at the same part-time level when the County Judge position is abolished.
- Beginning July 1, 2016, a three-percent cost of living adjustment (COLA) should be provided to the pay of the Sheriff, Clerk, Assessor, Treasurer, and County Commissioners.
- The Surveyor be paid between \$15,000-36,000 based on 300-400 hours of work annually.

Commissioner Russell then raised objections to the process used to make wage comparisons (three counties larger than Morrow County, and three smaller), and whether or not the experience and backgrounds of the Compensation Committee members meet statutory requirements to serve as members. He suggested the comparison be regionally focused and said he knows someone he would like to appoint to the Committee next year. Debate and discussion took place on whether to conduct a new comparison study this close to Budget Hearings, or go with the Committee's recommendations. The Court agreed by consensus that the County should do a new analysis comparing Morrow County to Umatilla County, Wasco County, Union County, Benton County (Oregon), Pendleton, Hermiston, and The Dalles. A special meeting to discuss the results will take place in Heppner on Monday, April 18th, 9:00 a.m., Bartholomew Building Upper Conference Room. Mr. Sorte said if anyone wants information included in the packets for consideration, it should be submitted to his office or the Human Resources Office no later than Thursday, April 14th.

Discussion on Pay Levels for Non-Represented Employees

The Court agreed by consensus to a three-percent COLA for non-represented employees for the 2016-2017 fiscal year.

Department Staffing Requests for Fiscal Year 2016-2017

Commissioner Russell said he would like to see the requests go to the Budget Committee during the meetings of April 19th-21st. The Committee and the Court will be able to look at revenue information while deciding whether or not to approve the requests, he said.

County Furniture Discussion and Surplus Declaration

Mr. Sorte recommended separating out furnishings that can be used for facility expansion in the north end of the County, and declaring the remainder as surplus. He said the County can then make it available to other government entities, not-for-profit organizations, civic and non-

commercial groups. The date will be advertised two weeks in advance so agency representatives can be adequately prepared to move and transport the furnishings at that time. He explained the items remaining are disassembled, with no assembly instructions, and are not in perfect shape.

Transmission Projects Update and Information

Ms. McLane requested direction on several topics -

- Boardman to Hemingway (B2H) Transmission Line Project Preliminary Agency Preferred Route: Should Morrow and Umatilla Counties host an open house so affected landowners can provide input to Idaho Power, the Bureau of Land Management, and Oregon Department of Energy? The Court was in favor of this.
- Bombing Range Road as a utility corridor: How does the County continue to support limiting the impact to irrigated agriculture, while still providing opportunities for renewable energy projects? Judge Tallman said the County could start the process/conversations with developers, but private industry should take the lead after that, not the Planning Department. Commissioner Russell said he will be meeting with Tom Wolff, General Manager, Columbia Basin Electric Cooperative, who has raised some concerns, but he himself is unsure of the role the County should play.
- Update - Wheatridge Wind Energy facility: Ms. McLane said Wheatridge continues to work with Umatilla Electric Cooperative on the ability to move energy once it's been generated. Planning staff anticipate an application in the near future, she added.
- Public and private use of County rights-of-way: The discussion, which included Mr. O'Brien, centered on preserving what remains in County rights-of-way, especially in order to maintain public safety by reducing above-ground fixed objects. He also said the County is under no obligation to enter into agreements with private utilities. However, future agreements need to specify who owns the structure, include liability insurance, and proof of who will maintain the structure in the event of damage, he said.

Lunch break

Retirement Program Update – McGee Wealth Management, Inc. (MWM)

Judith McGee, Chief Executive Officer, McGee Wealth Management, Inc.

Jennifer Currin Gutridge, Executive Vice President, McGee Wealth Management, Inc.

My Edmonds, Senior Institutional Consultant, Raymond James Financial, Inc.

During their detailed annual update, Ms. McGee discussed the health of the pension plan, Ms. Edmonds discussed shock tests to the plan and fiduciary responsibilities, and Ms. Gutridge presented an investment report. A few of the discussion items were:

- The plan is currently \$6 million underfunded, which has created a debt to the pension plan. Last year MWM encouraged the County to work toward reducing that amount, and through Long Range Planning, funds have been allocated starting in the next fiscal year. Ms. McGee said this is a move in the right direction. She also said Defined Benefit Plans, such as Morrow County's, are quite rare, particularly ones that promise two-percent per year.
- For the last two years, the County instructed MWM to meet or beat PERS (Public Employees Retirement System). This was accomplished, said Ms. McGee, but the plan

did not make money last year. She said they worked to position the County Plan so it would not suffer the highs and lows of the volatile market.

- Ms. Edmonds said from a fiduciary standpoint, the County has met all necessary requirements.

(Copies of McGee Wealth Management's *Morrow County Retirement Plan, Portfolio Review, April 6, 2016* is available in the County Court Office. Please contact Roberta Lutcher, 541-676-5613, to request a copy.)

County Counsel Report

Justin Nelson, County Counsel/District Attorney

Blue Mountain Healthy Families Performance Based Subcontract

On the recommendation of County Counsel, Commissioner Rea moved to approve the Blue Mountain Healthy Families Performance Based Subcontract between Umatilla-Morrow Head Start, Inc. and Morrow County Public Health; and authorize Judge Tallman to sign on behalf of the County. Commissioner Russell seconded. Unanimous approval.

Administrative Officer Report

Mr. Sorte

- Finance Director Recruitment – About 10 applications were received, but the minimum requirements for most were not met. He asked if the Court would like to reopen the recruitment and/or conduct a dual recruitment for Accounting Supervisor or Finance Director. The Commissioners agreed to a dual recruitment.
- Website Development Fees – Mr. Sorte said his research into fees indicated \$10,000-11,000 for initial development, and \$250 per month for maintenance, support, updates, etc.

Claims

Commissioner Russell moved to approve Payroll Payables, Immediate & Electronic, dated March 16th and 30th; Payroll Payables, Monthlies, dated March 30th; Payroll Payables, Employee Final, dated March 16th; Void Checks, dated March 31st; and Accounts Payable, dated April 7th, in the amount of \$358,014.72. Commissioner Rea seconded. Unanimous approval.

Minutes

Commissioner Rea moved to approve the minutes of March 23rd, as presented. Commissioner Russell seconded. Unanimous approval.

Correspondence Reviewed

- Taxing Districts, 2016-17 Value Estimate compiled by Mike Gorman, Assessor/Tax Collector
- Irrigon Chamber of Commerce membership acknowledgement
- B2H Transmission Line Project update to interested parties from the BLM
- Letter from Genevieve Masters, Forest Supervisor, Umatilla National Forest, inviting Commissioners to meet with the Blue Mountains Restoration Strategy Team to discuss the proposed Forest Resiliency Project

Commissioner Reports

- Commissioner Rea reported attending a Columbia Development Authority meeting.
- Commissioner Russell said he attended the Boardman Community Development Association Annual Forum and last week's Morrow County Planning Commission meeting. He said he is concerned at the length of the Planning Commission meetings. He said it started at 6:00 p.m. and he left at 10:00 p.m. and it was still going. He said this may be a lot to ask of a volunteer commission and the meetings need to be streamlined.
- Judge Tallman said he attended the Work Force Advisory meeting in La Grande, and the Regional Citizens Advisory Committee meeting in Pendleton, related to health care.

Department Report

Human Resources Department

Karen Wolff, Human Resources Director

Since County Counsel had to be excused at 2:45 p.m., the scheduled Executive Session was not possible. Instead, Ms. Wolff said she would stick to the facts in the public record. She said she attended Circuit Court on Thursday, March 31st to listen to the motion for summary judgement. She said the judge announced at the onset he would take it under advisement and write a response letter in a few weeks. She said the case is scheduled to go to trial at the end of April.

Adjourned: 3:32 p.m.

Special Meeting of the Morrow County Court

April 18, 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 Atty.
Ronda Fox, Finance Management Assistant
Roberta Lutcher, Court Executive Assistant

Staff/Audience

Bobbi Childers, Clerk
Mike Gorman, Assessor/Tax Collector
Gayle Gutierrez, Treasurer
Stephen Haddock, Surveyor
Melissa Ross, Admin. Asst., Sheriff's Dept.
Ann Spicer, Justice of the Peace
Melissa Lindsay, Heppner,
Greg Sweek, Heppner

Call to Order: 9:00 a.m.

Open Agenda

- Mr. Gorman reminded the Court that requests for new employees were to be considered by the Budget Committee, but he would like to know if his request has County Court support before presenting it to the Budget Committee. The Commissioners indicated they were not ready to make a decision, and that the process needed to be followed. Commissioner Russell said he looked upon Mr. Gorman's request favorably though.
- Ms. Childers briefly reviewed two handouts she provided that showed Wasco County Clerk's Office compensation and services provided.

Old Business

Consideration of Pay for Elected Officials

In summarizing the need for the special meeting today, Mr. Sorte said the Compensation Committee met twice and forwarded recommendations to the County Court. Before action could be taken by the Court, Commissioner Russell voiced his objections to the counties used in the wage comparisons. The Court then directed staff to compile new comparisons from different sources (Wasco, Umatilla and Benton Counties; and the Cities of Pendleton, Hermiston and The Dalles).

Commissioner Rea said she was hesitant to change the counties used for comparison. Morrow County has agreements with the three unions based on the same counties considered by the Compensation Committee, and the unions may raise objections, she said. Judge Tallman agreed with Commissioner Rea. Commissioner Russell said if the County has been doing things incorrectly, change needs to occur. In addition, he said he had problems with one of the members of the Compensation Committee not meeting the statutory requirement, or background, to serve as a member. Discussion.

Judge and Commissioner Compensation

The Commissioners agreed the recommendation of the Compensation Committee regarding their salaries should be followed, as they said they were uncomfortable weighing in on the matter.

New Compensation Comparison Information for Elected Officials

Ms. Wolff reviewed the information packet for the Court which contained the newly compiled compensation information. She noted the unions may want to follow the same method of comparison during the next collective bargaining. Ms. Wolff said the Human Resources/Labor Relations Consultant with the Local Government Personnel Institute (LGPI) suggested the same process be followed for all entities. Various discussions.

Discussion highlights:

- Surveyor compensation - Commissioner Russell stated he was comfortable with the upper end of the range recommended by the Compensation Committee (\$36,000).
- Sheriff's Pay – Background information - Undersheriff Steve Myren qualified for a step increase January 3rd until his retirement on April 1st. This put his salary above the Sheriff's, which is not allowed according to statute. Now that Steve Myren has retired, the new Undersheriff's wage is lower, so the Court needed to decide the level of pay for the Sheriff after April 1st. After discussing numerous options, Commissioner Russell suggested the Sheriff's wage remain at the elevated level through the end of the fiscal year, and the cost of living adjustment (COLA) be based on his salary at the start of the previous fiscal year (July 1, 2015). Commissioner Russell's rationale was the Sheriff would be receiving three-percent from where he started the year, like everyone else, and that he just received part of his three percent early because of the required increase of January 1, 2016. He also said it's only because of a quirk in the law, and perhaps better lobbyists, that sheriffs have to be the highest paid in their departments. The group also discussed the fact that before any retroactive payments can be made, the Budget Committee has to consider the recommendations.
- District Attorney (DA) Supplement - DAs are paid by the State of Oregon, so the point of discussion was whether to offer a supplement from the County. Commissioner Rea said a good starting point would be \$6,000 per year, or \$500 a month. This is half of what Baker County offers, she said, and can be re-evaluated next year. Judge Tallman and Commissioner Russell agreed.
- Assessor compensation – Commissioner Russell said after reviewing the additional information provided, he believed the wage was appropriate; Commissioner Rea agreed.
- Treasurer – Commissioner Russell said the average shows Morrow County pays well. Gayle Gutierrez, Treasurer, suggested all Elected Officials be compensated equally. The Commissioners were not in favor of this idea.
- Clerk and Justice of the Peace – Commissioner Rea noted both positions are compensated below that of the Treasurer. She said they should be brought up to the same level; Judge Tallman and Commissioner Russell concurred.
- COLAs – The Court agreed to three-percent COLAs for the Assessor, Clerk, Commissioners, Judge, Sheriff and Treasurer.

Adjourned: 11:20 a.m.

Quick Reference Guide for Public Employers

IRS Pub 5138

FEE-BASED PUBLIC OFFICIALS

In general, if an individual performs services as an official of a governmental entity and the remuneration received is paid from governmental funds, the official is an employee and the wages are subject to federal employment taxes. Examples of public officials include, but are not limited to, the President, governor, mayor, county commissioner, judge, justice of the peace, sheriff, constable, registrar of deeds, or building inspector.

An exception to this rule applies to a fee-based public official. A fee-based public official receives his/her remuneration in the form of fees directly from the public with whom he/she conducts business. However, if the fee service is covered by a Section 218 agreement, it is treated as employment regardless of other factors. Section 218 coverage always supersedes other considerations.

If a public official receives remuneration or salary directly from or through a government fund on the basis of a fixed percentage, and no portion of the monies collected belongs to or can be retained by him or her as compensation, then the remuneration is not a fee, but salary subject to all employment taxes.

If an individual performs services in more than one position, each position is treated separately for purposes of determining whether the compensation for the service constitutes payment of fees to a fee-based official.

For detailed information on this subject, see [Publication 963](#), Federal-State Reference Guide, and Revenue Ruling 74-608, 1974-2 C.B. 275.

SPECIAL SITUATIONS FOR PUBLIC WORKERS

Specific statutory provisions apply to various categories of individuals who work for government entities. Some common categories of these workers are discussed below.

Elected and Appointed Officials

With the exception of fee-based officials, discussed in section 5, elected and appointed officials are generally employees for federal income tax withholding purposes. Under section 3401(c) of the Internal Revenue Code, these officials are subject to income tax withholding. Generally, these individuals are also common-law employees for social security and Medicare purposes under section 3121(d)(2). Any individual covered under a Section 218 Agreement between the employer and the Social Security Administration is subject to social security and Medicare withholding under section 3121(d)(4). For more information, see [Publication 963](#).

Casual Laborer

Federal tax law does not contain any special provision for a "casual laborer." There is no "grace period" or minimum amount before withholding of employment taxes applies; if a common-law employee is performing covered services, you must withhold with the first dollar earned by the



HELP ⓘ

MENU ☰

[Home](#) > [File](#) > [Businesses and Self-Employed](#) > [Small Business and Self-Employed](#)
> [Independent Contractor Self Employed or Employee](#)

Independent Contractor (Self-Employed) or Employee?

[English](#) | [Español](#) | [Chinese, Traditional](#) | [Korean](#) | [Russian](#) | [Vietnamese](#)

Individuals

International Taxpayers

Businesses and Self-Employed

Small Business and Self-Employed

Employer ID Numbers

Business Taxes

Reporting Information Returns

Self-Employed

Starting a Business

Operating a Business

Closing a Business

Industries/Professions

Small Business Events

Online Learning

Corporations

Government Entities

It is critical that business owners correctly determine whether the individuals providing services are employees or independent contractors.

Generally, you must withhold income taxes, withhold and pay Social Security and Medicare taxes, and pay unemployment tax on wages paid to an employee. You do not generally have to withhold or pay any taxes on payments to independent contractors.

Select the Scenario that Applies to You:

- **I am an independent contractor or in business for myself**
If you are a business owner or contractor who provides services to other businesses, then you are generally considered self-employed. For more information on your tax obligations if you are self-employed (an independent contractor), see our [Self-Employed Tax Center](#).
- **I hire or contract with individuals to provide services to my business**
If you are a business owner hiring or contracting with other individuals to provide services, you must determine whether the individuals providing services are employees or independent contractors. Follow the rest of this page to find out more about this topic and what your responsibilities are.

Determining Whether the Individuals Providing Services are Employees or Independent Contractors

Before you can determine how to treat payments you make for services, you must first know the business relationship that exists between you and the person performing the services. The person performing the services may be -

- An [independent contractor](#)
- An [employee](#) (common-law employee)
- A [statutory employee](#)
- A [statutory nonemployee](#)
- A [government worker](#)

In determining whether the person providing service is an employee or an independent contractor, all information that provides evidence of the degree of control and independence must be considered.

Common Law Rules

Facts that provide evidence of the degree of control and independence fall into three categories:

- 1) **Behavioral**: Does the company control or have the right to control what the worker does and how the worker does his or her job?
- 2) **Financial**: Are the business aspects of the worker's job controlled by the payer? (these include things like how worker is paid, whether expenses are reimbursed, who provides tools/supplies, etc.)
- 3) **Type of Relationship**: Are there written contracts or employee type benefits (i.e. pension plan, insurance, vacation pay, etc.)? Will the relationship continue and is the work performed a key aspect of the business?

Businesses must weigh all these factors when determining whether a worker is an employee or independent contractor. Some factors may indicate that the worker is an employee, while other factors indicate that the worker is an independent contractor. There is no "magic" or set number of factors that "makes" the worker an employee or an independent contractor, and no one factor stands alone in making this determination.

Also, factors which are relevant in one situation may not be relevant in another.

The keys are to look at the entire relationship, consider the degree or extent of the right to direct and control, and finally, to document each of the factors used in coming up with the determination.

Form SS-8

If, after reviewing the three categories of evidence, it is still unclear whether a worker is an employee or an independent contractor, [Form SS-8, Determination of Worker Status for Purposes of Federal Employment Taxes and Income Tax Withholding](#) (PDF) can be filed with the IRS. The form may be filed by either the business or the worker. The IRS will review the facts and circumstances and officially determine the worker's status.

Be aware that it can take at least six months to get a determination, but a business that continually hires the same types of workers to perform particular services may want to consider filing the [Form SS-8](#) (PDF).

Employment Tax Obligations

Once a determination is made (whether by the business or by the IRS), the next step is filing the appropriate forms and paying the associated taxes.

- [Forms and associated taxes for independent contractors](#)
- [Forms and associated taxes for employees](#)

Employment Tax Guidelines

There are specific employment tax guidelines that must be followed for certain industries.

- [Employment Tax Guidelines: Classifying Certain Van Operators in the Moving Industry](#) (PDF)
- [Employment Tax Procedures: Classification of Workers within the Limousine Industry](#) (PDF)

Misclassification of Employees

Consequences of Treating an Employee as an Independent Contractor

If you classify an employee as an independent contractor and you have no reasonable basis for doing so, you may be held liable for employment taxes for that worker (the relief provisions, discussed below, will not apply). See Internal Revenue Code section 3509 for more information.

Relief Provisions

If you have a reasonable basis for not treating a worker as an employee, you may be relieved from having to pay employment taxes for that worker. To get this relief, you must file all required federal information returns on a basis consistent with your treatment of the worker. You (or your predecessor) must not have treated any worker holding a substantially similar position as an employee for any periods beginning after 1977. See [Publication 1976, Section 530 Employment Tax Relief Requirements](#) (PDF) for more information.

Misclassified Workers Can File Social Security Tax Form

Workers who believe they have been improperly classified as independent contractors by an employer can use Form 8919, [Uncollected Social Security and Medicare Tax on Wages](#) to figure and report the employee's share of uncollected Social Security and Medicare taxes due on their compensation. See the full article [Misclassified Workers to File New Social Security Tax Form](#) for more information.

Voluntary Classification Settlement Program

The [Voluntary Classification Settlement Program \(VCSP\)](#) is a new optional program that provides taxpayers

with an opportunity to reclassify their workers as employees for future tax periods for employment tax purposes with partial relief from federal employment taxes for eligible taxpayers that agree to prospectively treat their workers (or a class or group of workers) as employees. To participate in this new voluntary program, the taxpayer must meet certain eligibility requirements, apply to participate in the VCSP by filing Form 8952, Application for Voluntary Classification Settlement Program, and enter into a closing agreement with the IRS.

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Related Topics

- [Hiring Employees as Independent Contractor Self employed vs Employee](#)

Videos

- [IRS Video Portal](#)
- [Proper Worker Classification Audio](#)
- [Small Business Taxes: The Virtual Workshop - Worker Classification](#)

Forms & Instructions

- [About Form SS8](#)

Publications

- [2017 Publ 15-A \(PDF\) 1](#)
- [2017 Publ 15-B \(PDF\)](#)

Page Last Reviewed or Updated: 05-Oct-2017



Our Agency	Know Your Rights	Resolve an issue	Other Languages	Related Sites
About IRS	Taxpayer Bill of Rights	Respond to a Notice	Español	U.S. Treasury
Work at IRS	Taxpayer Advocate Service	Office of Appeals	中文	Treasury Inspector General for Tax Administration
Help		Identity Theft	한국어	
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Tax Stats, Facts & Figures	Civil Rights Freedom of Information Act	Tax Fraud & Abuse	TiếngViệt	

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Privacy Policy



HELP ⓘ

MENU ☰

[Home](#) > [File](#) > [Businesses and Self-Employed](#) > [Small Business and Self-Employed](#)
> [Behavioral Control](#)

Behavioral Control

English | [Español](#)

Individuals

International Taxpayers

Businesses and Self-Employed

Small Business and Self-Employed

Employer ID Numbers

Business Taxes

Reporting Information Returns

Self-Employed

Starting a Business

Operating a Business

Closing a Business

Industries/Professions

Small Business Events

Online Learning

Corporations

Government Entities

Behavioral control refers to facts that show whether there is a right to direct or control how the worker does the work. A worker is an employee when the business has the right to direct and control the worker. The business does not have to actually direct or control the way the work is done – as long as the employer has the right to direct and control the work.

The behavioral control factors fall into the categories of:

- Type of instructions given
- Degree of instruction
- Evaluation systems
- Training

Types of Instructions Given

An employee is generally subject to the business's instructions about when, where, and how to work. All of the following are examples of types of instructions about how to do work.

- When and where to do the work.
- What tools or equipment to use.
- What workers to hire or to assist with the work.
- Where to purchase supplies and services.
- What work must be performed by a specified individual.
- What order or sequence to follow when performing the work.

Degree of Instruction

Degree of Instruction means that the more detailed the instructions, the more control the business exercises over the worker. More detailed instructions indicate that the worker is an employee. Less detailed instructions reflect less control, indicating that the worker is more likely an independent contractor.

Note: The amount of instruction needed varies among different jobs. Even if no instructions are given, sufficient behavioral control may exist if the employer has the right to control how the work results are achieved. A business may lack the knowledge to instruct some highly specialized professionals; in other cases, the task may require little or no instruction. The key consideration is whether the business has retained the right to control the details of a worker's performance or instead has given up that right.

Evaluation System

If an evaluation system measures the details of how the work is performed, then these factors would point to an employee.

If the evaluation system measures just the end result, then this can point to either an independent contractor or an employee.

Training

If the business provides the worker with training on how to do the job, this indicates that the business wants the job done in a particular way. This is strong evidence that the worker is an employee. Periodic or on-going training about procedures and methods is even stronger evidence of an employer-employee relationship. However, independent contractors ordinarily use their own methods.

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- [Independent Contractor Self Employed or Employee](#)

Page Last Reviewed or Updated: 13-Sep-2017



Our Agency	Know Your Rights	Resolve an issue	Other Languages	Related Sites
About IRS	Taxpayer Bill of Rights	Respond to a Notice	Español	U.S. Treasury
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Tax Stats, Facts & Figures	Freedom of Information Act	Tax Fraud & Abuse	TiếngViệt	
	No Fear Act			
	Privacy Policy			



HELP ⓘ

MENU ☰

[Home](#) > [File](#) > [Businesses and Self-Employed](#) > [Small Business and Self-Employed](#)
> [Financial Control](#)

Financial Control

English | [Español](#)

Individuals

International Taxpayers

Businesses and Self-Employed

Small Business and Self-Employed

Employer ID Numbers

Business Taxes

Reporting Information Returns

Self-Employed

Starting a Business

Operating a Business

Closing a Business

Industries/Professions

Small Business Events

Online Learning

Corporations

Government Entities

Financial control refers to facts that show whether or not the business has the right to control the economic aspects of the worker's job.

The financial control factors fall into the categories of:

- Significant investment
- Unreimbursed expenses
- Opportunity for profit or loss
- Services available to the market
- Method of payment

Significant investment

An independent contractor often has a significant investment in the equipment he or she uses in working for someone else. However, in many occupations, such as construction, workers spend thousands of dollars on the tools and equipment they use and are still considered to be employees. There are no precise dollar limits that must be met in order to have a significant investment. Furthermore, a significant investment is not necessary for independent contractor status as some types of work simply do not require large expenditures.

Unreimbursed expenses

Independent contractors are more likely to have unreimbursed expenses than are employees. Fixed ongoing costs that are incurred regardless of whether work is currently being performed are especially important. However, employees may also incur unreimbursed expenses in connection with the services that they perform for their business.

Opportunity for profit or loss

The opportunity to make a profit or loss is another important factor. If a worker has a significant investment in the tools and equipment used and if the worker has unreimbursed expenses, the worker has a greater opportunity to lose money (i.e., their expenses will exceed their income from the work). Having the possibility of incurring a loss indicates that the worker is an independent contractor.

Services available to the market

An independent contractor is generally free to seek out business opportunities. Independent contractors often advertise, maintain a visible business location, and are available to work in the relevant market.

Method of payment

An employee is generally guaranteed a regular wage amount for an hourly, weekly, or other period of time. This usually indicates that a worker is an employee, even when the wage or salary is supplemented by a commission. An independent contractor is usually paid by a flat fee for the job. However, it is common in some professions, such as law, to pay independent contractors hourly.

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- [Independent Contractor Self Employed or Employee](#)

Page Last Reviewed or Updated: 13-Sep-2017



Our Agency	Know Your Rights	Resolve an issue	Other Languages	Related Sites
About IRS	Taxpayer Bill of Rights	Respond to a Notice	Español	U.S. Treasury
Work at IRS	Taxpayer Advocate Service	Office of Appeals	中文	Treasury Inspector General for Tax Administration
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Contact Your Local Office	Civil Rights	Report Phishing	Русский	
Tax Stats, Facts & Figures	Freedom of Information Act	Tax Fraud & Abuse	TiếngViệt	
	No Fear Act			
	Privacy Policy			



HELP ⓘ

MENU ☰

[Home](#) > [File](#) > [Businesses and Self-Employed](#) > [Small Business and Self-Employed](#)
> [Type of Relationship](#)

Type of Relationship

English | [Español](#)

Individuals

International Taxpayers

Businesses and Self-Employed

Small Business and Self-Employed

Employer ID Numbers

Business Taxes

Reporting Information Returns

Self-Employed

Starting a Business

Operating a Business

Closing a Business

Industries/Professions

Small Business Events

Online Learning

Corporations

Government Entities

Type of relationship refers to facts that show how the worker and business perceive their relationship to each other.

The factors, for the type of relationship between two parties, generally fall into the categories of:

- Written contracts
- Employee benefits
- Permanency of the relationship
- Services provided as key activity of the business

Written Contracts

Although a contract may state that the worker is an employee or an independent contractor, this is not sufficient to determine the worker's status. The IRS is not required to follow a contract stating that the worker is an independent contractor, responsible for paying his or her own self employment tax. How the parties work together determines whether the worker is an employee or an independent contractor.

Employee Benefits

Employee benefits include things like insurance, pension plans, paid vacation, sick days, and disability insurance. Businesses generally do not grant these benefits to independent contractors. However, the lack of these types of benefits does not necessarily mean the worker is an independent contractor.

Permanency of the Relationship

If you hire a worker with the expectation that the relationship will continue indefinitely, rather than for a specific project or period, this is generally considered evidence that the intent was to create an employer-employee relationship.

Services Provided as Key Activity of the Business

If a worker provides services that are a key aspect of the business, it is more likely that the business will have the right to direct and control his or her activities. For example, if a law firm hires an attorney, it is likely that it will present the attorney's work as its own and would have the right to control or direct that work. This would indicate an employer-employee relationship.

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