

Morrow County Organization Chart




February 2017


Legend



Elected Official



Exempt Employees
Not hourly



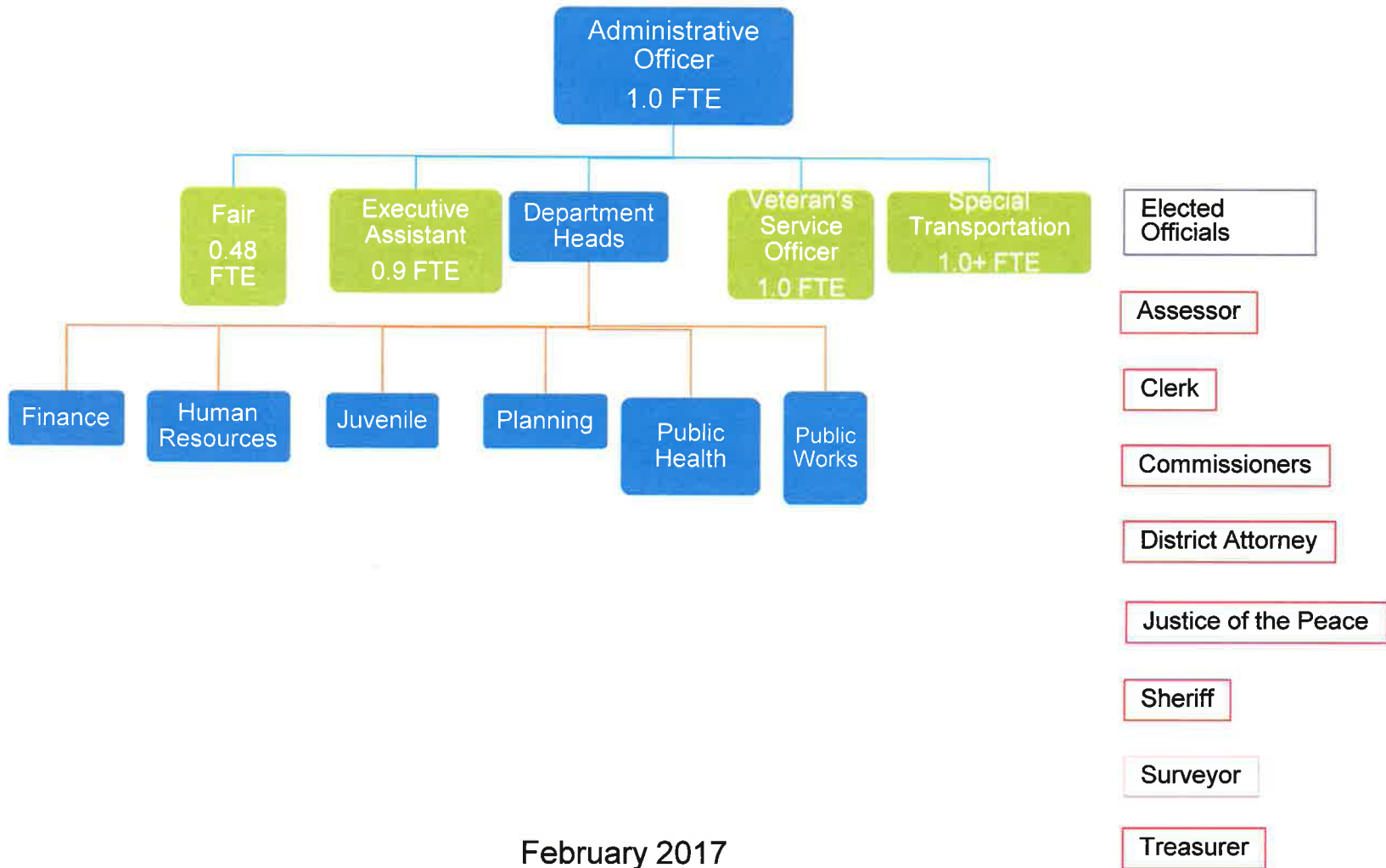
Hourly Employees



Stipend/Volunteer

February 2017

Administration



February 2017

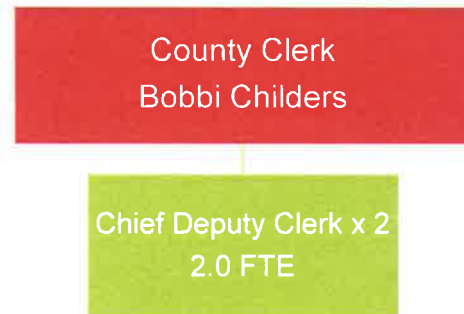
Assessor's Office



Total FTE, including Assessor = 7.0 FTE

February 2017

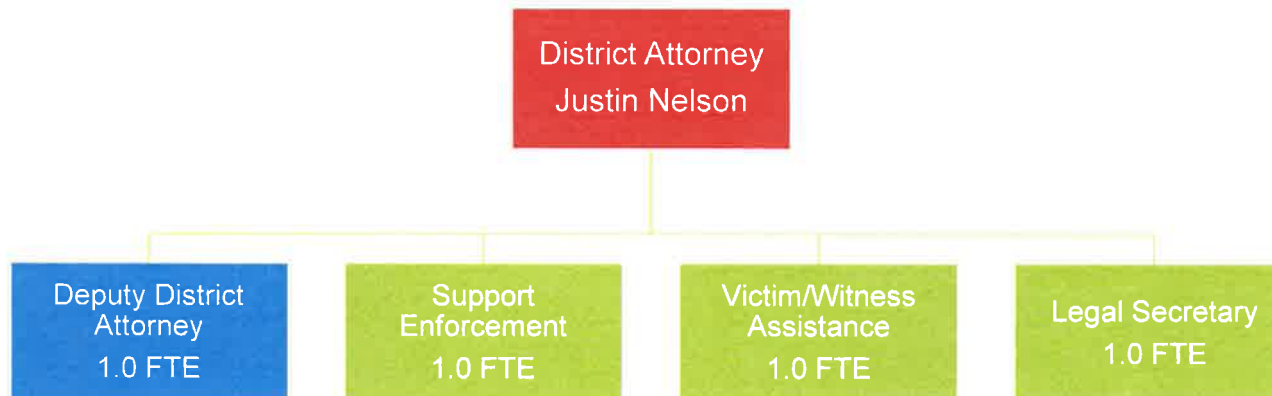
Clerk's Office



Total FTE, including Clerk = 3.0 FTE

February 2017

District Attorney



Total FTE, including DA = 5.0 FTE

February 2017

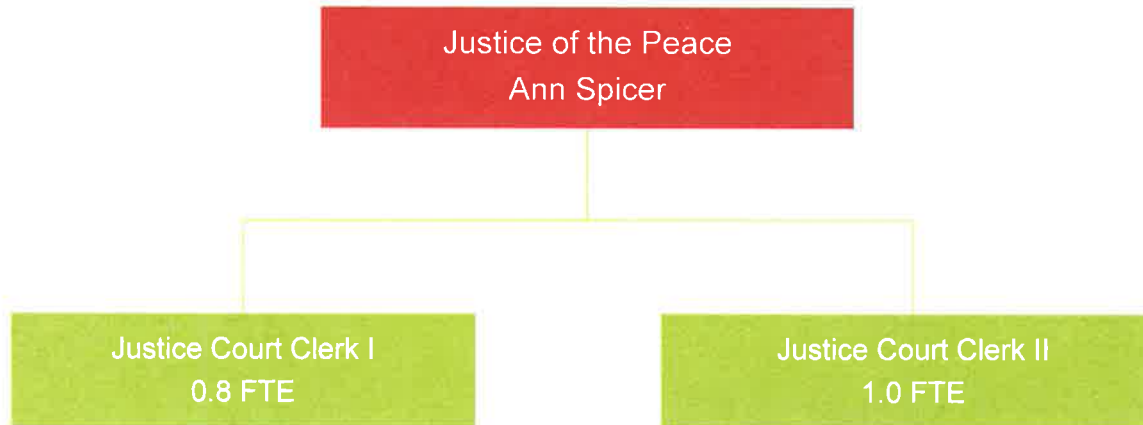
Finance Department



Total FTE, including Director = 3.0 FTE

February 2017

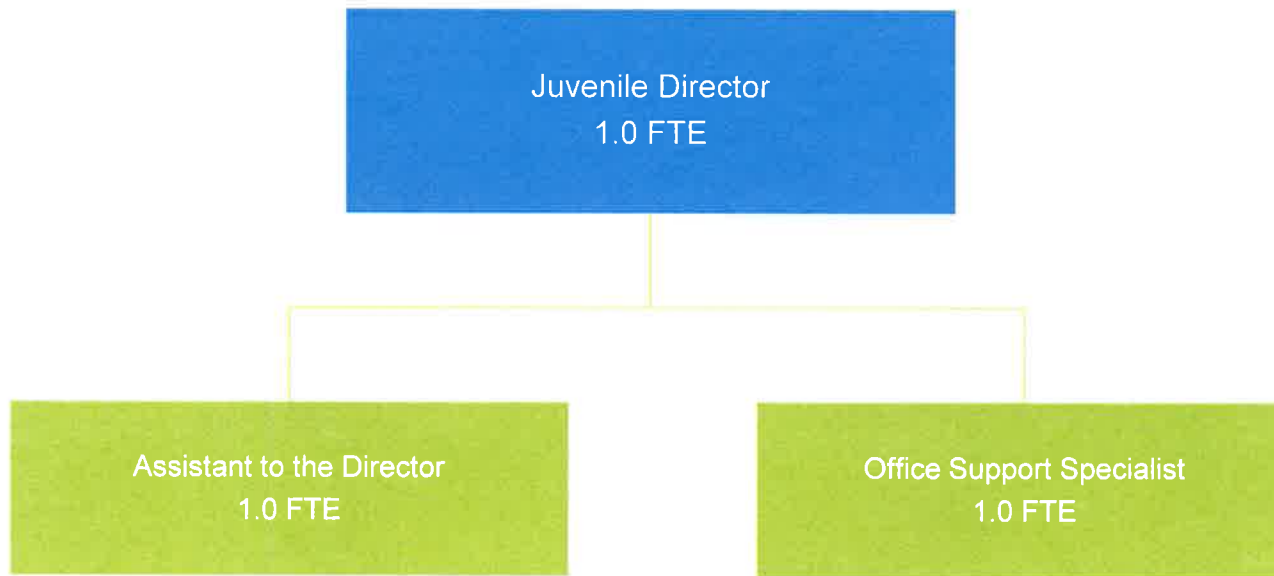
Justice Court Department



Total FTE, including Justice = 2.8 FTE

February 2017

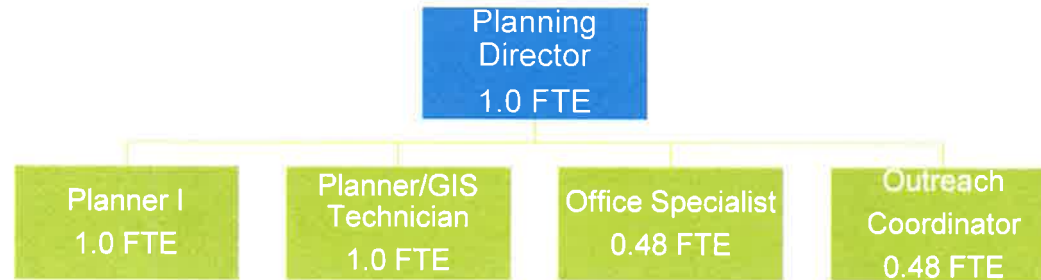
Juvenile Department



Total FTE, including Director = 3.0 FTE

February 2017

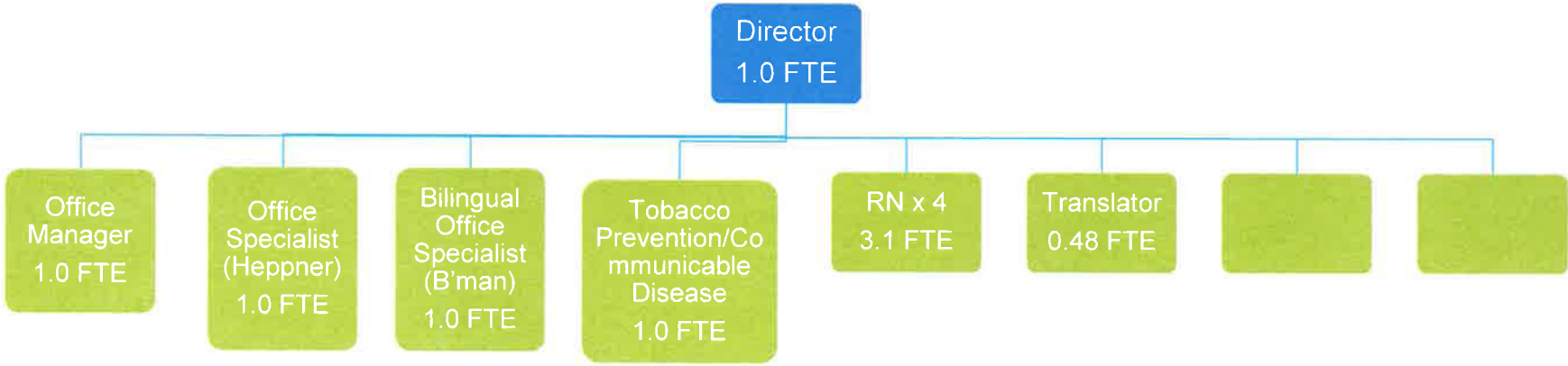
Planning Department



Total FTE, including Director = 3.96 FTE

February 2017

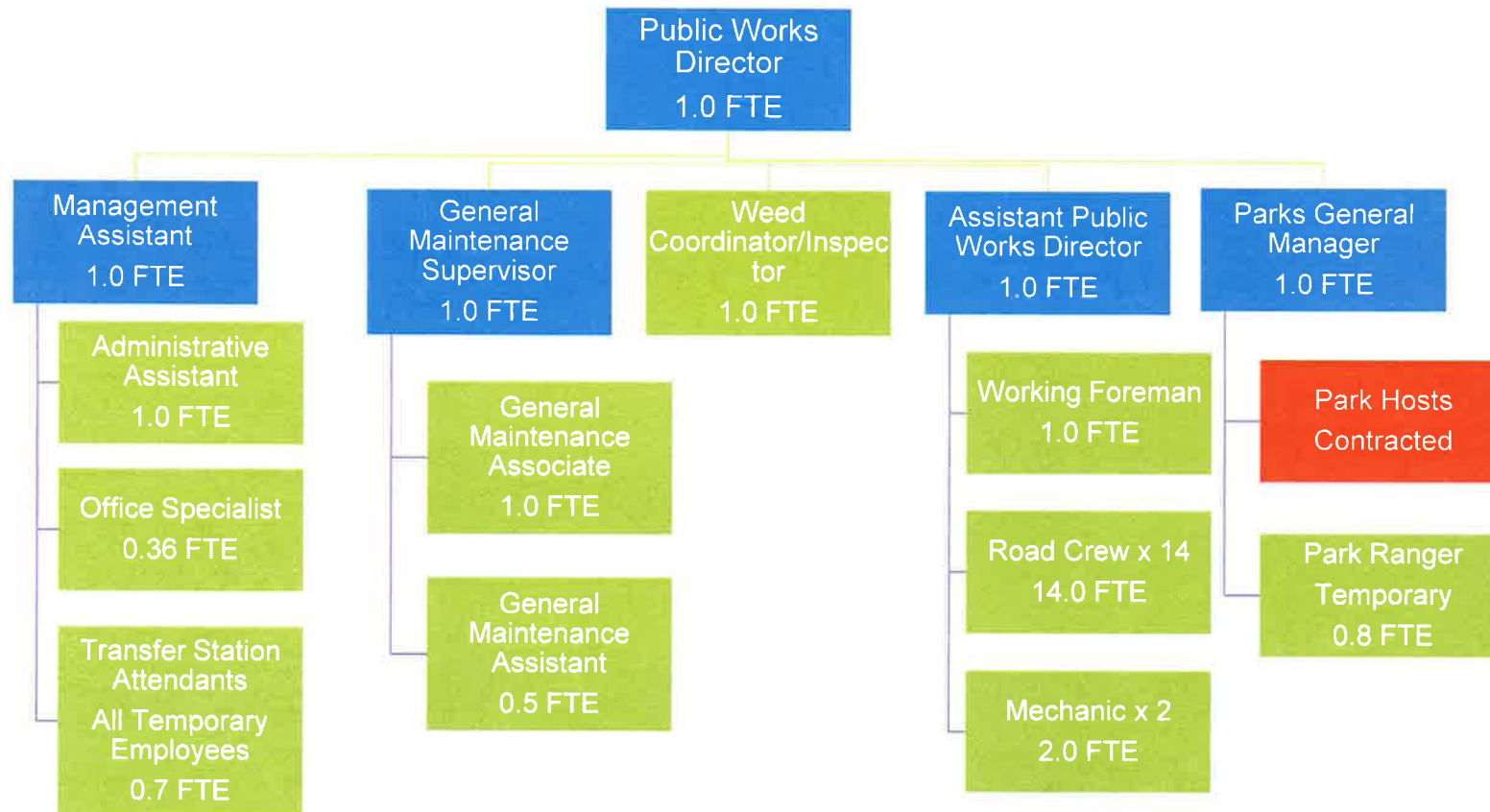
Public Health Department



Total FTE, including Director = 11 FTE

February 2017

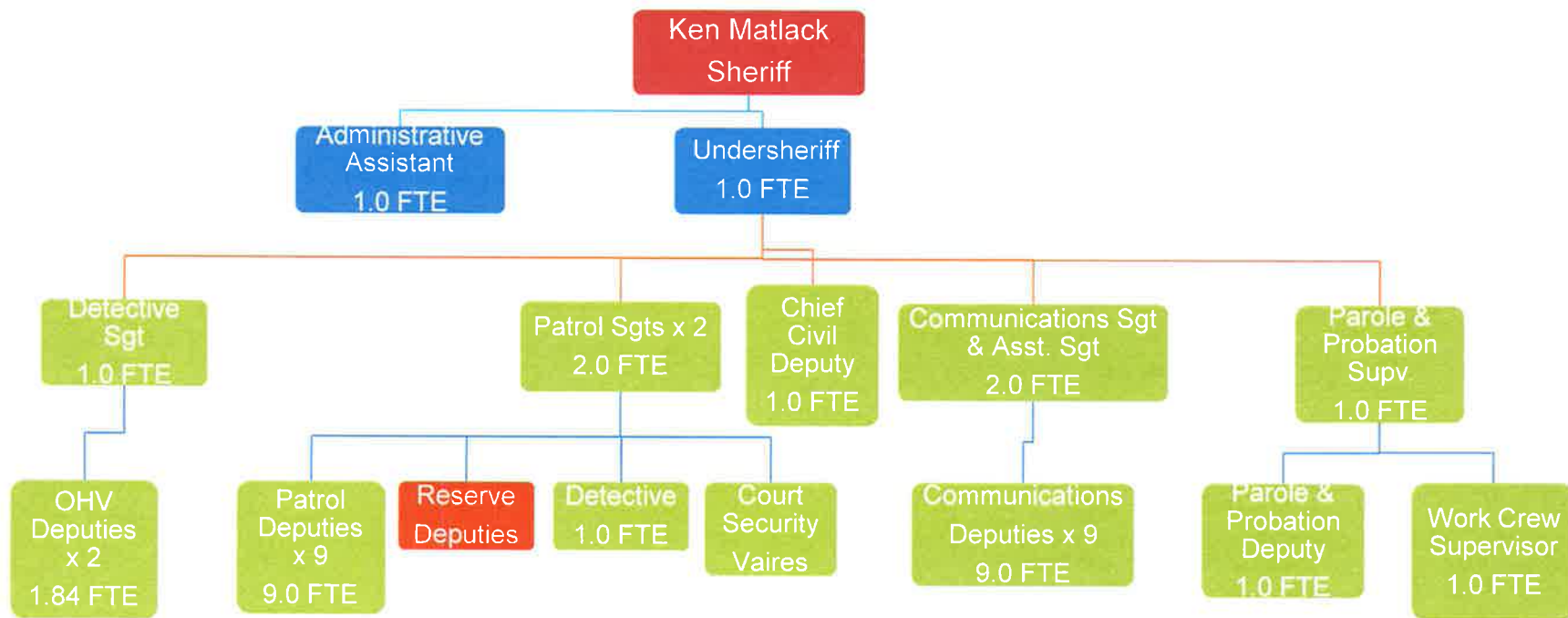
Public Works Department



Total FTE, including Director = 27.36 FTE

February 2017

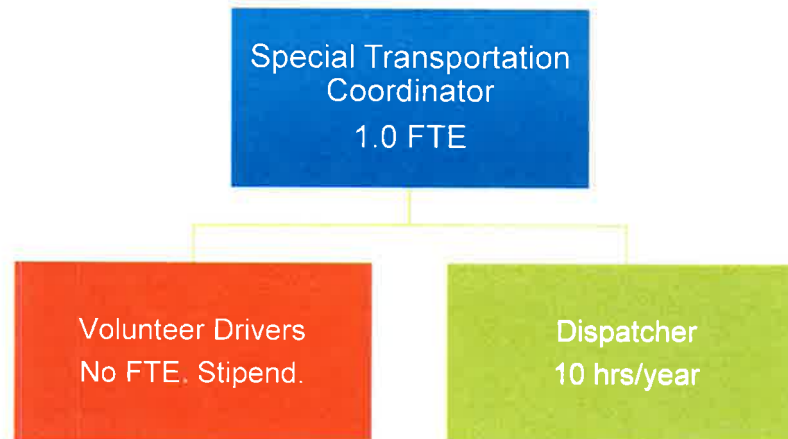
Sheriff's Office



Total FTE, including Sheriff = 25.0 FTE

February 2017

Special Transportation Department



Total FTE = 1.0+ FTE

February 2017

Surveyor's Office

Surveyor
Steve Haddock

No FTE. Stipend.

February 2016

Treasurer's Office

Treasurer
Gayle Gutierrez

Total FTE = 1.0

February 2017

DRAFT

MORROW COUNTY COMPENSATION BOARD MEETING AGENDA
Thursday, March 16, 2017 at 9:30 AM
Bartholomew Building Upper Conference Room
110 N. Court St., Heppner, OR

- 1. Call to Order - 9:30 AM**
- 2. Minutes of March 29, 2016 and March 31, 2016**
- 3. Open Comments** – This is the time provided for individuals wishing to address the Board.
- 4. Elected Officials Compensation Deliberations** – This portion of the meeting will be for Board deliberations. Comment will not be accepted during this time.

Consider Pay Levels of Morrow County Elective Officers, as required under ORS 204.112

- Discussion of wages in general
 - Commissioners
 - Clerk
 - Sheriff
 - Treasurer
 - Surveyor
 - Assessor
 - Justice Court
 - District Attorney
 - Discussion comparing Elected Officials with Morrow County Department Heads and Managers
 - Compensation Board recommendation to the Morrow County Board of Commissioners
- 5. Open Comments** - This is the time provided for individuals wishing to address the Board.
 - 6. Adjournment**

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.

Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the meeting; however, the Board may consider additional subjects as well. 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. The Board may recess for lunch depending on the anticipated length of the meeting and the topics on the agenda. If you have anything that needs to be on the agenda, please notify the Human Resources office before noon of the preceding Friday. If something urgent comes up after this publication deadline, please notify the office as soon as possible. If you have any questions about items listed on the agenda, please contact Karen Wolff, Human Resources Director at (541) 676-5620.

COMPENSATION BOARD
2017

Appointed

Lisanne Currin, MCGG
350 North Main St.
Lexington, OR 97839
541-989-8221 x212
lcurren@mcgg.net

10/2008, 1/14/2015
Four year term, expires 12/2019

Rob Brown, Retired
P.O. Box 773
Irrigon, OR 97844
541-571-6116 cell
brownrob@zoho.com

2/2010, 1/14/2015
Four year term, expires 12/2019

Andy Fletcher
Columbia Basin Electric
P.O. Box 398
Heppner, OR 97836
541-676-9146
andy@columbiabasin.cc

1/2015, 1/14/2015
Four year term, expires 12/2019

Eileen Hendricks
Port of Morrow
2 Marine Dr.
Boardman, OR 97836
541-481-7678
eileenh@portofmorrow.com

2/8/2017
Four year term, expires 12/2021

Jill Martin, BEO
P.O. Box 39
Heppner, OR 97836
541-676-0201
jmartin@beobank.com

2/8/2017
Four year term, expires 12/2021



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

Human Resources

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

To: Morrow County Compensation Board

From: Karen Wolff, Human Resources Director

Date: February 10, 2017

Re: 2017 Compensation Board Process

At the Board of Commissioners meeting on February 8, 2017 we had a discussion regarding the Compensation Board and the process for the Board and their subsequent recommendation to the Board of Commissioners. Our goal is to provide for a smooth and transparent process. By discussing the variables ahead of time we hope to eliminate the need for last minute changes.

The Commissioners added two additional positions to the Compensation Board. We now have a Board of five (5) volunteer members. I provided a list of the Board members in an email on February 9, 2017. This list will also be in the notebooks that will be provided in the near future. The Commissioners also appointed Lisanne Currin as the Chair for the Compensation Board for this year.

At the request of the Commissioners, I sent an email on Wednesday, February 1 to the Elected Officials asking them to provide input on who they believe would be good comparators for their positions and to provide a brief description of what they do in their positions. The responses will be included in the notebooks as well.

As per Oregon State Statutes, we are charged with reviewing the compensation for the Assessor, the Clerk, the Commissioners, the Sheriff and the Surveyor. The Commissioners have asked that we also review the Justice Court Judge compensation.

What comparators will be used?

This was the big question, which is why we asked the Elected Officials for comment on this question.

Two Elected Officials commented that they believe we need to compare the Elected Officials with other Department Heads and Managers in Morrow County. The wage information has been provided each year in the past, but this year the wage information will be provided in a different format and will be compared in a more direct manner.

The Commissioners asked that we compare with other counties that are similar to Morrow County based on a variety of factors. Some of the counties that we have used in the past are natural resource based counties, which may not be a good comparator for Morrow County anymore. The Commissioners directed that the following counties be used as comparators: Crook, Hood River, Jefferson, Umatilla, Union, and Wasco.

There was discussion regarding the use of private sector wages in our comparisons, however, the Commissioners decided not to use private sector wages at this time. Not all positions have private sector direct comparisons and obtaining private sector wages could be a little more of a challenge when I advise them that the information will become part of a public document. We also did not want to throw the Self Employed variables into the mix.

Timeline

Now that all members of the Compensation Board have been appointed, I will be emailing potential meeting dates to the Board members and we will narrow down the dates that all will be available. From that list a first meeting date will be selected. We will also determine some alternate dates in the event that we need a second meeting.

Now that we have determined our comparators, I will proceed with gathering compensation information. I will compile the books for the Compensation Board and deliver them by February 22, 2017. The book will also be available on the county server that any employee can access, and will also be available for review on the county website.

I will be out of the office February 23 & 24 and will be on Vacation February 27 – March 3. When I return I will address any questions that the Board may have about the books.

If Elected Officials would like to provide additional comment to the Compensation Board, they are welcome to provide written comment up to one week before the first meeting. I will provide any/all additional comments to the Board in one packet.

Meeting Format

The meeting of the Compensation Board is a Public Meeting. That means that the public must be allowed to attend the meeting and listen to the deliberations. It does not mean that comment must be accepted from the audience. With that said, in the past the Elected Officials have asked for an opportunity to address the Compensation Board. In discussion with the Commissioners on the meeting format, they felt it was important for the Compensation Board be allowed to deliberate freely, without interruption, but still allow for comments. We will ask the Chair to open the meeting and announce that comment from the floor will only be accepted at the noted time at the beginning and at the end of the meeting.

The Compensation Board will make a recommendation for compensation for Elected Officials, which will then be presented to the Board of Commissioners. The Board of Commissioners may accept, reject, or modify the recommendation. The Board of Commissioners will decide what will be included in the budget for next Fiscal Year and presented at the Budget Hearings.

If you have any questions or would like to discuss something further, please do not hesitate to contact me.

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.

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-

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

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

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

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.

Morrow County Budget Hearings
April 19, 2016
Heppner, Oregon
Bartholomew Building

Present

Judge Terry Tallman
Commissioner Leann Rea
Commissioner Don Russell
Linda LaRue, Budget Committee
Larry Mills, Budget Committee
Jill Parker, Budget Committee
Jerry Sorte, Administrative Officer
Karen Wolff, Human Resources

Ronda Fox, Finance Management Asst.
Rick Worden, Former Finance Director
Roberta Lutchter, Court Executive Asst.

Audience

Melissa Lindsay, Judge-Elect
Gayle Gutierrez, Treasurer
Mike Gorman, Assessor/Tax Collector
Robin Jones, Accounting Clerk

Call to Order: 9:09 a.m.

Election of Chair and Secretary

Ms. LaRue nominated Larry Mills as Chair. Ms. Parker seconded. Unanimous approval.

*Ms. Parker nominated Ms. LaRue as Secretary. Mr. Mills seconded. Unanimous approval.
(Ms. LaRue delegated these duties to the Court Executive Assistant.)*

Minutes

*Commissioner Rea moved to approve the Budget Hearing minutes of April 14, 2015.
Commissioner Russell seconded. Unanimous approval.*

*Commissioner Rea moved to approve the Budget Hearing minutes of April 15, 2015. Ms. LaRue
seconded. Unanimous approval.*

*Commissioner Rea moved to approve the Budget Hearing minutes of April 16, 2015. Ms. LaRue
seconded. Unanimous approval.*

Budget Messages for 2016-2017

Judge Tallman

Judge Tallman's written and oral message covered the following:

- Maintenance items continue to command attention and dollars. Examples being landscaping around buildings throughout the County, Courthouse mortar work and heating and cooling systems.
- Personnel change is another area which focuses time and expense, particularly related to collaborative associations regarding healthcare (Coordinated Care Organization, Early Learning Hub, Umatilla Morrow Head Start, Inc.).

- Anita Pranger, Coordinator of The Loop (formerly Special Transportation) has provided county-wide direction and growth in ridership for veterans, seniors and others.
- Portland General Electric's Carty I plant may be on-line in July or August. This means the Strategic Investment Program (SIP) agreement will not be initiated until the next fiscal year.
- The Port of Morrow and Blue Mountain Community College will both see building initiatives that will have long range improvements for Morrow County.
- Judge Tallman included information from Mr. Gorman on Value Estimates for Taxing Districts 2016-2017, and Morrow County Values and Taxes 2005-2015.

Jerry Sorte, Administrative Officer

Excerpted from Mr. Sorte's report:

- Projected revenues are anticipated to increase. The proposed budget plans for an increase of total revenue by 16.2%. General Fund revenue is anticipated to grow by 31.1%. This is primarily attributed to an increase in budgeted property tax revenue by 29%. The County also receives discretionary revenue from SIP agreements with utility providers located in the County. The additional revenue gives the Budget Committee an opportunity to look at the level of services provided in the County. The County continues to face needs to expand or enhance the facilities that are used to provide County services. County facilities in Boardman and Irrigon remain a topic of discussion.
- Road Fund – Under Oregon Revised Statutes, the County is not permitted to use property tax revenue to fund roads and bridges. As a result, the Road Fund requires significant transfers from discretionary revenue sources. In the proposed Fiscal Year 2016/2017 budget, a total of \$3,374,000 would be transferred from the General Fund, Finley Buttes License Fees and Shepherds Flat Fees to assist with road and bridge needs.
- County departments continue to provide high levels of service, often with fewer staff than we'd like. As the County grows, so do demands for services. Department Heads and Elected Officials have requested the addition of a total of four new full-time positions (4 FTE) in Public Works, Assessment & Tax, and the Sheriff's Office; the addition of one part-time position (0.08 FTE) for The Loop; and the increase in one existing position in the Planning Department by 0.175 FTE. The County Court directed they be forwarded to the Budget Committee for consideration.
- The proposed budget includes an unappropriated ending fund balance in the General Fund of \$3,608,518. This is an increase of approximately \$2,000,000 over FY 2015/2016 budgeted amount. This strong position affords the Budget Committee a degree of flexibility to consider the level of service provided by Morrow County.

Personnel Budget Review

Karen Wolff, Human Resources Director

Ms. Wolff reviewed her memo – Compensation and Benefits Update.

Chair Mills asked what compensation is being proposed for the Sheriff and Ms. Wolff explained in order to meet the letter of the law for this fiscal year, the County needs to increase the



↑
Sheriff's wage to \$8,178 per month. Commissioner Russell added the Court discussed this the previous day and the three-percent cost of living adjustment (COLA) would be based on the Sheriff's pay at the start of the fiscal year. However, with the Sheriff's step increase and the requirement that the Sheriff's pay be the highest in the department, it will be one-percent over where he currently is, which is an actual reduction, said Commissioner Russell. Chair Mills stressed the main thing is it's a County Court decision and not a Budget Committee decision. Ms. LaRue agreed and added the Budget Committee can decide the COLA.

Regarding the compensation for the Surveyor, Ms. Wolff said the recommendation is \$3,000 per month stipend in place of the \$3,000 per year he received previously.

Explanation of the Budget Document

Rick Worden, Former Finance Director

- The economic state of the County is very healthy. This allows a lot of opportunity for the County and Mr. Sorte will play a key part in providing a service level to move forward.
- Retirement Plan – the employer contribution is up by 6.3% to 24.5%. The Plan's actuary, Milliman, said an assumed investment return rate of 8% was not realistic and they recommended assumptions be updated once again. Mortality tables were updated to match PERS (Public Employee Retirement System, State of Oregon). During McGee Wealth Management's annual update, their representatives reported the previous year was not a good year for return on investments. Discussions have begun on possible changes to the Plan or starting with a new plan. Mr. Worden said he leans toward changes to the current plan either in the benefit formula, pension percentage or a lesser benefit. Mr. Mills asked if the Court has discussed changing from a Defined Contribution to Defined Benefit because Defined Contribution allows for predictability from year to year. Mr. Worden said while change is needed, it requires bargaining with the unions and the County wants to maintain a benefit that attracts employees. Mr. Mills stressed now is the time to look at making a change because every year the contribution increases and it may not be sustainable. Mr. Worden agreed and said the Commissioners are also on the same page.

Property Taxes, SIP and Enterprise Zone Review

Mike Gorman, Assessor/Tax Collector

- Reviewed multiple charts and statistics including 2015-2016 Values for SIP agreements, Enterprise Zone Agreements and Other Exemptions.
- Noted all portions of the County have seen growth, but especially so in Boardman.
- This year the market values throughout the County are looking "flat."
- Commissioner Russell asked if the Enterprise Zone agreement for VaData will be ending soon. Mr. Gorman said only for the buildings – the equipment will become taxable but the company will replace it with new, thus making it exempt again.

Morrow County Court
April 22, 2015
Heppner, Oregon
Pioneer Annex Conference Room

Present

Judge Terry Tallman
Commissioner Leann Rea
Commissioner Don Russell
Karen Wolff, Executive Secretary/Personnel Director
Richard Tovey, Deputy District Attorney/Interim County Counsel
Mike Gorman, Assessor/Tax Collector
Roberta Lutcher, Court Executive Assistant

Audience

Sue Oliver, Irrigon

Judge Tallman called the meeting to order at 9:01 a.m.

City and Citizen Comments – Ione/Lexington

No comments

Open Agenda

No items

Judge Tallman noted the Surveyor and Public Health Department Updates on today's agenda have been rescheduled.

New Business – Contracts

Community Counseling Solutions

Ms. Wolff explained this is a biennium contract for 2013-2015 and the County should get the new contract for 2016-2018 soon.

Commissioner Rea moved to approve the contract between Morrow County and Community Counseling Solutions, Inc., with effective dates of July 1, 2013 through June 30, 2015. Commissioner Russell seconded. Unanimous approval.

Request from Morrow Development Corporation (MDC)

The Court received a letter signed by Jerry Healy, MDC President, in which the MDC Board requests the \$50,000 loan from the County Equity Fund not require repayment.

Judge Tallman asked for comments from the Commissioners regarding the request. Commissioner Rea said from the day the loan agreement was signed by Greg Smith, March 4, 2008, he realized he was to pay it back within seven years. Judge Tallman said he had the same thoughts and we made a point of emphasizing that. Commissioner Russell commented MDC

Ms. Wolff said landscaping may be done through a collaborative effort with the FFA programs in both the Heppner and Ione schools and WestWinds Nursery. She also said the schools may involve their Finance classes in the project.

Department Report – Personnel Update

Ms. Wolff

Ms. Wolff discussed her memo outlining the recommendations of the Compensation Committee, which are:

- A flat three percent Cost of Living Adjustment (COLA) for all Elected Officials, for Fiscal Year 2014/2015, with the exception of the Sheriff.
- The Sheriff should be paid more than the Undersheriff, per State law. The Committee defers the decision as to how much more to the County Court.
- The County Court should review the Sheriff's Department duties and workloads and take a close look at the Undersheriff position and duties.
- Human Resources should investigate a policy/recommendation regarding the difference between Elected Officials wages and their subordinates and be prepared to discuss this at the next Compensation Committee meeting.
- The Committee recognizes we still have to evaluate Elected Officials based on wages for other Elected Officials in similar size counties. It is recommended that Human Resources check with other counties to see if they have any way to address longevity and be prepared to discuss this at the next Compensation Committee meeting.

Discussion ensued.

In order to comply with State Statute, Commissioner Russell moved to approve an increase to the Sheriff's annual salary of \$100 more than the annual salary of the Undersheriff, or anyone else working in that department, effective July 1, 2014 to fiscal year end June 30, 2015. Commissioner Rea seconded. Unanimous approval.

Comments Prior to Executive Session

Ms. Wolff stated we may come out of Executive Session and make a decision.

11:55 a.m. Executive Session

ORS 192.660(2)(d) To conduct deliberations with persons designated by the governing body to carry on labor negotiations.

12:04 p.m. Closed Executive Session

Commissioner Rea moved to approve the Collective Bargaining Agreement with the General Employee Unit with the changes outlined in Article 1, Section 1.2 Statutory Division of Responsibility – deleting unnecessary departments; Article 14, Section 14.1 Wage Schedules – changes in compensation to three percent each year for three years, effective July 1, 2015, July 1, 2016 and July 1, 2017; Article 14, Section 14.5 On-Call Pay – changes in language; Article 18, Section 18.1 Medical – deleting reference to previous health insurance plan; no changes to



PERSONNEL

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Karen Wolff
Personnel Director
kwolff@co.morrow.or.us

TO: Morrow County Commissioners

FROM: Karen Wolff, Executive Secretary/Personnel Director

DATE: April 13, 2015

RE: Morrow County Compensation Committee Recommendations

The Morrow County Compensation Committee met on January 21, 2015 and again on April 10, 2015. The committee members should be commended for their time and effort in this process. All members of the committee arrived at the meeting ready to begin discussions. All committee members had reviewed the notebooks that were provided to them prior to the meeting.

At the end of the first meeting, the Committee asked me to consult with AOC (Association of Oregon Counties), LGPI (Local Government Personnel Institute) and others looking for guidance on the Sheriff wage vs. subordinate wages question. The issue is that ORS requires the Sheriff to be paid more than any other employee in their department. The Committee wanted to know if the Undersheriff/Emergency Manager wage was to be evaluated as a whole, or just the Undersheriff portion of the wage. AOC referred me to LGPI. Unfortunately, LGPI had just gone through a complete staff change and it took some time to connect with the correct person. The response we received from LGPI is that the entire wage of any subordinate must be the wage used for evaluation. They anticipated my next question by adding that even if Emergency Management is split out into a separate department, the total wage of any one employee of the Sheriff's Department must remain less than the Sheriff's wage.

At our second meeting, this was discussed at length, as were all of the Elected Officials' wages. Some of the member of the Compensation Committee had been contacted directly by an Elected Official to explain their view on the topic. The Committee agreed that it was not appropriate to go around the flow of information through the Personnel Director, but they also agreed that the items of concern should be considered at the 2015/2016 Compensation Committee meeting.

The Compensation Committee recommends the following compensation adjustments for Elected Officials for Fiscal Year 2014-2015:

- **Flat 3% Cost Of Living Adjustment (COLA) for all Elected Officials, with the exception of the Sheriff.**

- **It is recommended that the Sheriff be paid more than the Undersheriff, as per State Law. The Committee defers the decision as to how much more to the County Court.**
- **It is recommended that the County Court review the Sheriff's Department duties and workloads. Take a close look at the Undersheriff position and duties.**
- **It is recommended that Human Resources investigate a policy/recommendation regarding the delta between Elected Officials wages and their subordinates and be prepared to discuss this at the next Compensation Committee meeting.**
- **The Committee recognizes that we still have to evaluate Elected Officials based on wages for other Elected Officials in similar size counties. It is recommended that Human Resources check with other counties to see if they have any way to address longevity and be prepared to discuss this at the next Compensation Committee meeting.**

I appreciate the efforts of the Committee members and thank them for taking this evaluation very seriously.



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PERSONNEL

Karen Wolff
Personnel Director
kwolff@co.morrow.or.us

TO: Morrow County Commissioners

FROM: Karen Wolff, Executive Secretary/Personnel Director

DATE: March 7, 2013

RE: Morrow County Compensation Committee Recommendations

The Morrow County Compensation Committee met on March 4, 2013. The committee members should be commended for their time and effort in this process. All members of the committee arrived at the meeting ready to begin discussions. All committee members had reviewed the notebooks that were provided to them prior to the meeting.

The Compensation Committee recommends the following compensation adjustments for Elected Officials for Fiscal Year 2013-2014:

- **Increase Part-Time Commissioners to half of the County Judge wage.**
- **Increase the Justice of the Peace wage to be the same as the County Clerk.**
- **Flat 3% Cost Of Living Adjustment (COLA) for all Elected Officials.**

(After the Committee meeting, I found that my Elected Wage Scale was incorrect. The Justice of the Peace wage has been increased to be the same as the County Clerk wage.)

The Commissioner's wages were increased, but they are not 50% of the Judge wage. This may be a result of COLA calculations.

The committee continues to recommend a 3% COLA for Elected Officials.

The committee discussed at length the request from several years ago to recommend wage increases beyond COLA for Elected Officials. The committee reviewed wage information for the three counties larger and three counties smaller than Morrow County. They also reviewed wage information for counties in close geographic proximity. The committee believes the Morrow County Elected Officials wages are comparable to other counties.

The difference between the Elected Official wage and the subordinate wage was also discussed. The committee believed this delta was staying consistent over the years.

I appreciate the efforts of the Committee members and thank them for taking this evaluation very seriously.



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PERSONNEL

Karen Wolff
Personnel Director
kwolff@co.morrow.or.us

TO: Morrow County Commissioners

FROM: Karen Wolff, Executive Secretary/Personnel Director

DATE: April 18, 2012

RE: Morrow County Compensation Committee Recommendations

The Morrow County Compensation Committee met on April 2, 2012. The committee members should be commended for their time and effort in this process. All members of the committee arrived at the meeting ready to begin discussions. All committee members had reviewed the notebooks that were provided to them prior to the meeting.

The Compensation Committee recommends the following compensation adjustments for Elected Officials for Fiscal Year 2012-2013:

- **Increase Part-Time Commissioners to half of the County Judge wage.**
- **Increase the Justice of the Peace wage to be the same as the County Clerk.**
- **Flat 3% Cost Of Living Adjustment (COLA) for all Elected Officials.**

Two years ago, the committee recommended increasing the Part-Time Commissioners to half of the County Judge. The County Court chose to implement this increase in stages over a two year period of time. The Compensation Committee continues to recommend increasing the Commissioners to half of the County Judge wage.

The committee continues to recommend a 3% COLA for Elected Officials. The committee members are concerned that with Step increases and COLA increases for subordinates, the wage creep is reducing the difference between the Elected Officials and the employees they supervise.

I appreciate the efforts of the Committee members and thank them for taking this evaluation very seriously.

Chapter 204 — County Officers

2015 EDITION

COUNTY OFFICERS

COUNTIES AND COUNTY OFFICERS

COMPENSATION OF COUNTY OFFICERS, DEPUTIES AND OTHER EMPLOYEES

204.112 County compensation board; members; compensation review and recommendations. (1) Each county governing body shall appoint a county compensation board. A county compensation board shall consist of from three to five members, who are knowledgeable in personnel and compensation management.

(2) The county compensation board shall annually recommend a compensation schedule for the county elective officers mentioned in ORS 204.005.

(3) The county compensation board shall annually review the compensation paid to persons comparably employed by the State of Oregon, local public bodies and private businesses within a labor market deemed appropriate by the board for each elective officer. The county compensation board shall take into account such factors as the number of employees supervised and the size of the budget administered by each elective officer, the duties and responsibilities of each elective officer, and the compensation paid to subordinates and other appointed employees who serve in positions of comparable management responsibility. The county compensation board shall prepare and approve by majority vote a recommended compensation schedule for the elective officers and shall submit the recommended compensation schedule to the county governing body.

(4) Notwithstanding subsections (1) to (3) of this section, the sheriff's salary shall be fixed in an amount which is not less than that for any member of the sheriff's department. [1989 c.941 §1]

204.116 Governing body to fix compensation of county officers, deputies and employees; disposition of fees. (1) Except as otherwise provided by law, the governing body of each county shall fix the compensation of its own members and of every other county officer, deputy and employee when the compensation of such individuals is paid from county funds.

(2) Any commission, fees or other moneys received by a county officer, deputy or employee for services rendered in the course of that individual's office or employment may not be allowed to or retained by that individual, but shall promptly be paid into the county treasury except:

(a) For compensation fixed under subsection (1) of this section;

(b) As otherwise determined by the governing body of the county; or

(c) As otherwise provided by ORS 106.120 or 205.320 (1)(f). [1981 c.48 §2; 1997 c.253 §2; 1997 c.424 §2; 1999 c.776 §4; 2001 c.501 §8; 2015 c.27 §21]

204.121 Compensation and appointment of officers, deputies and employees in counties subject to county civil service law. It is the intent of the Legislative Assembly that no provision of ORS 204.112, 204.116, 204.126 or 204.601 shall supersede any provision of the county civil service law, and when any conflict arises between any provision of ORS 204.112, 204.116, 204.126 or 204.601 and any provision of the county civil service law, then the county civil service law shall prevail. [1953 c.306 §10; 1981 c.48 §4; 1989 c.941 §2]

204.126 Change in compensation of elective officers. (1) The compensation of any elective county officer shall remain in effect unless changed with the approval of the county budget committee or tax supervising and conservation commission.

(2) Before any change in the compensation of an elective county officer is effective, it must be submitted to and approved by the county budget committee or tax supervising and conservation commission at a regular meeting or at a special meeting called for that purpose. [1981 c.48 §3]

ELECTED OFFICIAL SCALE

2016-2017

3.00%

NAME	TITLE	ANNUAL	MONTHLY
LINDSAY, M	COMMISSIONER	\$38,407	\$3,201
RUSSELL, D	COMMISSIONER	\$38,407	\$3,201
DOHERTY, J	COMMISSIONER	\$38,407	\$3,201
GORMAN, M	ASSESSOR	\$78,283	\$6,524
GUTIERREZ, G.	TREASURER	\$68,475	\$5,706
CHILDERS, B.	CLERK	\$68,475	\$5,706
SPICER, A	JUSTICE OF THE PEACE	\$68,475	\$5,706
MATLACK, K.	SHERIFF	\$98,136	\$8,178
		\$497,065	\$41,422

SHERIFF DEPT. SCALE 2016-2017	COLA		2.500%				
	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	
	HIRE	1YEAR	2 YEARS	3 YEARS	4 YEARS	5YEARS	
REC CLK/REL.COM		1	2	3	4	5	6
UNCERTIFIED	U	\$2,689	\$2,823	\$2,964	\$3,113	\$3,268	\$3,432
BASIC	B	\$2,755	\$2,893	\$3,038	\$3,190	\$3,349	\$3,517
INTERMEDIATE	I	\$2,825	\$2,967	\$3,115	\$3,271	\$3,434	\$3,606
ADVANCED	A	\$2,896	\$3,041	\$3,193	\$3,352	\$3,520	\$3,696
COMM. OFFICER		1	2	3	4	5	6
UNCERTIFIED	U	\$2,841	\$2,983	\$3,133	\$3,289	\$3,454	\$3,626
BASIC	B	\$2,992	\$3,141	\$3,298	\$3,463	\$3,637	\$3,818
INTERMEDIATE	I	\$3,067	\$3,220	\$3,381	\$3,550	\$3,728	\$3,914
ADVANCED	A	\$3,142	\$3,299	\$3,464	\$3,638	\$3,819	\$4,010
COMM. CORPORAL		1	2	3	4	5	6
BASIC	B	\$3,483	\$3,657	\$3,840	\$4,032	\$4,233	\$4,445
INTERMEDIATE	I	\$3,571	\$3,749	\$3,937	\$4,134	\$4,340	\$4,557
ADVANCED	A	\$3,657	\$3,840	\$4,032	\$4,233	\$4,445	\$4,667
CHIEF CIVIL DEPUTY		1	2	3	4	5	6
		\$3,602	\$3,782	\$3,971	\$4,170	\$4,378	\$4,597
PATROL DEPUTY		1	2	3	4	5	6
UNCERTIFIED	U	\$3,507	\$3,683	\$3,867	\$4,060	\$4,263	\$4,477
BASIC	B	\$3,691	\$3,876	\$4,070	\$4,273	\$4,487	\$4,711
INTERMEDIATE	I	\$3,784	\$3,973	\$4,171	\$4,380	\$4,599	\$4,829
ADVANCED	A	\$3,879	\$4,073	\$4,277	\$4,491	\$4,715	\$4,951
DETECTIVE		1	2	3	4	5	6
		\$4,675	\$4,909	\$5,154	\$5,412	\$5,683	\$5,967
COMM. CORRECTIONS WORK CREW SUPER.		1	2	3	4	5	6
		\$3,507	\$3,683	\$3,867	\$4,060	\$4,263	\$4,477
PAROLE & PROB. OFFICER		1	2	3	4	5	6
Basic	B	\$3,691	\$3,876	\$4,070	\$4,273	\$4,487	\$4,711
Intermediate	I	\$3,784	\$3,973	\$4,171	\$4,380	\$4,599	\$4,829
Advanced	A	\$3,879	\$4,073	\$4,277	\$4,491	\$4,715	\$4,951

GENERAL SCALE
2016 - 2017

COLA 3.000%

\$2,058.56

RANGE	POSITION	Hire	1 year	1 year	1 year	1 year	1 year	
		0 A	B	C	D	E	F	
1		1	\$2,059	\$2,161	\$2,270	\$2,383	\$2,502	\$2,627
2		2	\$2,161	\$2,270	\$2,383	\$2,502	\$2,627	\$2,759
3		3	\$2,270	\$2,383	\$2,502	\$2,627	\$2,759	\$2,897
4		4	\$2,383	\$2,502	\$2,627	\$2,759	\$2,897	\$3,041
	Health Promoter							
	Health Promoter							
	Health Promoter							
	JC Court Clerk							
	Veterans Service Officer							
5		5	\$2,502	\$2,627	\$2,759	\$2,897	\$3,041	\$3,193
6		6	\$2,627	\$2,759	\$2,897	\$3,041	\$3,193	\$3,353
	Office Assistant							
	Accounting Clerk							
7		7	\$2,759	\$2,897	\$3,041	\$3,193	\$3,353	\$3,521
	A&T Clerk							
	Chief Deputy Clerk							
	Chief Deputy Clerk							
	Juvenile Director Asst.							
8		8	\$2,897	\$3,041	\$3,193	\$3,353	\$3,521	\$3,697
	Planning Dept. Office Mgr.							
	Office Support Spec. (JV)							
	Appraiser Trainee							
	Court Clerk							
9		9	\$3,041	\$3,193	\$3,353	\$3,521	\$3,697	\$3,882
	A&T Office Specialist							
	Health Dept. Office Mgr.							
	Public Works Office Mgr.							
	Accounting Technician							
10		10	\$3,193	\$3,353	\$3,521	\$3,697	\$3,882	\$4,076
	Legal Secretary							
11		11	\$3,353	\$3,521	\$3,697	\$3,882	\$4,076	\$4,280
	Victims Advocate							
12		12	\$3,521	\$3,697	\$3,882	\$4,076	\$4,280	\$4,494
	Support Enforcement Officer							
13		13	\$3,697	\$3,882	\$4,076	\$4,280	\$4,494	\$4,718
	Appraiser I							
	Tobacco Educator							
14		14	\$3,882	\$4,076	\$4,280	\$4,494	\$4,718	\$4,954
15		15	\$4,076	\$4,280	\$4,494	\$4,718	\$4,954	\$5,202
	Appraiser II							
	Associate Planner							
16		16	\$4,280	\$4,494	\$4,718	\$4,954	\$5,202	\$5,462
	RN							
	RN							
	RN							
	RN							
	Community Health Nurse							
17		17	\$4,494	\$4,718	\$4,954	\$5,202	\$5,462	\$5,735
18		18	\$4,718	\$4,954	\$5,202	\$5,462	\$5,735	\$6,022
	Lead Appraiser							
19		19	\$4,954	\$5,202	\$5,462	\$5,735	\$6,022	\$6,323

post 7/1/99 (moves alternating years on scale)

pre 7/1/99 (moves annually on scale)

GENERAL SCALE
2017 - 2018

COLA 3.000%

\$2,120.31

RANGE	POSITION	Hire 0 A	1 year B	1 year C	1 year D	1 year E	1 year F	
1		1	\$2,120	\$2,226	\$2,338	\$2,455	\$2,577	\$2,706
2		2	\$2,226	\$2,338	\$2,455	\$2,577	\$2,706	\$2,841
3		3	\$2,338	\$2,455	\$2,577	\$2,706	\$2,841	\$2,983
4		4	\$2,455	\$2,577	\$2,706	\$2,841	\$2,983	\$3,133
	Health Promoter							
	Health Promoter							
	Health Promoter							
	JC Court Clerk							
	Veterans Service Officer							
5		5	\$2,577	\$2,706	\$2,841	\$2,983	\$3,133	\$3,289
6		6	\$2,706	\$2,841	\$2,983	\$3,133	\$3,289	\$3,454
	Office Assistant							
	Accounting Clerk							
7		7	\$2,841	\$2,983	\$3,133	\$3,289	\$3,454	\$3,626
	A&T Clerk							
	Chief Deputy Clerk							
	Chief Deputy Clerk							
	Juvenile Director Asst.							
8		8	\$2,983	\$3,133	\$3,289	\$3,454	\$3,626	\$3,808
	Planning Dept. Office Mgr.							
	Office Support Spec. (JV)							
	Appraiser Trainee							
	Court Clerk							
9		9	\$3,133	\$3,289	\$3,454	\$3,626	\$3,808	\$3,998
	A&T Office Specialist							
	Health Dept. Office Mgr.							
	Public Works Office Mgr.							
	Accounting Technician							
10		10	\$3,289	\$3,454	\$3,626	\$3,808	\$3,998	\$4,198
	Legal Secretary							
11		11	\$3,454	\$3,626	\$3,808	\$3,998	\$4,198	\$4,408
	Victims Advocate							
12		12	\$3,626	\$3,808	\$3,998	\$4,198	\$4,408	\$4,628
	Support Enforcement Officer							
13		13	\$3,808	\$3,998	\$4,198	\$4,408	\$4,628	\$4,860
	Appraiser I							
	Tobacco Educator							
14		14	\$3,998	\$4,198	\$4,408	\$4,628	\$4,860	\$5,103
15		15	\$4,198	\$4,408	\$4,628	\$4,860	\$5,103	\$5,358
	Appraiser II							
	Associate Planner							
16		16	\$4,408	\$4,628	\$4,860	\$5,103	\$5,358	\$5,626
	RN							
	RN							
	RN							
	RN							
	Community Health Nurse							
17		17	\$4,628	\$4,860	\$5,103	\$5,358	\$5,626	\$5,907
18		18	\$4,860	\$5,103	\$5,358	\$5,626	\$5,907	\$6,202
	Lead Appraiser							
19		19	\$5,103	\$5,358	\$5,626	\$5,907	\$6,202	\$6,513

post 7/1/99 (moves alternating years on scale)

pre 7/1/99 (moves annually on scale)

COLA 3.000%

ROAD SCALE
2016 - 2017

	Step 1 Hire	Step 2 1 Year	Step 3 3 Years	Step 4 5 Years	Step 5 7 Years	Step 6 9 Years
	1	2	3	4	5	6
Light Equip.	2,997	3,147	3,305	3,470	3,643	3,825
MAINTENANCE SPECIALI	3,174	3,333	3,500	3,675	3,858	4,051
Mechanic	3,491	3,666	3,849	4,042	4,244	4,456
Sr. Mechanic	3,601	3,781	3,970	4,168	4,376	4,595
SR. MAINTENANCE SPEC	3,526	3,703	3,888	4,082	4,286	4,500
Work. Foreman	3,831	4,023	4,224	4,435	4,657	4,890
Weed Manager	3,835	4,027	4,229	4,440	4,662	4,895

COLA 3.000%

ROAD SCALE

2017 - 2018

	Step 1 Hire 1	Step 2 1 Year 2	Step 3 3 Years 3	Step 4 5 Years 4	Step 5 7 Years 5	Step 6 9 Years 6
Light Equip.	3,087	3,242	3,404	3,574	3,753	3,940
MAINTENANCE SPECIALIS	3,270	3,433	3,605	3,785	3,974	4,173
Mechanic	3,596	3,776	3,965	4,163	4,371	4,590
Sr. Mechanic	3,709	3,894	4,089	4,293	4,508	4,733
SR. MAINTENANCE SPEC	3,632	3,814	4,004	4,205	4,415	4,635
Work. Foreman	3,946	4,143	4,351	4,568	4,796	5,036
Weed Manager	3,951	4,148	4,355	4,573	4,802	5,042

MANAGERS AND SUPERVISORS
2016-2017

COLA 3.000%

		STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	STEP H
		HIRE	1 YR	3 YRS	5 YRS	7 YRS	9 YRS	11 YRS	13 YRS
		A	B	C	D	E	F	G	H
COURT EXECUTIVE ASSIST.	10	\$3,171	\$3,330	\$3,496	\$3,671	\$3,855	\$4,047	\$4,250	\$4,462
SPECIAL TRANS. CORD.		\$3,171	\$3,330	\$3,496	\$3,671	\$3,855	\$4,047	\$4,250	\$4,462
	11	\$3,330	\$3,496	\$3,671	\$3,855	\$4,047	\$4,250	\$4,462	\$4,685
MANAGEMENT ASSISTANT	12	\$3,496	\$3,671	\$3,855	\$4,047	\$4,250	\$4,462	\$4,685	\$4,920
	13	\$3,671	\$3,855	\$4,047	\$4,250	\$4,462	\$4,685	\$4,920	\$5,166
PARKS GEN MNGR OF OP	14	\$3,855	\$4,047	\$4,250	\$4,462	\$4,685	\$4,920	\$5,166	\$5,424
FINANCE MGT. ASSISTANT		\$3,855	\$4,047	\$4,250	\$4,462	\$4,685	\$4,920	\$5,166	\$5,424
PUBLIC WORKS MANAGER	15	\$4,047	\$4,250	\$4,462	\$4,685	\$4,920	\$5,166	\$5,424	\$5,695
GENERAL MAINT SUPERVISOR	16	\$4,250	\$4,462	\$4,685	\$4,920	\$5,166	\$5,424	\$5,695	\$5,980
ASST. COMM SGT	17	\$4,462	\$4,685	\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279
	18	\$4,685	\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593
COMMUNICATIONS SERGEANT	19	\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922
DEPUTY DISTRICT ATTORNEY I		\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922
PERSONNEL DIRECTOR		\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922
ASST. PUBLIC WORKS DIR.	20	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269
PATROL SERGEANT	21	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632
HUMAN RESOURCES		\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632
JUVENILE DIRECTOR		\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632
PLANNING DIRECTOR	22	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014
DEPUTY DISTRICT ATTORNEY II		\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014
DETECTIVE SERGEANT		\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014
COMMUNITY CORR SUPERVISOR		\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014
PUBLIC HEALTH DIRECTOR	23	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414
DEPUTY DISTRICT ATTORNEY III	24	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835
PUBLIC WORKS DIRECTOR		\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835
FINANCE DIRECTOR		\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835
UNDER SHERIFF	25	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835	\$9,277
	26	\$6,923	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835	\$9,277	\$9,741
COUNTY ADMINISTRATOR	27	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835	\$9,277	\$9,741	\$10,228

Morrow County Values and Taxes 2005-2016

Year	RMV	AV	Certified Tax
2005	\$ 1,194,131,070	\$ 1,045,445,870	\$ 18,375,748.68
2006	\$ 1,191,675,810	\$ 1,052,738,820	\$ 18,410,608.39
2007	\$ 1,292,027,940	\$ 1,138,389,150	\$ 17,147,138.66
2008	\$ 1,403,128,150	\$ 1,139,826,720	\$ 17,424,826.43
2009	\$ 1,604,931,230	\$ 1,325,481,330	\$ 21,077,676.99
2010	\$ 1,680,530,420	\$ 1,332,613,790	\$ 22,149,930.94
2011	\$ 1,772,714,520	\$ 1,423,029,720	\$ 23,349,456.96
2012	\$ 2,137,135,852	\$ 1,572,094,739	\$ 25,656,346.54
2013	\$ 2,877,019,573	\$ 1,682,426,033	\$ 27,133,187.16
2014	\$ 3,089,994,545	\$ 1,774,504,324	\$ 27,839,804.90
2015	\$ 3,625,832,410	\$ 2,043,538,478	\$ 32,228,046.43
2016	\$ 4,078,799,116	\$ 2,256,129,368	\$ 32,711,386.09
Percentage of Increase			
	342%	216%	178%

The increase in Real Market Value (RMV) from 2005 is mostly from new industrial and utility value. The reason the taxable value increase (AV) is not proportional to RMV is because a number of the new industrial and utility properties have received a property tax exemption, either through the Enterprise Zone Program or the Strategic Investment Program. Those exemptions last from 3-15 year and are unique to each property, after which those properties will added to the AV. Several food processing plants, ethanol producing plants and data centers contribute to the industrial growth. 3 major wind production projects and a large scale gas fired power plant contribute to the utility component of value. There has some been residential and commercial value growth throughout the County but not to the extent of the industrial and utility value growth.

Budgets Administered 2016

Finance	101-102	\$ 299,880	\$ 34,736,181
	227-100	\$ 394,000	
		\$ 693,880	
Admin. Officer	101-101	\$ 626,309	\$ 34,736,181
	101-125	\$ 141,000	
	101-199	\$ 5,495,082	
	210-260	\$ 25,600	
	219-219	\$ 88,670	
	240-240	\$ 17,550	
	501-501	\$ 240,800	
		\$ 6,635,011	
Human Resources	228-100	\$ 26,360	
Juvenile	101-112	\$ 366,795	
Public Health	101-114	\$ 1,447,490	
Planning	101-115	\$ 428,056	
	200-220	\$ 17,485	
	237-115	\$ 15,000	
		\$ 460,541	
STF	216-320	\$ 220,250	
	504-504	\$ 102,450	
		\$ 322,700	
Veteran's Serv	101-106	\$ 63,711	
Fair	214-100	\$ 103,576	
	214-300	\$ 89,707	
	214-301	\$ 4,050	
	214-302	\$ 5,650	
	214-303	\$ 2,260	
	230-301	\$ 121,610	
		\$ 326,853	
Public Works	101-120	\$ 61,963	
	101-121	\$ 501,984	
	101-122	\$ 34,501	
	101-123	\$ 41,151	
	101-128	\$ 138,176	
	202-220	\$ 6,910,100	
	202-221	\$ 69,000	
	203-230	\$ 1,530,000	
	205-250	\$ 37,090	
	238-200	\$ 486,774	
	238-238	\$ 43,136	
	238-300	\$ 571,920	
		\$ 10,425,795	

Budgets Administered 2016

DA	101-111	\$ 358,280	
	206-105	\$ 39,380	
	218-111	\$ 25,100	
	220-111	\$ 112,670	
	223-111	\$ 27,875	
	234-111	\$ 25,625	
		\$ 588,930	

Assessor	101-103	\$ 748,414	
Clerk	101-105	\$ 312,285	
	101-107	\$ 2,755	
	233-105	\$ 14,760	
		\$ 329,800	
Just of the Peace	101-109	\$ 258,369	
	231-100	\$ 343,000	
		\$ 601,369	
Sheriff's Office	101-113	\$ 3,648,390	
	101-117	\$ 48,403	
	207-113	\$ 339,658	
	322-100	\$ 143,625	
	510-113	\$ 511,908	
		\$ 4,691,984	
Surveyor	101-118	\$ 39,640	
	208-118	\$ 218,450	
		\$ 258,090	
Treasurer	101-104	\$ 116,768	

2017 Comparison Counties - Population

	Rank by Population	2016 Population	2010 Population	FY 15-16 Budget
Umatilla	13	79,880	75,889	72,179,726
Union	21	26,745	25,748	37,063,285
Wasco	22	26,700	25,213	42,614,174
Hood River	24	24,735	22,346	29,748,135
Jefferson	26	22,790	21,720	46,915,654
Crook	27	21,580	20,978	51,336,211
Morrow	29	11,745	11,173	28,601,643
Average		30,596	29,010	44,065,547

Home > Local > Populations > County Populations: 1980-2016

County Populations: 1980-2016

Populations home

Includes percent change in population between 2010 and 2016.
Counties that share rank numbers are tied in rank.

Rank	County	% Change	2016	2010	2000	1990	1980
28	Baker	2.3	16,510	16,134	16,741	15,317	16,134
11	Benton	6.7	91,320	85,579	78,153	70,811	68,211
3	Clackamas	7.7	404,980	375,992	338,391	278,850	241,911
19	Clatsop	3.2	38,225	37,039	35,630	33,301	32,489
17	Columbia	2.9	50,795	49,351	43,560	37,557	35,646
16	Coos	0.2	63,190	63,043	62,779	60,273	64,047
27	Crook	2.9	21,580	20,978	19,182	14,111	13,091
25	Curry	1.1	22,600	22,364	21,137	19,327	16,992
7	Deschutes	12.0	176,635	157,733	115,367	74,958	62,142
9	Douglas	2.5	110,395	107,667	100,399	94,649	93,748
34	Gilliam	5.8	1,980	1,871	1,915	1,717	2,057
31	Grant	-0.5	7,410	7,445	7,935	7,853	8,210
32	Harney	-1.4	7,320	7,422	7,609	7,060	8,314
24	Hood River	10.7	24,735	22,346	20,411	16,903	15,835
6	Jackson	5.2	213,675	203,206	181,269	146,389	132,456
26	Jefferson	4.9	22,790	21,720	19,009	13,676	11,599
12	Josephine	2.4	84,675	82,713	75,726	62,649	58,855
15	Klamath	1.6	67,410	66,380	63,775	57,702	59,117
30	Lake	1.5	8,015	7,895	7,422	7,186	7,532
4	Lane	4.0	365,940	351,715	322,959	282,912	275,226
18	Lincoln	3.7	47,735	46,034	44,479	38,889	35,264
8	Linn	4.8	122,315	116,672	103,069	91,227	89,495
20	Malheur	1.3	31,705	31,313	31,615	26,038	26,896
5	Marion	5.9	333,950	315,335	284,834	228,483	204,692
29	Morrow	5.1	11,745	11,173	10,995	7,625	7,519
1	Multnomah	7.5	790,670	735,334	660,486	583,887	562,647
14	Polk	5.7	79,730	75,403	62,380	49,541	45,203
35	Sherman	1.7	1,795	1,765	1,934	1,918	2,172
23	Tillamook	2.7	25,920	25,250	24,262	21,570	21,164
13	Umatilla	5.3	79,880	75,889	70,548	59,249	58,861
21	Union	3.9	26,745	25,748	24,530	23,598	23,921
33	Wallowa	1.9	7,140	7,008	7,226	6,911	7,273
22	Wasco	5.9	26,700	25,213	23,791	21,683	21,732
2	Washington	10.2	583,595	529,710	445,342	311,554	245,860
36	Wheeler	1.7	1,465	1,441	1,547	1,396	1,513
10	Yamhill	5.8	104,990	99,193	84,992	65,551	55,332
	Statewide	Change	2016	2010	2000	1990	1980
	Oregon	6.4	4,076,350	3,831,074	3,421,399	2,842,321	2,633,156

Populations home

2017 Comparison Counties - Various Values

	Rank by Population	FY 15-16 Budget	FY 15-16 AV	FY 15-16 RMV	FY 14-15 total taxes to be collected	15-16 Certified Property Taxes	Total Uncollected	% Uncollected
Umatilla	13	72,179,726	5,193,608	7,051,500	76,589,696	79,222,151	4,421,977	5.58%
Union	21	37,063,285	1,794,754	2,396,934	21,682,068	22,258,926	2,079,870	9.34%
Wasco	22	42,614,174	2,120,282	2,960,678	34,063,537	34,925,988	2,972,693	8.51%
Hood River	24	29,748,135	2,245,768	3,350,140	29,551,778	30,380,360	1,618,193	5.33%
Jefferson	26	46,915,654	1,589,592	2,092,066	23,686,444	24,324,490	1,631,907	6.71%
Crook	27	51,336,211	1,845,840	2,270,641	23,684,246	23,634,090	1,663,855	7.04%
Morrow	29	28,601,643	2,047,974	3,254,274	27,839,805	27,839,805	734,307	2.64%

Morrow County Information Request

2016/2017

Requested by Karen Wolff, Morrow County HR Director

kwolff@co.morrow.or.us

Annual County Budget _____

Total # FTEs in the county _____

Do you participate in PERS? _____

Does your county pay the employee's 6% PERS contribution for Elected Officials? _____

If you do not participate in PERS, do you offer another retirement option? Please explain. _____

Do elected officials receive deferred compensation contribution or 401(k)? _____

Do elected officials receive longevity pay? _____

If yes, please explain. _____

Do elected officials receive paid leave? _____

Do elected officials receive a car allowance? How much? _____

Do they have a county owned vehicle available for their use? _____

If yes, do they take the vehicle home? _____

Do elected officials receive a cell phone allowance? How much? _____

Do they have a county owned phone available for their use? _____

Medical Insurance Provider _____

County Contribution _____

Elected Official Contribution _____

Dental Insurance Provider _____

County Contribution _____

Elected Official Contribution _____

Vision Insurance Provider _____

County Contribution _____

Elected Official Contribution _____

Any other benefits provided? _____

Home Rule Umatilla	BOC Union
\$72,179,726	\$37,063,285
317	152
Yes	No
Yes	
N/A	Defined Contb. Plan
	Emp=6%, county 10.25%
No	No
No	No
No	No
Yes	No
Yes	No
Yes (see attached)	
Yes	\$20/mo available
No	No
Lifewise	CIS
100% single/ 75% family	See attached
0% single/ 25% family	
Lifewise	Delta Dental
100% single/ 75% family	
0% single/ 25% family	
Lifewise	VSP
100% single/ 75% family	
0% single/ 25% family	
Life Ins./ LifeFlight Memb.	
HRA/VEBA \$50/mo	

BOC Wasco	Home Rule Hood River	BOC Jefferson	County Court Crook	BOC Morrow
\$42,614,174	\$29,748,135	\$46,915,654	\$60,790,113	\$34,736,181
121	121	135	170	125
Yes	Yes	Yes	Sheriff Office Only	No
No	Yes, but not Comm.	Yes	Yes	
N/A	N/A	N/A	Yes	Defined Benefit Plan
			401(k)	
Voluntary	Voluntary	No	\$325/mo	No
No	No	No	Not for Elected Officials	No
No	No	No	No	No
No	No	No	No	No
Yes	Yes	Yes - on County business	Yes	Yes
No	Sheriff Only	No	Yes, when needed	
No	No	Yes - \$55	\$25/mo available	No
Landline in office	Sheriff Only	No	Yes	No
CIS	Pacific Source	CIS	Providence	CIS
Emp Only=100%	85% Sheriff & JP	\$990.00	80% including depend.	92.50%
All other 75%/25%	15% Sheriff & JP	\$136.55	20% including depend.	7.50%
	Comm receive a stipend=full cost of least expensive plan			
Delta Dental	MODA	Delta Dental	Pacific Source	Delta Dental
100% Emp Only	\$105	Part of medical	80%	92.50%
	\$1.21 two-party, \$34.50 three-party	Part of medical	20%	7.50%
VSP	VSP	VSP	VSP	VSP
100% Emp Only	85% Sheriff & JP	Part of medical	80%	92.50%
All other 75%/25%	15% Sheriff & JP	Part of medical	20%	7.50%
Life Ins.	VEBA Sheriff & JP	N/A	Life	See attached
LTD	End of FY 40 hrs to VEBA Acct.		LTD	

Karen Wolff

From: Jennifer Blake <jennifer.blake@umatillacounty.net>
Sent: Monday, December 19, 2016 10:53 AM
To: Karen Wolff
Subject: Re: Commissioner cars and phones

On Mon, Dec 19, 2016 at 10:45 AM, Karen Wolff <kwolff@co.morrow.or.us> wrote:

Hi Jennifer,

We are reviewing our policy regarding county cars that are used by Commissioners and I am checking with other counties to find out their policies.

- Do your elected officials receive a car allowance? If so, how much?

They don't receive an allowance but they have a vehicle assigned to them which they pay taxes on percentage of personal use based on leased value.

- Do your elected officials have a county owned vehicle available for their use? If yes, do they take the vehicle home?

YES - see more above

We are also reviewing our policy regarding cell phones for Commissioners.

- Do elected officials receive a cell phone allowance? If so, how much?

Yes \$15 monthly

Morrow County Benefits Summary for 2016-2017

The premiums listed below are very close, however, the actual amount may vary by a little bit. We pay every two weeks. Premiums are taken out of paychecks each pay period. Premium amounts listed are effective July 1, 2016 – June 30, 2017.

Medical – Employee pays 7.5% of premium

Regence Blue Cross Blue Shield Copay Plan B RX4 with Alternative Care

Preferred Provider Program

Lifetime Maximum Benefit	\$2,000,000
Individual deductible per calendar year	\$ 500
Maximum family deductible per calendar year	\$1,500
Maximum amount you pay each calendar year including deductible	\$2,500/claimant \$5,500/family

Full Premium

Employee Only	\$ 635.87/month
Employee + Child	\$1,182.15/month
Employee + Spouse	\$1,348.56/month
Employee + Children	\$1,579.30/month
Employee + Family	\$1,817.96/month

**Actual premium may vary slightly*

Dental – Employee pays 7.5% of premium

ODS Dental Plan II

Calendar year maximum, per member	\$1,500
Calendar year deductible	\$ 0

Employee Only	\$ 48.51/month
Employee + Child	\$ 74.78/month
Employee + Spouse	\$ 85.00/month
Employee + Children	\$128.38/month
Employee + Family	\$147.48/month

**Actual premium may vary slightly*

Vision

VSP3

Exams every 24 months for adults.

Prescription Lenses every 24 months for adults

Frames every 24 months (up to \$120.00)

OR

Contact Lens Care every 24 months for adults (up to \$166.00)

Included in Medical Premium.

Medical Supplemental Coverage

AFLAC Supplemental Plans are available at our group rate. All premiums are the responsibility of the employee.

Life Insurance and Long Term Disability

Morrow County provides Life Insurance and Long Term Disability for full time employees.

Air Medical Transport

Morrow County provides family Air Medical Transport coverage for all employees.

Retirement

Morrow County is not a PERS member. Morrow County's pension plan meets or exceeds the provision of the PERS plan. All full time employees are required to participate in the Morrow County Retirement Plan. Employees contribute 6% of their gross wages.

Holidays – Morrow County recognizes 9 paid Holidays. New Years Day, Martin Luther King Holiday, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas.

Vacation

<u>Years of Service</u>	<u>Days off per year</u>
0-4	12
5-9	14
10-14	16
15-19	18
20+	20

Sick Leave

All regular employees shall earn sick leave with full pay at the rate of one day leave for one calendar month of service.

Utilization: Employees are eligible for sick leave for the following reasons:

- a. Non-occupational illness or injury
- b. Quarantine of an employee by a physician
- c. To care for an ill member of the employees immediate family.
- d. First three days of leave due to an occupational injury
- e. Medical/dental examinations and appointments for employees and their dependants when such appointments cannot be conveniently scheduled outside working hours.



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 – Commissioners

The position of Commissioner and/or Judge has changed a great deal this year. Judge Terry Tallman announced that he would not be running for re-election. He decided it was time to retire.

Morrow County hired an Administrative Officer (AO) in November 2015 and he worked with Judge Tallman and county staff learning about Morrow County and how each department functions. His "To Do" list is long, and growing daily.

The Commissioners had been discussing the Juvenile Judge position and duties for several years. They decided that this was the time to make changes, all to be effective after Judge Tallman's retirement. Judge Tallman had dedicated 18 years to the Juvenile Judge duties, which he took very seriously. The Commissioners respected that dedication and did not want to make changes during the current Judge term of office.

Effective January 1, 2017 the duties of the Juvenile Judge, both for Dependency and for Delinquency, were transferred to the Morrow County Circuit Court. These duties have become much more complex over the years, as well as much more serious crimes. A new Judge coming in to this position would have an extreme learning curve.

It was decided to change from a County Court form of government with a full-time Judge and two (2) part-time Commissioners to a Board of Commissioners form of government with three (3) part-time Commissioners. The change to the new form of government was finalized after the filing for the County Judge position opened, so on the ballot the position was still called County Judge and was listed as a six (6) year term, rather than the four (4) year term of the Commissioners. When candidates filed for the Judge position, the current Commissioners made sure the candidates were aware of the intended changes.

After the May Primary, two candidates received majority votes and became incoming Commissioner-Elects. Much to their credit they began shadowing the current Commissioners/Judge in an effort to learn as much as possible before taking office. Both Commissioner-Elects attended almost every County Court meeting, as well as numerous other meetings in the county. Both Commissioner-Elects attended the Association of Oregon Counties (AOC) regional Summer Conference, held in Pendleton, and the AOC Annual Fall Conference in Eugene.

In January the new Commissioners took their Oath of Office and hit the ground running. Commissioner Melissa Lindsay is the Chair of the Board of Commissioners, serving with Commissioner Don Russell and Commissioner Jim Doherty.

At the February 8, 2017 Board of Commissioners meeting, held in Irrigon, the Commissioners had a discussion regarding the time commitment required to be an effective County Commissioner. Attached to

this memo is a portion of the Draft Minutes from that meeting. The result of the discussion was a motion to "...recognize that a Commissioner position is a full-time commitment..." Commissioner Russell stated he was not seeking additional compensation as a result of this motion. The motion did not address compensation.

I believe that it is important that this subject be discussed as part of the Compensation Board deliberations. I am not recommending an action, but will defer to the Compensation Board.

The attached spreadsheet lists the salaries for Commissioners, both full-time and part-time Commissioners, from the Counties chosen by the County Commissioners as comparators for all Elected Officials. I do not have a recommendation for Commissioner compensation, but will defer to the Compensation Board.

Morrow County Information Request

2016/2017

Commissioner

	Annual Salary	Full or Part time	Total # employees supervised	3 or 5 Commissioners?	Elected or Appointed?	
Commissioner						
County Judge						
Umatilla	\$89,076	Full		3	Elected	
Union	\$67,822	Full		3	Elected	
Wasco	\$54,252	Full	2	3	Elected	
Hood River	\$21,298	Part time		3	Elected	\$14,828 + \$6,470 ins.
HR Chair	\$25,015	Part time				\$18,545 + \$6,470 ins.
Jefferson	\$32,479	Full	0	3	Elected	
Crook	\$39,863	Part time		3	Elected	
Judge	\$92,747	Full	23 Dept Heads		Elected	
Morrow	\$38,407	Half time	1	3	Elected	
Avg Full Time	\$67,275					
Avg Part Time	\$31,146					

**Morrow County Board of Commissioners Meeting Minutes
February 8, 2017
Irrigon Branch of the Oregon Trail Library District
Irrigon, Oregon**

Present

Chair Melissa Lindsay
Commissioner Don Russell
Commissioner Jim Doherty
Jerry Sorte, Administrative Officer
Kate Knop, Finance Director
Karen Wolff, Human Resources Director
Richard Tovey, County Counsel

Audience

Justin Nelson, County Counsel
Mike Gorman, Assessor/Tax Collector
Carla McLane, Planning Director
Barb Huwe, Irrigon
Sam Health, Mayor, City of Irrigon
Aaron Palmquist, Manager, City of Irrigon
John Wenholz, Irrigon

Call to Order: 9:03 a.m., followed by pledge of allegiance.

City and Citizen Comments: Irrigon resident, Barb Huwe, urged the Board to retain all existing County services in Irrigon, with the exception of the Public Works maintenance yard. She said it makes sense to consider relocating it to the Boardman area.

Open Agenda Requests: Postpone the Update on the Boardman Solar Project and Heppner Wind Project by Laura Minor, Invenergy.

Consent Calendar

Chair Lindsay asked if there were any items to be removed for additional consideration. Hearing none, the following items in the Consent Calendar were adopted:

1. Claims (Accounts Payable dated February 9, 2017; Payroll Payables dated February 1, 2017 and February 3, 2017)
2. Minutes (January 25, 2017)
3. Intergovernmental Agreement, Agent Agreement No. 90G000278, Oregon Department of Consumer and Business Services, Building Codes Division – Manufactured Structures.

Business Items

Report from Ferguson Surveying & Engineering – North County Facility Planning

Doug Ferguson, President, Ferguson Surveying & Engineering (FS&E)

Werner Arntz, Staff Engineer, FS&E

Mr. Ferguson said his firm was tasked with coming up with a draft floor plan and approximate costs for a new building in Irrigon. He and Mr. Arntz reviewed the plan and emphasized it was very preliminary in nature.

The Commissioners requested the following information and analyses associated with other ideas (not necessarily from FS&E):

- A multi-story structure in Irrigon
- Campus style, or several buildings clustered together
- Cost of moving out of Irrigon vs. remaining there

- Cost to purchase and remodel the vacant Blue Mountain Community College building in Boardman
- Consider the future of the Justice Courts in the State of Oregon since those offices would encompass a good portion of a new facility
- Consider the cost to remodel the Gilliam-Bisbee Building, since all options should be considered

Administrative Officer, Jerry Sorte, asked the Board for direction and to prioritize projects, given the somewhat limited amount of staff time that can be devoted to new projects. He said additional funds may be requested in the event a project manager is needed. In the meantime, he said he would bring together an internal staff team to produce a proposal for the Board.

Letters of Support for Lost Valley Farm - Confined Animal Feeding Operation Permit

Travis Love, General Manager, Lost Valley Farm

Jeddie Aylett, Lost Valley Farm, Farm Manager

Mr. Love explained the CAFO permit application has not advanced beyond the comment phase since he last appeared before the Morrow County Court on August 10, 2016. Soon after that, the Court signed a letter of support to Governor Kate Brown and the Oregon Department of Agriculture dated August 24, 2016. He noted the original application for the CAFO permit was turned in 17 months ago and now appears to be stalled. He requested a follow-up correspondence be sent by the current Board of Commissioners (BOC) to the same recipients. A draft version was reviewed by the Board. Minor changes were requested and a final document was asked to be produced for signature later in the day.


Commissioner Russell moved to approve signing the letters in support of the Lost Valley Farm CAFO Permit Application, with the changes requested. Commissioner Doherty seconded. Unanimous approval.

Commissioner Time Commitment

Commissioner Doherty said it's become clear to him that to effectively fulfill the responsibilities as a Morrow County Commissioner, the position needs to be recognized as a full-time commitment, not part-time, as it is currently listed. He said he would like the record to reflect such and made the following motion:

Henceforth, anything that references a Morrow County Commissioner or the Morrow County Board of Commissioners, will recognize that a Commissioner position is a full-time commitment and will remove the distinction of a half-time or part-time commitment. Commissioner Russell seconded the motion and asked for discussion.

Commissioner Russell stated it has been his experience that the Commissioner position is much more than a part-time job. Commissioner Doherty said he did not come to this decision lightly but it's important that Commissioners attend numerous meetings all over the State in order to be involved with decisions that impact the County financially and otherwise. Chair Lindsay said



she agreed the hours are not part-time and that the County has experienced growth in many areas but she would prefer to take a slower approach. Doing so, she said, would allow time to educate the public on the realities of the position and obtain feedback. Commissioner Russell said he's not seeking additional compensation but instead, wants anyone who might contemplate becoming a Commissioner understand it's not a part-time commitment.

Vote: Aye: Commissioners Doherty and Russell. Nay: Chair Lindsay. Motion carries.

Capital Asset Threshold Increase

Kate Knop, Finance Department Director

Ms. Knop requested the Board adopt new policy defining the capitalization of assets with a threshold limit of \$5,000, rather than the existing \$1,000, effective July 1, 2017. She said if the Board is in favor, she will return with a resolution next week.

Commissioner Russell moved to approve the change in policy to capitalize assets with a threshold of \$5,000, effective July 1, 2017. Commissioner Doherty seconded. Unanimous approval.

Break: 10:30 a.m., resumed 10:45 a.m.

Justice of the Peace Succession Planning

Judge Ann Spicer

Judge Spicer said she would like the Board to begin considering options for her placement upon her retirement in 2023, at the latest. She outlined several options and discussed her concerns with each one. Commissioner Doherty asked where the County should focus its efforts. Judge Spicer recommended recruiting someone to live in Morrow County due to the one-year residency requirement prior to running for the Justice of the Peace position. Karen Wolff, Human Resources Director discussed how recruiting has had to become more creative lately and she suggested several recruitment incentives, such as helping with student loans, offer temporary housing, job options for a spouse, etc. The matter will be discussed at a future date.

Compensation Board Appointments

Ms. Wolff

Ms. Wolff reported the three current members of the Compensation Board expressed interest in continuing to serve. In addition, two new potential members suggested by the Board last week are willing to be considered for appointment, she said.

Commissioner Russell moved to establish the Compensation Board terms as four-year terms, staggering the terms as follows: current three positions expire December 31, 2019 and the two new members' terms expire December 31, 2021. He further moved to appoint Eileen Hendricks and Jill Martin, with their terms effective January 1, 2017 through December 31, 2021. Commissioner Doherty seconded. Commissioner Russell clarified the terms for the current

Chapter 203 — County Governing Bodies; County Home Rule

2015 EDITION

GOVERNING BODIES; HOME RULE

COUNTIES AND COUNTY OFFICERS

GENERAL PROVISIONS

- 203.010 General powers of county as body politic and corporate
- 203.015 Power of county to contract for purchase or lease of real or personal property
- 203.030 Definition for ORS 203.030 to 203.075
- 203.035 Power of county governing body or electors over matters of county concern
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- 203.065 Violation of county ordinances; remedies; enforcement; status of nuisance declared by ordinance; disposition of fines
- 203.075 Applicable law for local improvement assessments
- 203.077 Local governments to develop humane policy for removal of homeless camps from public property
- 203.079 Required elements of local government policies on camping by homeless
- 203.081 Sites not subject to ORS 203.077 to 203.081
- 203.082 Camping by homeless on property of religious institutions; required elements of policies of local governments and religious institutions
- 203.085 County election dates; emergency elections
- 203.105 Program in Governor's office to assist counties in fiscal distress

COUNTY PUBLIC SAFETY FISCAL EMERGENCIES

(Temporary provisions relating to county public safety fiscal emergencies are compiled as notes following ORS 203.105)

COUNTY GOVERNING BODIES

- 203.111 County governing body; legislative authority; quorum
- 203.115 County power to change fees
- 203.132 Inclusion of property outside county or in city in county assessment for local improvement
- 203.135 Eminent domain power of county
- 203.145 Appointment of legal counsel for county governing body; authority of counsel; compensation
- 203.148 Public Land Corner Preservation Fund; fees for recording

BOARDS OF COUNTY COMMISSIONERS

- 203.230 Abolishing office of county judge and establishing board of county commissioners in noncharter county; referral of order; operative date
- 203.240 Organization, powers and duties of board

COUNTY HOME RULE

- 203.710 Performance of functions by officers designated by county law; definition
- 203.720 Electors of county may adopt, amend, revise or repeal county charter; certain provisions, deemed matters of county concern, to prevail over state law
- 203.725 County charter amendment; single subject; separate submission to electors
- 203.730 Charter committee appointed after filing of resolution or petition; sufficiency of petition; notice to persons entitled to make appointments to committee
- 203.740 Charter committee and members; appointment, qualifications, vacancies, terms, organization, meetings
- 203.750 County funds for charter committee; committee staff; county officials to cooperate

203.760 Submission of proposed charter to electors after public hearing; approval of conflicting charters

203.770 Copies of charters and amendments, revisions and repeals; judicial notice

203.810 Offenses under county law; jurisdiction; prosecutions; enforcement

GENERAL PROVISIONS

203.010 General powers of county as body politic and corporate. Each county is a body politic and corporate for the following purposes:

(1) To sue and be sued;

(2) To purchase and hold for the use of the county lands lying within its own limits and any personal estate;

(3) To make all necessary contracts; and

(4) To do all other necessary acts in relation to the property and concerns of the county.

203.015 Power of county to contract for purchase or lease of real or personal property.

(1) A county may enter into a contract for the purchase or for the lease with option to purchase of real or personal property when:

(a) The period of time allowed for payment under the contract does not exceed 30 years; and

(b) The county is not obligated to make payments under the contract in any fiscal year unless the county governing body includes such payments in the county's budget for that fiscal year and makes an appropriation therefor.

(2) The powers granted to counties by this section are in addition to any other powers possessed by counties in this state, and this section may not be construed to limit such powers. [2003 c.794 §184]

Note: 203.015 was added to and made a part of ORS chapter 203 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

203.030 Definition for ORS 203.030 to 203.075. As used in ORS 203.030 to 203.075, "governing body" means the representative body vested with legislative power by statute or charter. [1973 c.282 §1]

203.035 Power of county governing body or electors over matters of county concern. (1) Subject to subsection (3) of this section, the governing body or the electors of a county may by ordinance exercise authority within the county over matters of county concern, to the fullest

extent allowed by Constitutions and laws of the United States and of this state, as fully as if each particular power comprised in that general authority were specifically listed in ORS 203.030 to 203.075.

(2) The power granted by this section is in addition to other grants of power to counties, shall not be construed to limit or qualify any such grant and shall be liberally construed, to the end that counties have all powers over matters of county concern that it is possible for them to have under the Constitutions and laws of the United States and of this state.

(3) An ordinance adopted by a county governing body that changes the number or mode of selection of elective county officers shall not take effect unless the ordinance is submitted to and approved by the electors of the county at a primary election, general election or election held on the first Tuesday after the first Monday in November of an odd-numbered year. However, an ordinance adopted under this section may not change the mode of selection of a county assessor.

(4) Nothing in this section shall be construed to limit the rights of the electors of a county to propose county ordinances through exercise of the initiative power. [1973 c.282 §2; 1981 c.140 §1; 1985 c.756 §1; 1995 c.712 § 87; 2007 c.155 §12]

203.040 Inapplicability of ordinances inside incorporated city. Except by consent of the governing body or the electors of a city and except in cities not regularly operating as such through elected governmental officials, ordinances adopted under ORS 203.030 to 203.075 in exercise of the police power shall not apply inside an incorporated city. [1973 c.282 §4; 1977 c.766 §14]

203.045 Procedure for adopting ordinance; inapplicability to county prescribing procedure by charter or other statutes. (1) This section does not apply to a county that prescribes by charter the manner of adopting ordinances for the county or to an ordinance authorized by a statute other than ORS 203.035.

(2) The ordaining clause of an ordinance adopted under ORS 203.035 shall read:

(a) In case of adoption by the county governing body only, “The (name of the governing body) ordains as follows:”.

(b) In case of adoption or ratification by the electors of the county, “The People of (name of county) ordain as follows:”.

(3) Except as subsections (4) and (5) of this section provide to the contrary, every ordinance of a county governing body shall, before being put upon its final adoption, be read fully and distinctly in open meeting of that body on two days at least 13 days apart.

(4) Except as subsection (5) of this section provides to the contrary, and except ordinances imposing, or providing exemptions from, taxation, an ordinance necessary to meet an emergency may, upon being read first in full and then by title, be adopted at a single meeting of the

governing body by unanimous vote of all its members present, provided they constitute a quorum.

(5) Any reading required by subsection (3) or (4) of this section may be by title only:

(a) If no member of the governing body present at the meeting requests that the ordinance be read in full; or

(b) If, not later than one week before the first reading of the ordinance, a copy of it is provided each member, copies of it are available at the headquarters of the governing body, one copy for each person who requests it, and notice of the availability is given by:

(A) Written notice posted at the courthouse of the county and two other public places in the county; and

(B) Publication at least once in a newspaper of general circulation in the county, designated by the county governing body and published in the county or, if no newspaper is so published, then in one published elsewhere.

(6) An ordinance adopted after being read by title only may have no legal effect if it differs substantially from its terms as it is thus filed prior to the reading, unless each section incorporating such a difference, as finally amended prior to being adopted by the governing body, is read fully and distinctly in open meeting of that body.

(7) Upon the final vote on an ordinance, the ayes and nays of the members of the governing body shall be taken and recorded in the record of proceedings of the body.

(8) Upon the adoption of an ordinance by the governing body in accordance with this section, the chairperson and recording secretary of the body at the session at which the ordinance is adopted shall sign it with the date of its adoption and with their names and titles of office or position.

(9) An ordinance adopted in accordance with this section, if not an emergency ordinance, shall take effect on the 90th day after the date of its adoption, unless it prescribes a later effective date or is referred to the electors of the county. If an ordinance is referred to the electors, it shall take effect only upon the approval of a majority of those voting on the proposed ordinance. An emergency ordinance may take effect immediately upon the date of its adoption. [1973 c.282 §3; 1975 c.736 §1]

203.055 Referral of taxation related ordinance. (1) Except as provided in subsection (2) of this section, any ordinance, adopted by a county governing body under ORS 203.035 and imposing, or providing an exemption from, taxation shall receive the approval of the electors of the county before taking effect.

(2) A tax or assessment may be imposed under section 7, 8 or 8b, chapter 753, Oregon Laws 2013, upon the taking effect of an ordinance adopted by the governing body of the county that so

provides. An emergency may not be declared in an ordinance described in this subsection. [1973 c.282 §6; 1975 c.736 §3; 2013 c.753 §11]

Note: The amendments to 203.055 by section 12, chapter 753, Oregon Laws 2013, become operative January 2, 2018. See section 13, chapter 753, Oregon Laws 2013. The text that is operative on and after January 2, 2018, is set forth for the user's convenience.

203.055. Any ordinance, adopted by a county governing body under ORS 203.035 and imposing, or providing an exemption from, taxation shall receive the approval of the electors of the county before taking effect.

203.060 Judicial review and invalidation of ordinances. Ordinances adopted under ORS 203.030 to 203.075 shall be subject to judicial review and invalidation on account of unreasonableness, procedural error in adoption, or conflict with paramount state law or constitutional provision. [1973 c.282 §7]

203.065 Violation of county ordinances; remedies; enforcement; status of nuisance declared by ordinance; disposition of fines. (1) Subject to ORS 153.025, violation of an ordinance adopted by a county governing body under ORS 203.030 to 203.075 is a Class A violation. By ordinance, a county governing body may establish a specific fine violation as described in ORS 153.015 that provides for a higher fine than established under ORS 153.018 for Class A violations.

(2) The violator of a county ordinance may be prosecuted by the county in the name of the county, or be made the defendant in a civil proceeding by the county seeking redress of the violation.

(3) Every act or thing done, or anything existing within the limits of a county, which is declared by an ordinance of the county adopted under ORS 203.030 to 203.075 to be a nuisance, shall constitute a nuisance and may be regarded as such in all actions, suits and proceedings, unless the ordinance is declared void by a court of competent jurisdiction.

(4) Fines recovered under ORS 203.030 to 203.075 shall be paid to the clerk of the court in which recovery is had. After first deducting court costs in the proceedings, the clerk shall pay the remainder to the treasurer of the county for the general fund of the county.

(5) Any peace officer, as defined by ORS 161.015, may enforce an ordinance adopted under ORS 203.035. [1973 c.282 §8; 1975 c.736 §4; 1977 c.766 §15; 1999 c.1051 §78a]

203.075 Applicable law for local improvement assessments. When a county governing body orders the construction of a local improvement and levies an assessment for all or part of the cost of the improvement against property benefited by the improvement, if there is a conflict between ORS 223.205 to 223.295, 223.387 to 223.399, 223.405 to 223.485, 223.680 and 223.770 and a county charter, county ordinance or another statute, the charter, ordinance or other statute shall prevail. [1987 c.615 §2; 1991 c.902 §109; 1995 c.333 §14]

203.077 Local governments to develop humane policy for removal of homeless camps from public property. All municipalities and counties shall:

(1) Develop a policy that recognizes the social nature of the problem of homeless individuals camping on public property.

(2) Implement the policy as developed, to ensure the most humane treatment for removal of homeless individuals from camping sites on public property. [1995 c.121 §1]

203.079 Required elements of local government policies on camping by homeless. (1) A policy developed pursuant to ORS 203.077 shall include, but is not limited to, the following:

(a) Prior to removing homeless individuals from an established camping site, law enforcement officials shall post a notice, written in English and Spanish, 24 hours in advance.

(b) At the time that a 24-hour notice is posted, law enforcement officials shall inform the local agency that delivers social services to homeless individuals where the notice has been posted.

(c) The local agency may arrange for outreach workers to visit the camping site where a notice has been posted to assess the need for social service assistance in arranging shelter and other assistance.

(d) All unclaimed personal property shall be given to law enforcement officials whether 24-hour notice is required or not. The property shall be stored for a minimum of 30 days during which it will be reasonably available to any individual claiming ownership. Any personal property that remains unclaimed for 30 days may be disposed of. For purposes of this paragraph, "personal property" means any item that is reasonably recognizable as belonging to a person and that has apparent utility. Items that have no apparent utility or are in an insanitary condition may be immediately discarded upon removal of the homeless individuals from the camping site. Weapons, drug paraphernalia and items that appear to be either stolen or evidence of a crime shall be given to law enforcement officials.

(e) Following the removal of homeless individuals from a camping site on public property, the law enforcement officials, local agency officials and outreach workers may meet to assess the notice and removal policy, to discuss whether the removals are occurring in a humane and just manner and to determine if any changes are needed in the policy.

(2) The 24-hour notice required under subsection (1) of this section shall not apply:

(a) When there are grounds for law enforcement officials to believe that illegal activities other than camping are occurring.

(b) In the event of an exceptional emergency such as possible site contamination by hazardous materials or when there is immediate danger to human life or safety.

(3) A person authorized to issue a citation for unlawful camping under state law, administrative rule or city or county ordinance may not issue the citation if the citation would be issued within 200 feet of the notice described in this section and within two hours before or after the notice was posted. [1995 c.121 §2; 1999 c.761 §1]

203.081 Sites not subject to ORS 203.077 to 203.081. As used in ORS 203.077 to 203.081, “camping site” does not include:

(1) Public property that is a day use recreational area.

(2) Public property that is a designated campground and occupied by an individual under an agreement with a municipality or county. [1995 c.121 §3]

203.082 Camping by homeless on property of religious institutions; required elements of policies of local governments and religious institutions. (1) Any political subdivision in this state may allow churches, synagogues and similar religious institutions to offer overnight camping space on institution property to homeless persons living in vehicles.

(2) In addition to any conditions or limitations imposed by a political subdivision, a religious institution located within the political subdivision and offering camping space described under subsection (1) of this section must:

(a) Limit camping space at the institution site to three or fewer vehicles at the same time; and

(b) Provide campers with access to sanitary facilities, including but not limited to toilet, hand washing and trash disposal facilities. [1999 c.319 §1]

Note: 203.082 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 203 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

203.085 County election dates; emergency elections. (1) Except as provided in subsection (3) of this section, no election on a county measure referred by the county governing body or for a county office shall be held on any date other than:

(a) The second Tuesday in March;

(b) The third Tuesday in May;

(c) The third Tuesday in September; or

(d) The first Tuesday after the first Monday in November.

(2) Except as provided in subsection (3) of this section, no election on a county measure other than a county measure referred by the county governing body shall be held on any date other than:

(a) The third Tuesday in May; or

(b) The first Tuesday after the first Monday in November.

(3) An emergency election may be held on a date other than those provided in subsection (1) or (2) of this section if the county governing body by resolution finds that an emergency exists that will require an election sooner than the next available election date to avoid extraordinary hardship to the community. A determination under this subsection as to whether an emergency exists is within the sole discretion of the county governing body.

(4) A county governing body, with adequate notice, shall hold a public hearing, on a date other than a regularly scheduled meeting, for the purpose of making findings substantiating the fact that an emergency exists before scheduling an election on a date other than those specified in subsection (1) or (2) of this section.

(5) Notice of a county's intent to hold an emergency election shall be filed with the county elections authority no later than 47 days preceding the desired election date. At the time the notice of election is given to the county elections authority, the county shall also file with the elections authority a certified copy of the ballot title and a copy of the resolution and findings adopted by the county governing body to authorize the emergency election as required under subsection (4) of this section. [1979 c.316 §3; 1981 c.639 §4; 1985 c.808 §69; 1987 c.267 §64; 1989 c.923 §6; 1991 c.71 §2; 1993 c.713 §51; 1995 c.607 §63; 1995 c.712 §113; 2015 c.44 §1]

203.105 Program in Governor's office to assist counties in fiscal distress. (1) For purposes of providing assistance to counties in fiscal distress, there is created in the Governor's office a service delivery technical assistance program.

(2) The service delivery technical assistance program shall:

(a) Award, to public bodies as defined in ORS 174.109, and administer grants for service delivery innovation.

(b) Enter into agreements with public and private entities to provide technical assistance to public bodies.

(c) Convene task forces and work groups as deemed necessary by the program to advance the purposes of this section. [2013 c.760 §1]

Note: 203.105 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 203 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

COUNTY PUBLIC SAFETY FISCAL EMERGENCIES

Note: Sections 1 to 10, 14 and 15, chapter 753, Oregon Laws 2013, provide:

Sec. 1. The purposes of sections 2 to 10 of this 2013 Act are to reduce the loss of life, injury to persons or property and suffering that result from public safety fiscal emergencies and to provide for recovery and relief assistance. These public safety objectives are to be accomplished by creating cooperation among units of local government and granting the Governor the power to act on behalf of units of local government. The provisions of this section shall be liberally construed. [2013 c.753 §1]

Sec. 2. (1) If the Governor determines that fiscal conditions exist or are imminent in one or more counties that compromise the ability of the affected counties to provide a minimally adequate level of public safety services, the Governor may proclaim a public safety fiscal emergency.

(2) Prior to declaring a public safety fiscal emergency, the Governor shall consult with the Senate President, the Majority and Minority Leaders of the Senate, the Speaker of the House of Representatives, the Majority and Minority Leaders of the House of Representatives, each Senator and Representative whose district is wholly or partially within a county that is proposed to be subject to the public safety fiscal emergency and each sheriff of a county that is proposed to be subject to the public safety fiscal emergency.

(3) The Governor shall specify in a proclamation made pursuant to this section each county in which the public safety fiscal emergency has occurred or is imminent. The area specified in the proclamation shall be as small as necessary to allow for an effective response to the emergency, but may not be smaller than a single county.

(4) As used in sections 2 to 10 of this 2013 Act, "local government" means a county. [2013 c.753 §2]

Sec. 3. (1) Whenever the Governor has proclaimed a public safety fiscal emergency pursuant to section 2, chapter 753, Oregon Laws 2013, the Governor may, on behalf of a unit of local government within the area covered by the proclamation and only after obtaining written authorization signed by a majority of the governing body of each local government subject to the proclamation, enter into a written intergovernmental agreement with any other unit of local government, whether inside or outside the area covered by the proclamation, for the performance of functions and activities related to public safety that a unit of local government that is party to the agreement or its officers or agencies have authority to perform. The Governor shall consult with each sheriff affected by the proclamation prior to executing the intergovernmental agreement.

(2) ORS 190.010 applies to the performance of a function or activity pursuant to an intergovernmental agreement entered into under subsection (1) of this section.

(3)(a) The state shall bear 50 percent of the cost of public safety services provided under the intergovernmental agreement entered into under subsection (1) of this section.

(b) The counties that are parties to the intergovernmental agreement entered into under subsection (1) of this section shall bear the remaining 50 percent, which may be funded through:

(A) An income tax as provided in section 7, chapter 753, Oregon Laws 2013;

(B) A tax under section 8, chapter 753, Oregon Laws 2013, on communications services with access to the emergency communications system;

(C) Any assessment the county governing body is lawfully capable of imposing, to the extent the governing body determines that the other assessment is necessary to satisfy the county's funding obligations;

(D) Existing sources of county revenue; or

(E) Any combination of funding described in this paragraph.

(4) For purposes of this section:

(a) The sheriff of a county affected by a public safety fiscal emergency shall be considered a nonvoting ex officio member of the governing body; and

(b) The sheriff must be given notice of any meeting of the governing body if the governing body is meeting for purposes of deliberating or making a decision on:

(A) Whether to enter into an intergovernmental agreement under this section;

(B) The terms and conditions of an intergovernmental agreement entered into under this section; or

(C) Any extension or modification of an intergovernmental agreement entered into under this section. [2013 c.753 §3; 2015 c.247 §41]

Sec. 4. (1) An intergovernmental agreement entered into under section 3 of this 2013 Act must specify the functions or activities to be performed and by what means the functions or activities shall be performed.

(2) Where applicable and subject to section 3 of this 2013 Act, the intergovernmental agreement shall provide for:

(a) Apportionment among the parties to the agreement of the responsibility for providing funds to pay for expenses incurred in the performance of the functions or activities.

(b) Apportionment of fees or other revenue derived from the functions or activities and the manner of accounting for the fees or other revenue.

(c) The transfer of personnel and the preservation of their employment benefits. [2013 c.753 §4]

Sec. 5. (1) A unit of local government that is designated, in an intergovernmental agreement entered into under section 3 of this 2013 Act, to perform functions or activities is vested with all powers, rights and duties relating to those functions and activities that are vested by law in each party to the agreement and its officers and agencies.

(2) An officer designated in an intergovernmental agreement entered into under section 3 of this 2013 Act to perform duties, functions or activities of two or more public officers shall be considered to be holding one office. [2013 c.753 §5]

Sec. 6. (1) An intergovernmental entity created by an intergovernmental agreement entered into under section 3 of this 2013 Act may, according to the terms of the agreement, adopt all rules necessary to carry out the intergovernmental entity's powers and duties under the intergovernmental agreement.

(2) Except as provided in section 3 (3) of this 2013 Act, the debts, liabilities and obligations of an intergovernmental entity shall be, jointly and severally, the debts, liabilities and obligations of the parties to the intergovernmental agreement that created the intergovernmental entity, unless the agreement specifically provides otherwise.

(3) A party to an intergovernmental agreement creating an intergovernmental entity may assume responsibility for specific debts, liabilities or obligations of the intergovernmental entity.

(4)(a) Moneys collected by or credited to an intergovernmental entity may not inure to the benefit of any private person. Upon dissolution of the intergovernmental entity, title to all assets of the intergovernmental entity shall vest in the parties to the intergovernmental agreement that created the intergovernmental entity.

(b) The intergovernmental agreement creating the intergovernmental entity must provide a procedure for:

(A) The disposition, division and distribution of any assets acquired by the intergovernmental entity during the term of the intergovernmental agreement that created the intergovernmental entity; and

(B) The assumption of any outstanding indebtedness or other liabilities of the intergovernmental entity by the parties to the intergovernmental agreement that created the intergovernmental entity.

(5) ORS 190.110 applies to all parties to, and all intergovernmental entities created by, an intergovernmental agreement entered into under section 3 of this 2013 Act. [2013 c.753 §6]

Sec. 6a. (1) If an intergovernmental agreement is entered into under section 3 of this 2013 Act, the Governor shall report to the Legislative Assembly as provided in ORS 192.245. The report shall include a copy of the intergovernmental agreement.

(2)(a) If an intergovernmental agreement is entered into under section 3 of this 2013 Act during a regular session of the Legislative Assembly, the intergovernmental agreement may not take effect until after adjournment sine die of that regular session.

(b) If an intergovernmental agreement is entered into under section 3 of this 2013 Act during the interim, the intergovernmental agreement may not take effect until after adjournment sine die of the next regular session of the Legislative Assembly. [2013 c.753 §6a]

Sec. 7. (1) To carry out the purposes of sections 2 to 6, chapter 753, Oregon Laws 2013, counties within the area covered by the proclamation made pursuant to section 2, chapter 753, Oregon Laws 2013, may impose a tax:

(a) Upon the entire taxable income of every resident of the area who is subject to tax under ORS chapter 316 and upon the taxable income of every nonresident that is derived from sources within the area which income is subject to tax under ORS chapter 316; or

(b) On or measured by the net income of a mercantile, manufacturing, business, financial, centrally assessed, investment, insurance or other corporation or entity taxable as a corporation doing business, located, or having a place of business or office or having income derived from sources, within the area which income is subject to tax under ORS chapter 317 or 318.

(2) A tax imposed pursuant to this section shall require the adoption of an ordinance by the governing body of each county authorizing a tax under this section. The Governor may not act on behalf of a county governing body in authorizing a tax under this section.

(3) The tax may be imposed and collected as a surtax upon the state personal income or corporate income or excise tax.

(4) Any tax imposed pursuant to this section shall require a nonresident, corporation or other entity taxable as a corporation having income from activity both within and without the area taxable under subsection (1) of this section to allocate and apportion such net income to the area in the manner required for allocation and apportionment of income under ORS 314.280 and 314.605 to 314.675.

(5) If a tax is imposed pursuant to this section upon the taxable income of a nonresident individual, items of income, gain, loss or deduction shall be prorated as provided in ORS 316.117.

(6) If a county governing body adopts an ordinance under this section, the ordinance shall be compatible with any state law establishing taxable income or relating to the administration, collection or enforcement of any tax law of this state, and with any rules adopted by the Department of Revenue under ORS 305.620 or otherwise.

(7) An ordinance adopted under this section may not declare an emergency.

(8) This section does not apply to a county that is subject to a charter that prohibits the imposition of county income taxes. [2013 c.753 §7; 2014 c.114 §16]

Sec. 8. (1) To carry out the purposes of sections 2 to 6, chapter 753, Oregon Laws 2013, counties within the area covered by the proclamation made pursuant to section 2, chapter 753, Oregon Laws 2013, may impose a tax on each paying retail subscriber who has communications services with access to the emergency communications system, to the extent the governing body determines that the tax is necessary to satisfy the county's funding obligations under section 3 (3)(b), chapter 753, Oregon Laws 2013.

(2) A county governing body that elects to impose a tax under this section may do so by adopting an ordinance that establishes the rate and duration of the tax, but in all other respects the tax must be imposed in accordance with ORS 403.200 to 403.230, except that:

(a) For cellular, wireless or other common carriers, the tax applies on a per instrument basis and only if the subscriber's place of primary use, as defined under 4 U.S.C. 124, is within the county imposing the tax;

(b) For all other subscriber lines, the tax applies to lines designated for a particular subscriber located within the county imposing the tax; and

(c) Net revenues, after the payment of refunds, from the tax imposed under authority of this section shall be transferred from the suspense account described in ORS 403.235 as prescribed in section 8a, chapter 753, Oregon Laws 2013.

(3) The Governor may not act on behalf of a county governing body in authorizing a tax under this section. [2013 c.753 §8; 2015 c.247 §42]

Sec. 8a. Moneys in the suspense account described in ORS 403.235 that are attributable to a county tax imposed under section 8 of this 2013 Act, after the payment of refunds, are continuously appropriated to the Department of Revenue for distribution to the counties that imposed the tax. [2013 c.753 §8a]

Sec. 8b. To carry out the purposes of sections 2 to 6 of this 2013 Act, counties within the area covered by the proclamation made pursuant to section 2 of this 2013 Act may impose any other assessment the governing body is lawfully capable of imposing, to the extent the governing body determines that the assessment is necessary to satisfy the county's funding obligations under section 3 (3)(b) of this 2013 Act. The Governor may not act on behalf of a county governing body in authorizing an assessment under this section. [2013 c.753 §8b]

Sec. 9. (1) A public safety fiscal emergency proclaimed pursuant to section 2 of this 2013 Act terminates after 18 months unless the Governor extends the public safety fiscal emergency for a stated amount of time up to 18 additional months. The Governor shall consult with the Senate President, the Majority and Minority Leaders of the Senate, the Speaker of the House of Representatives, the Majority and Minority Leaders of the House of Representatives and each

Senator and Representative whose district is wholly or partially within a county that is subject to the public safety fiscal emergency.

(2) The Governor shall terminate a public safety fiscal emergency by proclamation when the emergency no longer exists or the threat of an emergency has passed.

(3) The public safety fiscal emergency proclaimed by the Governor may be terminated at any time by action of the Legislative Assembly.

(4) A termination of a public safety fiscal emergency shall apply to:

(a) Income and excise tax years beginning on or after January 1 following the termination; and

(b) Other tax or assessment reporting periods beginning on or after the first day of the first calendar quarter following the termination. [2013 c.753 §9]

Sec. 10. The Legislative Assembly finds and declares that providing a coordinated and comprehensive response to a local or regional public safety fiscal emergency is a matter of state concern. The Legislative Assembly also finds that the imposition of a tax or assessment described in section 7, 8 or 8b of this 2013 Act is an integral component of any coordinated and comprehensive response, but the Legislative Assembly further finds that an income tax imposed under section 7 of this 2013 Act may not be imposed if the imposition would contradict a county charter that expressly prohibits a county income tax under any circumstance. [2013 c.753 §10]

Sec. 14. Sections 1 to 10 of this 2013 Act are repealed on January 2, 2018. [2013 c.753 §14]

Sec. 15. Nothing in the repeal of sections 1 to 10 of this 2013 Act by section 14 of this 2013 Act affects the validity of any of the following entered into before the repeal of sections 1 to 10 of this 2013 Act:

(1) A proclamation of a public safety fiscal emergency pursuant to section 2 of this 2013 Act;

(2) An intergovernmental agreement entered into under section 3 of this 2013 Act;

(3) A tax or assessment entered into under section 7, 8 or 8b of this 2013 Act; or

(4) An extension of a proclamation made under section 9 of this 2013 Act. [2013 c.753 §15]

COUNTY GOVERNING BODIES

203.111 County governing body; legislative authority; quorum. Unless otherwise provided by county charter, a county court shall be the governing body and shall exercise general legislative authority over all matters of county concern and shall consist of the county judge and two county commissioners and a majority of those persons shall constitute a quorum. [1981 c.140 §3 (enacted in lieu of 203.110)]

203.115 County power to change fees. A county governing body shall not change the amount of a fee it has set pursuant to statute within six months after setting that fee. [1979 c.833 §1; 2009 c.477 §3]

203.132 Inclusion of property outside county or in city in county assessment for local improvement. (1) The governing body of a county may include property located outside the county or within a city as part of the property to be improved or to be assessed for a public improvement, subject to the following conditions:

(a) The type of improvement is one which the county has authority to finance by assessments against the property that is within the county and outside any city.

(b) The governing body of the other county or the city, by resolution, approves the improvement if any portion of it is within the other county or city.

(c) The governing body of the other county or the city, by resolution, approves the assessment of the property within the other county or city.

(d) The assessment authority, including authority to enforce collection of assessments, is exercised for property outside the county or within a city in the same manner as for property within the county.

(2) The owners of property in the other county or city subject to an assessment under this section shall have the same rights, including remedies, which the owners of property within the county may have. [Formerly 308.165]

203.135 Eminent domain power of county. In addition to any other powers granted to a county under state law or county charter, a county governing body may exercise the power of eminent domain under ORS chapter 35 to acquire any right or interest in real property for:

(1) Public road, trail or other public easement purposes.

(2) Public park or recreation area purposes.

(3) Public building or public institution purposes.

(4) Purposes of development or protection of property acquired for a purpose otherwise described in this section including acquisition of land for use as a quarry, drainage way, pond, marsh or similar purpose. [1981 c.153 §50]

203.145 Appointment of legal counsel for county governing body; authority of counsel; compensation. (1) As used in this section, "board" means board of county commissioners, county court or county governing body of a county, as the case may be.

(2) Unless otherwise provided by county charter or legislation enacted pursuant thereto, the board of each county may appoint a person or persons licensed to practice law in the State of

Oregon as counsel to advise the board and other county officers, to render services in connection with legal questions of a civil nature arising in the discharge of their functions, to prosecute violations of county law as defined by ORS 203.810, and to provide such additional services as the board determines. Counsel shall serve at the pleasure of the board, on a full- or part-time basis, and be compensated in the manner and amounts the board determines. The board shall reimburse counsel for necessary expenses incurred in performance of services rendered and may provide personnel, facilities and office space necessary for counsel to render such services.

(3) When a person or persons licensed to practice law in the State of Oregon have been appointed pursuant to subsection (2) of this section, they shall have the same civil authority and responsibilities as are otherwise provided for the district attorney when acting as advisor to the board and county officers. [Formerly 203.121]

203.148 Public Land Corner Preservation Fund; fees for recording. (1) The county governing body may establish by ordinance a fund to be known as the Public Land Corner Preservation Fund. Moneys in the Public Land Corner Preservation Fund shall be used only to pay expenses incurred and authorized by the county surveyor in the establishment, reestablishment and maintenance of corners of government surveys under ORS 209.070 (5) and (6).

(2) After providing public notice of its intended action and holding a public hearing at which the residents of the county may appear and be heard on the issue of establishing or changing the fee, the county governing body may establish by resolution or order a fee not to exceed \$10 for recording all instruments under ORS 205.130 (2) in addition to any other fee charged by the county clerk. All moneys collected under this subsection shall be deposited with the county treasurer at least once a month to be credited to the Public Land Corner Preservation Fund. [1985 c.582 §5; 1987 c.469 §1; 1991 c.621 §1]

Note: 203.148 was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 203 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

BOARDS OF COUNTY COMMISSIONERS

203.230 Abolishing office of county judge and establishing board of county commissioners in noncharter county; referral of order; operative date. (1) The county court of any county which has not adopted a county charter pursuant to ORS 203.710 to 203.770, and in which the county judge has no judicial function, may order the office of county judge abolished and create in lieu thereof a third county commissioner. The order shall transfer all powers and duties of the county court and county judge to the board of county commissioners and, unless referred to the people, shall be effective on the date specified therein. The order made under this subsection may be referred to the people of the county for their approval or rejection and, if approved, shall become operative on the date specified in the order referred. The people of the county shall vote on such order at a primary election or general election.

(2) If, in a year in which a county judge is to be elected in the county, the order made under subsection (1) of this section is to become operative:

(a) On or subsequent to the date of the primary election but prior to the general election, then those persons nominated at the primary election for the office of county judge shall be candidates for the office of county commissioner created in the order.

(b) On or subsequent to the date of the regular general election, then the person elected to the office of county judge shall, upon the expiration of the term of office of the county judge holding office at the time the order was approved, take office as the county commissioner created in the order if the order has become operative.

(3) When the order issued under subsection (1) of this section becomes operative, the county judge shall, until the expiration of the term of office of the county judge, serve as the third county commissioner. At the general election next preceding the expiration of the term of office of the county judge there shall be elected, in addition to the two county commissioners provided by law for each county, one county commissioner who shall possess the same qualifications and be subject to the same provisions of law as the other county commissioners.

(4) The order issued under subsection (1) of this section may specify any or all of the following relating to the third commissioner:

(a) Compensation that is different from the other commissioners;

(b) Powers and duties that are different from the other commissioners; and

(c) Service as chairperson of the board of commissioners.

(5) The person serving as county judge on the date the office is abolished shall serve as chairperson of the board of county commissioners until the expiration of the term of office of that person and shall be subject to the same provisions of law as the other county commissioners. [1961 c.571 §1; 1987 c.267 §65; 1995 c.712 §88; 1997 c.277 §1]

203.240 Organization, powers and duties of board. (1) A board of county commissioners shall:

(a) Have the powers and duties and be otherwise subject to the laws applicable to county courts sitting for the transaction of county business.

(b) Unless provided otherwise by county charter or ordinance, consist of three county commissioners. A majority of the board is required to transact county business.

(c) Except as otherwise provided in ORS 203.230 (5) or an order issued under ORS 203.230 (1), appoint a chairperson from among their number who shall serve until the first Monday in January next following appointment. If two members of the board cannot agree on the

appointment of a chairperson, the member of the board who is longest in length of service shall act as chairperson.

(2) When a county has established a board of county commissioners any reference in the statutes to the county court of that county shall be considered a reference to the board of county commissioners of the county. [1961 c.571 §2; 1971 c.88 §7; 1981 c.140 §4; 1985 c.756 §2; 1997 c.277 §2]

COUNTY HOME RULE

203.710 Performance of functions by officers designated by county law; definition. (1) The designation of county officers to perform functions under ORS 203.710 to 203.770 extends to those officers who, under a county charter or legislation enacted pursuant thereto, may be designated to perform the same functions.

(2) References to the county court in ORS 203.710 to 203.770 include the board of county commissioners.

(3) As used in ORS 203.710 to 203.770, unless the context requires otherwise, “legally called election” means any primary election or general election held throughout the county. [1959 c.527 §1; 1961 c.339 §1; 1995 c.712 §89]

203.720 Electors of county may adopt, amend, revise or repeal county charter; certain provisions, deemed matters of county concern, to prevail over state law. The electors of any county, by majority vote of such electors voting thereon at any legally called election, may adopt, amend, revise or repeal a county charter. The charter, or legislation passed by the county pursuant thereto, shall provide a method whereby the electors of the county, by majority vote of such electors voting thereon at any legally called election, may amend, revise or repeal the charter. The county charter and legislative provisions relating to the amendment, revision or repeal of the charter are deemed to be matters of county concern and shall prevail over any conflicting provisions of ORS 203.710 to 203.770 and other state statutes unless otherwise specifically provided by conflicting state statutes first effective after January 1, 1961. [1959 c.527 §2]

203.725 County charter amendment; single subject; separate submission to electors. (1) A proposed amendment to a county charter, whether proposed by the county governing body or by the people of the county in the exercise of the initiative power, shall embrace but one subject and matters properly connected therewith.

(2) When two or more amendments to a county charter are submitted to the electors of the county for their approval or rejection at the same election, they shall be so submitted that each amendment shall be voted on separately.

(3) Notwithstanding any county charter or legislation enacted thereunder, this section shall apply to every amendment of a county charter and shall take precedence and prevail over any conflicting provisions in a county charter or in legislation enacted thereunder. [1983 c.240 §2]

203.730 Charter committee appointed after filing of resolution or petition; sufficiency of petition; notice to persons entitled to make appointments to committee. (1) A county charter may be proposed by a committee appointed after the filing with the county clerk of:

(a) A resolution requesting appointment of the committee, adopted by a majority of the county court; or

(b) A petition requesting appointment of the committee, signed by such number of electors of the county as is equal to at least four percent of the whole number of votes cast within the county for all candidates for Governor at the most recent election at which a candidate for Governor was elected to a full term. The petition shall be substantially in such form as the county clerk may prescribe.

(2) The county clerk, not later than the fifth day after the filing of the resolution of the county court, shall give written notice thereof to those persons entitled to participate in the appointment of a member of the committee.

(3) Upon the filing with the county clerk of a petition requesting the appointment of a committee, the county clerk, not later than the 15th day after the filing of the petition, shall verify the signatures and certify to the county court the findings as to the sufficiency of such petition. If the petition is found to be sufficient, the county clerk immediately shall give written notice thereof to those persons entitled to participate in the appointment of a member of the committee. [1959 c.527 §§3,4; 1973 c.255 §1; 1979 c.190 §403; 1989 c.174 §1]

203.740 Charter committee and members; appointment, qualifications, vacancies, terms, organization, meetings. (1) Within 60 days after the county clerk finds that a petition for the appointment of a committee is sufficient, or within 60 days after the county court has filed with the county clerk its resolution requesting that a committee be appointed, a committee shall be appointed as provided in this section. Only one committee is to be in existence at any given period of time.

(2)(a) In all counties:

(A) A majority of the county court is entitled to appoint four members of the committee;

(B) A majority of the state Senators and state Representatives then representing the county is entitled to appoint four additional members; and

(C) A majority, consisting of at least five, of those persons appointed under subparagraphs (A) and (B) of this paragraph is entitled to appoint one additional member.

(b) If, within 45 days after the terms of committee members begin to run as provided in subsection (4) of this section, an appointing authority has not made the appointment or appointments it is entitled to make, the county clerk shall call a meeting of those persons constituting the appointing authority by giving written notice to each of them, specifying the

purpose of the meeting and the time and place thereof. The time of the meeting shall be set within 15 days of the expiration of the 45-day period.

(3) All members of the committee must be electors of the county. No member shall be engaged, directly or indirectly, in any business with the county that is inconsistent with the conscientious performance of duties as a member of the committee. An initial appointment, or an appointment to fill a vacancy, is made by delivering to the county clerk written notice of the name and address of the person appointed, signed by the person duly authorized to act for the appointing authority. No member of an appointive authority may serve as a member of such committee. If an appointing authority fails to make such an initial appointment within 60 days after the terms of committee members begin to run as provided in subsection (4) of this section, the county court shall make the appointment within 10 days after the expiration of the 60-day period.

(4) The terms of committee members run either from the date the county court receives the certification from the county clerk that the petition requesting the appointment of the committee is sufficient or from the date the county court files its resolution requesting appointment of the committee, as the case may be. The terms expire on the day of the election at which the committee's proposed charter is voted upon or within two years from the date the terms began, whichever is the sooner, unless, in the case where a proposed charter is not submitted at an election held within such two-year period, the county court by resolution filed with the county clerk before the expiration of the terms extends them until the day of the election on the proposed charter or for another two years, whichever is the sooner. Any vacancy occurring on the committee, in a position for which an initial appointment has been made, shall be filled by appointment for the unexpired term by the appointing authority that was entitled to make the initial appointment of the member whose position is vacant or, if such appointing authority fails to make the appointment within 10 days after the vacancy occurs, by the county court.

(5) Not later than 80 days after the terms of committee members begin to run as provided in subsection (4) of this section, the members of the committee shall meet and organize. A majority of the committee constitutes a quorum for the transaction of business. The committee may adopt such rules as it deems necessary for its operation. However, the committee may not prohibit the public from attending any of its meetings. [1959 c.527 §5; 1979 c.748 §2; 2005 c.22 §153]

203.750 County funds for charter committee; committee staff; county officials to cooperate. (1) Notwithstanding ORS 294.305 to 294.565, if the county court is notified of the sufficiency of a petition requesting the appointment of a committee, or if it files its resolution requesting the appointment of a committee, the county, acting through the county court, shall cause to be made available from funds of the county an amount equal at least to one cent per elector of the county or \$500, whichever amount is greater, for the purpose of paying the expenses of the committee in the preparation of the charter. Members of the committee shall serve without pay. The committee, within the limit of funds available to it, may employ such persons, or contract for their services, as it may deem necessary to aid it in the performance of its functions. Persons employed by the committee are exempt from civil service. The county, acting through the county court, shall cause to be furnished free of charge to the committee adequate office space and, notwithstanding ORS 294.305 to 294.565, may cause money, in addition to the

required minimum amount, to be appropriated for the committee. The committee shall submit to the county court a budget covering estimates of its expenditures. With respect to expenditures in excess of the minimum amount of money required to be made available, the budget as approved or revised and approved by the county court shall represent the authorized limits of the committee's expenditures. Any balance remaining unexpended shall be transferred to the general fund of the county unless other provisions were made at the time of the appropriation to the committee. The county treasurer is authorized to disburse funds of the committee on its order.

(2) The committee may conduct interviews and make investigations which to it seem necessary in order to draft a charter; and, to the fullest extent practicable, county officials and employees shall cooperate with the committee and provide it with information, advice and assistance. [1959 c.527 §6]

203.760 Submission of proposed charter to electors after public hearing; approval of conflicting charters. (1) The committee shall submit its proposed charter to the county clerk not later than the 90th day before the election at which the proposed charter is to be voted upon. Before the proposed charter is submitted to the county clerk, the committee shall conduct at least one public hearing thereon. After the proposed charter is submitted to the county clerk, the county clerk shall submit the proposed charter to the district attorney for a ballot title as provided in ORS 250.185 (2). The ballot title is subject to judicial review as provided in ORS 250.195.

(2) The charter proposed by the committee shall take effect on the day fixed therein if approved by majority vote of the electors of the county voting thereon.

(3) If two or more conflicting county charters are approved at the same election, the one receiving the greatest number of affirmative votes shall be adopted. [1959 c.527 §7; 1979 c.190 §404; 1981 c.173 §6]

203.770 Copies of charters and amendments, revisions and repeals; judicial notice. (1) Duplicate certificates shall be made, setting forth the county charter adopted and a statement of its ratification, signed by the officers or members of the body canvassing election returns. One of such certified copies shall be deposited in the office of the Secretary of State, the other shall be kept as a permanent record of the county. All courts shall take judicial notice of either copy.

(2) This section shall also apply to any amendment, revision or repeal of the county charter. [1959 c.527 §8]

203.810 Offenses under county law; jurisdiction; prosecutions; enforcement. (1) As used in this section:

(a) "County law" means a county charter adopted pursuant to ORS 203.710 to 203.770 and legislation passed by a charter county or any ordinance enacted by a general law county.

(b) "County offense" means any crime or offense defined or made punishable by county law.

(2) Except as may be provided otherwise by county law:

(a) The justice courts and circuit court for a county have jurisdiction of county offenses to the same extent as such courts have jurisdiction of crimes or offenses defined or made punishable by state law, as determined by the maximum punishment which may be imposed therefor.

(b) The district attorney shall prosecute county offenses unless the county governing body elects to have the prosecution of such offenses conducted by a county counsel appointed pursuant to ORS 203.145.

(c) The practice and procedure as to the prosecution, trial and punishment of county offenses shall be the same as in the case of similar crimes or offenses defined or made punishable by state law.

(3) Except as may be provided otherwise by county law and subject to limitations on its civil jurisdiction under state law, the justice court and circuit court for a county have jurisdiction of a civil proceeding maintained by a county under ORS 30.310 or 30.315, including a proceeding to abate or enjoin any act or condition that is declared to be a nuisance by an ordinance of the county.

(4) Judgments based on county offenses may be enforced in the manner provided by ORS 52.600. [1961 c.724 §33; 1963 c.611 §1; 1977 c.622 §1; 1981 c.75 §1; 1985 c.626 §2; 1995 c.658 §91; 1999 c.788 §49]

Chapter 204 — County Officers

2015 EDITION

COUNTY OFFICERS

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ELECTION OF COUNTY OFFICERS; COUNTY JUDGE PRO TEM

204.005 Election or appointment of county officers. (1) The following county officers shall be elected at the primary election or general election, as provided in ORS 249.088:

(a) A sheriff.

(b) A county clerk.

(c) A county assessor.

(d) A county treasurer.

(e) A county commissioner to succeed any commissioner whose term of office expires the following January.

(f) In any county where there is a vacancy from any cause in the office of county commissioner, an additional commissioner to fill the vacancy.

(2) Unless an adopted county charter or a county ordinance provides otherwise, the governing body of a county shall appoint a county surveyor. [Subsection (2) enacted as 1953 c.477 §2; subsection (3) enacted as 1959 c.174 §3; 1959 c.628 §1; 1961 c.571 §3; subsection (4) enacted as 1963 c.386 §2; 1965 c.221 §21; 1969 c.532 §3; 1971 c.88 §4; 1983 c.327 §4; 2005 c.797 §29; 2009 c.491 §1]

204.010 Terms of office of county officers. (1) Except as provided in subsection (2) of this section, the term of office of each officer mentioned in ORS 204.005 is four years.

(2) When two or more county commissioners are elected for one county at a general election and one of them is elected to fill a vacancy, as provided in ORS 204.005 (1)(f), one of them shall hold office for two years and the others four years. [Amended by 1983 c.327 §13; 1983 c.350 §16; 2005 c.797 §59; 2009 c.491 §3]

204.013 Numbered positions for office of county commissioner. (1) In each county that has a board of county commissioners, each office of county commissioner shall be designated by number as Position No. 1, Position No. 2 or Position No. 3.

(2) After September 2, 1963, in every county having a board of county commissioners, or when a board of county commissioners is established in any county, the county clerk shall assign a position number to each office on the board of county commissioners. The number so assigned shall be certified by the county clerk to the commissioner in office holding that position. One copy of the certification shall be sent to the Secretary of State, and one copy shall be filed in the office of the county clerk. [1963 c.329 §1]

204.016 Eligibility for county offices generally; additional qualifications for surveyor and assessor. (1) A person is not eligible to serve in any office listed in ORS 204.005 unless the person is a citizen of the United States and an elector under the Oregon Constitution.

(2) A person is not eligible to serve in any elective office listed in ORS 204.005 unless the person meets the requirements of subsection (1) of this section and in addition is a resident of the county in which the person is elected for the period of one year preceding the next election, except that in counties of less than 25,000 population the requirement of residency in the county in which the person is elected does not apply to an elected county surveyor.

(3) A person is not eligible to be a candidate for election or appointment to the office of county surveyor unless registered under the laws of this state as a registered professional land surveyor.

(4) A person is not eligible to be a candidate for election or appointment to the office of county assessor unless:

(a) The person has qualified as a registered appraiser or is an appraiser trainee under ORS 308.015 and if an appraiser trainee, notwithstanding ORS 308.015, becomes a registered appraiser within two years after taking office; and

(b) The person either has two years of office and accounting experience, including experience in office management activities, or has two years of full-time employment in the office of a county assessor.

(5) The Department of Revenue shall prepare applications and questionnaires, and obtain information it may deem necessary to determine that a candidate for the office of county assessor has met the requirements of subsection (4) of this section, and shall furnish to applicants suitable certificates evidencing satisfactory compliance with the required qualifications. [1957 c.555 §2 (enacted in lieu of 204.015); 1973 c.538 §1; 1975 c.780 §18; 1981 c.113 §1; 1983 c.327 §14; 1983 c.659 §1; 1993 c.270 §2; 2003 c.345 §1; 2005 c.22 §154; 2009 c.491 §2; 2010 c.18 §1]

204.017 Election of county commissioners by numbered position. (1) In all proceedings for the nomination or election of candidates for or to the office of county commissioner in each county having a board of county commissioners, every petition for nomination, declaration of candidacy, certificate of nomination or election, ballot or other document used in connection with the nomination or election shall state the position number of the office to which the candidate aspires, and the name of the candidate shall appear on the ballot only for the designated position.

(2) Each elector shall have the right to vote for only one candidate for each position on the board, and the candidate for each position receiving the highest number of votes for such position shall be considered nominated or elected, as the case may be. [1963 c.329 §2]

204.020 When terms of office commence; filing certificate of election, oath and undertaking. (1) The term of office of each officer elected pursuant to ORS 204.005 commences on the first Monday of January next following election to office.

(2) Before entering upon any elective office listed in ORS 204.005, the person elected must qualify by filing with the county clerk of the county in which the person is elected the person's certificate of election, with an oath of office indorsed thereon, and subscribed by the elected person, to the effect that the person will support the Constitution of the United States and of this state, and faithfully carry out the office being assumed. The person shall also give and file the undertaking provided for under subsection (3) of this section.

(3) A county governing body may require, by ordinance, for the filing by each officer under ORS 204.005, prior to that officer assuming office, of an official undertaking with such surety as the governing body determines necessary or of an irrevocable letter of credit issued by an insured institution, as defined in ORS 706.008, in either case in a reasonable amount with the county governing body. [Amended by 1981 c.41 §1; 1983 c.327 §15; 1991 c.331 §46; 1997 c.631 §426; 2009 c.491 §4]

204.065 Appointment of county judge pro tem. Whenever because of illness or injury an elected county judge is incapacitated and unable to perform the duties of office, and such facts are made to appear by the affidavit of one or more physicians, licensed to practice in this state, filed in the office of the Secretary of State, the Governor shall appoint some competent and qualified person county judge pro tem, who shall serve until the termination of the incapacity of the elected county judge has been evidenced in the same manner as the incapacity was originally evidenced, or until the expiration of the term of office, whichever shall first occur, or until the appointment may be revoked for cause by the Governor. Such appointment shall not vacate the office of the elected county judge nor discontinue the salary of the elected county judge.

204.070 Oath of county judge pro tem. Before entering upon the performance of the duties of county judge pro tem, the appointee shall subscribe and file in the office of the county clerk the same oath of office required of an elected county judge.

204.075 Compensation of county judge pro tem. A county judge pro tem shall receive from the county compensation for services at the same rate and in the same manner as the elected county judge.

COMPENSATION OF COUNTY OFFICERS, DEPUTIES AND OTHER EMPLOYEES

204.112 County compensation board; members; compensation review and recommendations. (1) Each county governing body shall appoint a county compensation board. A county compensation board shall consist of from three to five members, who are knowledgeable in personnel and compensation management.

(2) The county compensation board shall annually recommend a compensation schedule for the county elective officers mentioned in ORS 204.005.

(3) The county compensation board shall annually review the compensation paid to persons comparably employed by the State of Oregon, local public bodies and private businesses within a labor market deemed appropriate by the board for each elective officer. The county compensation board shall take into account such factors as the number of employees supervised and the size of the budget administered by each elective officer, the duties and responsibilities of each elective officer, and the compensation paid to subordinates and other appointed employees who serve in positions of comparable management responsibility. The county compensation board shall prepare and approve by majority vote a recommended compensation schedule for the elective officers and shall submit the recommended compensation schedule to the county governing body.

(4) Notwithstanding subsections (1) to (3) of this section, the sheriff's salary shall be fixed in an amount which is not less than that for any member of the sheriff's department. [1989 c.941 §1]

204.116 Governing body to fix compensation of county officers, deputies and employees; disposition of fees. (1) Except as otherwise provided by law, the governing body of each county shall fix the compensation of its own members and of every other county officer, deputy and employee when the compensation of such individuals is paid from county funds.

(2) Any commission, fees or other moneys received by a county officer, deputy or employee for services rendered in the course of that individual's office or employment may not be allowed to or retained by that individual, but shall promptly be paid into the county treasury except:

(a) For compensation fixed under subsection (1) of this section;

(b) As otherwise determined by the governing body of the county; or

(c) As otherwise provided by ORS 106.120 or 205.320 (1)(f). [1981 c.48 §2; 1997 c.253 §2; 1997 c.424 §2; 1999 c.776 §4; 2001 c.501 §8; 2015 c.27 §21]

204.121 Compensation and appointment of officers, deputies and employees in counties subject to county civil service law. It is the intent of the Legislative Assembly that no provision of ORS 204.112, 204.116, 204.126 or 204.601 shall supersede any provision of the county civil service law, and when any conflict arises between any provision of ORS 204.112, 204.116, 204.126 or 204.601 and any provision of the county civil service law, then the county civil service law shall prevail. [1953 c.306 §10; 1981 c.48 §4; 1989 c.941 §2]

204.126 Change in compensation of elective officers. (1) The compensation of any elective county officer shall remain in effect unless changed with the approval of the county budget committee or tax supervising and conservation commission.

(2) Before any change in the compensation of an elective county officer is effective, it must be submitted to and approved by the county budget committee or tax supervising and conservation commission at a regular meeting or at a special meeting called for that purpose. [1981 c.48 §3]



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 – Clerk

Our current County Clerk, Bobbi Childers, has been in office since 2004. There are currently two employees in the Clerk's Office, two Chief Deputy Clerks. Both are full-time.

When the Juvenile Judge duties transferred to the Circuit Court in January 2017, the requirement for the County Clerk to also be the Juvenile Clerk in the courtroom also transferred to Circuit Court. This was a large time and effort commitment for the Clerk. These duties had become much more complex, as well as numerous.

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 Ms. Childers.

The attached spreadsheet lists the salaries for County Clerks from the Counties chosen by the County Commissioners as comparators for all Elected Officials. I do not have a recommendation for Clerk compensation, but will defer to the Compensation Board.



PO Box 338 Heppner, Oregon 97836
(541) 676-5604 FAX (541) 676-9876

County Clerk
Bobbi A. Childers Ext. 5601

Memo:

Request for information:
Morrow County Clerk

Adherence to Federal, State, and local laws regarding the duties of the County Clerk, conduct of elections, voter registration, property tax appeals, permanent real property records, marriage licensing, marriage ceremonies, and archive management. Assign, review and alter workloads, establish policies and procedures, coordinate education and training opportunities, manage the receipt of fees collected each year to ensure proper distribution, and set expectations that provide direction to staff. Prepare, track and manage budgets for elections, BOPTA and Clerk's Records. Develop confidential required security plan yearly for the state. Vital Records Registrar and Deputy Registrars for the County of Morrow. We create all in county death records to the state these are all confidential records using and training with OVERS (Oregon Vital Events Registration System). We have to pass training yearly to be Passport registrars, these are confidential also.

Perform official duties of the County Clerk, such as solemnizing marriages, accepting and rejecting documents presented for recordation, administering oaths, issuing certificates of election to public officials, accepting district budgets, and certifying election returns, to state, city and special districts, annual tax roll and documents of record. Ensure processing of Marriage licenses, passports, abandoned property and personal effects. Work with the State as the required ethics officer for Morrow County.

This division encompasses all matters and issues related to: OCVR (Oregon Central Voter Registration), HAVA (Help America Vote Act), UOCAVA (Uniformed and Overseas Citizens Act), and NVRA (National Voter Registration Act of 1993), election management, billing, recounts, tabulation systems, voter list requests, ERIC (Electronic Registration Information Center), NCOA (National Change of Address) and voter registration. Oregon Motor Voter implementation.

Election Night Reporting, team member for the state on testing and reporting. Chair of Zone 4 OACC, (Oregon Association of County Clerks), Member of CCC, (Change Control Committee), testing and verifying our updates and fixes to the Central Voter Registration system for the State of Oregon, and other counties .

My Department is the heart of this County, without the processed records the Assessor cannot process new addresses, new property, and partitions of land or put names to ownership, and know the value of land sales. We send money to the state for AT&T that comes back to the Assessor's office. We have requirements to know when a certificate form must be filled out by the Assessor, due to HP 2127, we are liable for this.

We share documents with planning, address changes, Partition Plats. I am the Administrator of Board of Property Appeals, which touches the Assessor. We take all the monies for the Surveyor from plat and subdivision fees, and the land preservation line items.

We deposit money to the Treasure on a daily basics.

Work with the District Attorney on Ballot Titles from county governing body along with all initiative and referendums.

Veterans Affairs: All requested death records for deceased veterans in Morrow County.

In other sectors, with my training and Graduating from Election Registration Administration with “The Election Center”, and length in this area of expertise and knowledge I would be able to go to work in other states as well as Oregon. I’ve been trained about vote by mail and all polling place elections, history of elections and the management of all. I was in the same class as the SOS of Washington State, and other people from every state and a few countries. Also, with the knowledge from confidential Juvenile Court Clerk, since 2005 that could put me into the legal arena. I am in charge of and all the recording of liens, land records, mortgages along with having custody of all county records, in a legible and permanent manner.

As far as who to compare me to, I don’t know all of what the others do. I know that with wind turbines I’ve had to learn about vertical easements as well as some of the special document types that come from those.

I could be a City Recorder, Vital Records Management, Mortgage Management, and Archivist, Library Manager, Circuit Court Clerk and Title and Escrow Officer. Working in a bank.

Counties:

Baker - 2 deputies - No Vital Records. Clerk since 2015

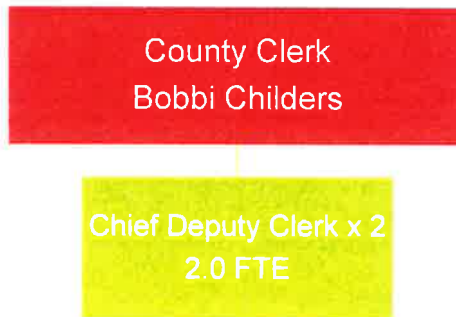
Columbia- 2 deputies -No vital records Clerk forever... They have a port we have a port.

Crook – 2 deputies -No Vital Records- Clerk since 2015

Tillamook.... They make cheese Clerk since

All Clerks have the same requirements. Some of us do Passports and only a couple of small counties besides us do Vital Records.

Clerk's Office



Total FTE, including Clerk = 3.0 FTE

February 2017

Morrow County Information Request

2016/2017

Clerk

	Annual Salary	Full or Part time	Total # employees supervised	Elections?	Recording?	Elected or Appointed?
Clerk						
Matilla	No Clerk					
Union	\$74,808	Full	2.5	Yes	Yes	Appointed
Vasco	\$56,544	Full	3	Yes	Yes	Elected
Flood River	No Clerk					Appointed
Jefferson	\$71,406	Full	2	Y	N	Elected
Crook	\$70,866	Full	2	Yes	Yes	Elected
Morrow	\$68,475	Full	2	Yes	Yes	Elected
Average	\$68,420					
Average w/o MC	\$68,406					

Part of Administrative Services

Records, Assessments & Elections Director

**GENERAL SCALE
2016 - 2017**

COLA 3.000%

RANGE	POSITION	Hire 0 A	1 year		1 year		1 year	
			B	C	D	E	F	
3	Deputy Clerk	3	\$2,270	\$2,383	\$2,502	\$2,627	\$2,759	\$2,897
7	Chief Deputy Clerk	7	\$2,759	\$2,897	\$3,041	\$3,193	\$3,353	\$3,521
	Chief Deputy Clerk							

post 7/1/99 (moves alternating years on scale)

pre 7/1/99 (moves annually on scale)

Chapter 205 — County Clerks

2015 EDITION

COUNTY CLERKS

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PENALTIES

205.990 Penalties

GENERAL PROVISIONS

205.010 Definitions. (1) As used in the statutes of this state in reference to a chattel mortgage and action by the appropriate recording officer, “record,” “recorded” and “recording” mean “record or file,” “recorded or filed” or “recording or filing,” as the context requires.

(2) As used in this chapter:

(a) “Person” means an individual, organization, corporation, government, governmental subdivision or agency, business trust, partnership or association, two or more persons having a joint or common interest or any other legal or commercial entity.

(b) “Text” includes the words contained in the body of an instrument to be recorded and the names of the transactions contained in the instrument. The term does not include instructions for completing the instrument, form numbers or statutory references.

(c) “Transaction” means an action, including but not limited to a transfer, encumbrance or release affecting title to or an interest in real property, that is required or permitted by state law or rule or federal law or regulation to be recorded. [Amended by 1991 c.230 §10; 1993 c.321 §1; 2001 c.713 §1; 2005 c.82 §1; 2009 c.294 §17]

POWERS AND DUTIES

205.110 General powers and duties of county clerk. (1) The county clerk in each county shall keep and maintain the records of the county governing body.

(2) The county clerk of any county in which the county court has judicial functions shall, for the county court:

(a) Keep the seal of the court, and affix it in all cases required by law.

(b) Record the proceedings of the court.

(c) Keep the records, files, books and papers pertaining to the court.

(d) File all papers delivered to the clerk for that purpose in any action or proceeding in the court.

(e) Attend the terms of the court, administer oaths and receive the verdict of a jury in any action or proceeding therein, in the presence and under the direction of the court.

(f) Under the direction of the court enter its orders and judgments.

(g) Authenticate, by certificate or transcript, as may be required, the records, files or proceedings of the court, or any paper pertaining thereto, and filed with the clerk.

(h) Exercise the powers and perform the duties conferred upon the clerk by statute.

(i) In the performance of duties pertaining to the court, conform to the direction of the court.

(3) The county clerk may take and certify the proof and acknowledgment of a conveyance of real property or any other written instrument authorized or required to be proved or acknowledged. [1977 c.594 §2; 1981 s.s. c.3 §39; 1983 c.327 §5; 1985 c.540 §40; 1991 c.230 §11]

205.125 County Clerk Lien Record; contents; effect. (1) The County Clerk Lien Record maintained under ORS 205.130 shall contain the following information for each order or warrant recorded:

(a) The name of any person subject to the order or warrant.

(b) The name of the officer and the agency that issued the order or warrant or the name of the complainant or claimant in whose favor an order of the Construction Contractors Board or State Landscape Contractors Board has been given. The name of the agency or board that issued the order or warrant must be clearly printed on the order or warrant.

(c) The amount of any monetary obligation imposed by the order or warrant, and the names of all persons against whom the obligation is imposed.

(d) The date on which the order or warrant was received and recorded.

(e) Full or partial satisfaction, if any, of any lien claim created by the order or warrant.

(f) County Clerk Lien Record instruments filed under ORS 205.130 (3)(c)(A) shall be on official letterhead and include the seals, if any, of the officers and agencies.

(g) Such other information as may be considered necessary by the county clerk.

(2) From the date that an order or warrant is recorded in the County Clerk Lien Record, the order or warrant shall have the attributes and effect of a judgment that has been entered in the register of the circuit court for that county, including but not limited to the creation of a judgment

lien for any monetary obligation in favor of the officer or agency issuing the order or warrant or in favor of the complainant or claimant in the proceedings before the Construction Contractors Board or State Landscape Contractors Board, renewal and enforcement by supplementary proceedings, writs of execution, notices of garnishment and writs of garnishment.

(3) From the date that an order or warrant imposing a monetary obligation is recorded in the County Clerk Lien Record, the order or warrant becomes a lien upon the title to and interest in property of the person against whom it is issued in the same manner as a judgment that creates a judgment lien under ORS chapter 18.

(4) In addition to any other remedy provided by law, orders and warrants recorded in the County Clerk Lien Record may be enforced as provided in ORS 205.126. [1983 c.696 §1; 1985 c.343 §10; 1987 c.586 §30; 1989 c.706 §2; 1997 c.387 §1; 1999 c.153 §5; 1999 c.654 §13; 2003 c.576 §194; 2007 c.793 §4]

205.126 Enforcement of order or warrant recorded in County Clerk Lien Record; renewal of order or warrant; notice of renewal. (1) At any time after recording an order or warrant in the County Clerk Lien Record, a complainant or claimant or an attorney for an agency, complainant or claimant may file in the circuit court for the county where the order or warrant is recorded, a copy of the original order or warrant certified by the agency to be a true copy of original, and an affidavit of the complainant, claimant or attorney verifying that the order or warrant was recorded in the County Clerk Lien Record for that county, the date that the order or warrant was recorded and the date on which any notice of renewal was recorded under subsection (2) of this section. Subject to any other requirements that may apply to the enforcement remedy sought by the agency, complainant or claimant, proceedings may thereafter be commenced by the agency, complainant or claimant for the enforcement of the order or warrant, in the same manner as provided for the enforcement of judgments issued by a court. Enforcement proceedings may include:

- (a) Writ of execution proceedings under ORS 18.252 to 18.993.
- (b) Proceedings in support of execution under ORS 18.265, 18.268 and 18.270.
- (c) Garnishment proceedings under ORS 18.600 to 18.850.

(2) At any time within 10 years after the recording of an order or warrant, an agency, complainant or claimant, acting with or without the assistance of an attorney, may renew an order or warrant by recording a notice of renewal in the County Clerk Lien Record. A notice of renewal recorded within the time specified by this subsection has the attributes and effect of an extension of judgment remedies noted in the register under ORS 18.182, from the date that the notice is recorded. A notice of renewal recorded under this section must state:

(a) The name of the agency that issued the order or warrant or the name of the complainant or claimant in whose favor an order of the Construction Contractors Board or State Landscape Contractors Board has been given;

(b) The names of all persons against whom a monetary obligation is imposed under the order or warrant; and

(c) The date of recording and the recording number, the book and page number for the recording, or the volume and page number for the recording.

(3) For the purposes of this section:

(a) "Agency" means any state officer, board, commission, corporation, institution, department or other state body that has authority to record an order or warrant in the County Clerk Lien Record.

(b) "Complainant or claimant" means a person in favor of which a board order has been recorded under the provisions of ORS 671.707 or 701.153. [1997 c.387 §2; 1999 c.153 §6; 2001 c.249 §75; 2003 c.576 §195; 2007 c.793 §5; 2007 c.836 §41]

205.127 Recording in County Clerk Lien Record for certain liens. The County Clerk Lien Record in each county where the real property is located is the place of recording a lien filed pursuant to CERCLA, 100 U.S. Stat 1630. [1987 c.586 §48]

205.130 Recording duties of county clerk. The county clerk shall:

(1) Have the custody of, and safely keep and preserve, all files and records of deeds and mortgages of real property and a record of all maps, plats, contracts, powers of attorney and other interests affecting the title to real property required or permitted by law to be recorded.

(2) Record, or cause to be recorded, in a legible and permanent manner, and keep in the office of the county clerk, all:

(a) Deeds and mortgages of real property, powers of attorney and contracts affecting the title to real property, authorized by law to be recorded, assignments thereof and of any interest therein when properly acknowledged or proved and other interests affecting the title to real property required or permitted by law to be recorded;

(b) Certificates of sale of real property under execution or order of court, or assignments of previously recorded certificates or of any interest in real property, when properly acknowledged or proved;

(c) Certified copies of death records of any person appearing in the county records as owning or having a claim or interest in land in the county. A certified copy of a death record recorded in the deed records of a county under this subsection is a public record and is not subject to the disclosure limitations under ORS 432.350;

(d) Instruments presented for recording by the United States or the State of Oregon, or a political subdivision of either, that affect title to or an interest in real property or that lawfully concern real property;

(e) Instruments recognized under state law or rule or federal law or regulation as affecting title to or an interest in real property if the instrument is properly acknowledged or proved; and

(f) Orders from a county forestland-urban interface classification committee filed under ORS 477.052.

(3) Keep and maintain:

(a) Deed and mortgage records;

(b) Statutory lien records;

(c) A record called the County Clerk Lien Record in which the following shall be recorded:

(A) The warrants and orders of officers and agencies that are required or permitted by law to be recorded; and

(B) All instruments presented for recordation when required or permitted by law to be recorded that affect the title to or an interest in real property, other than instruments recorded in the deed and mortgage records or the statutory lien records;

(d) Releases, satisfactions, assignments, amendments and modifications of recorded instruments; and

(e) Other instruments required or permitted by law to be recorded not affecting interests in real property.

(4) Perform all the duties in regard to the recording and indexing of deeds and mortgages of real property, contracts, abstracts of judgments, notices of pendency, powers of attorney and other interests when required or permitted by law to be recorded that affect the title of real property, and in regard to the entry of satisfaction and discharge of the same, together with other documents required or permitted by law to be recorded.

(5) Incur no civil or criminal liability, either personally or in an official capacity, for recording an instrument that does not comply with the provisions of law that require or allow the recording of the instrument. [Amended by 1983 c.696 §8a; 1983 c.709 §43; 1983 c.763 §63; 1985 c.471 §16; 1987 c.215 §22; 1987 c.586 §31; 1989 c.171 §28; 1989 c.179 §1; 1989 c.618 §11; 1989 c.706 §§1,2; 1989 c.738 §15; 1989 c.764 §4; 1989 c.795 §3; 1989 c.841 §10; 1989 c.1035 §4; 1991 c.230 §12; 1993 c.321 §2; 1999 c.654 §14a; 1999 c.710 §9; 2001 c.713 §2; 2007 c.30 §12; 2013 c.366 §71; 2015 c.168 §5]

205.135 Illegible document presented for recording. Whenever the text of a document presented for recording may be made out but is not sufficiently legible to reproduce a readable photographic record, the county clerk shall require the person presenting it for recording to substitute a legible original document or prepare a true copy thereof by handwriting or

typewriting and attach the same to the original as a part of the document for making the permanent photographic record. [1965 c.301 §1(1); 1999 c.654 §15; 2005 c.22 §155]

205.140 Transcript or copy of record. A transcript of the record of any instruments duly recorded by the county clerk in any county under the authority of ORS 205.130 and 205.160 to 205.190, or a photographic or photostatic copy thereof, duly certified by the county clerk, under the seal of office, may be recorded in the office of any county clerk or read in evidence in any court with like force and effect as the original instrument. [Amended by 1999 c.654 §16]

205.150 Seal of clerk. The county court shall provide a suitable seal for the use of the county clerk.

205.160 Indexes kept by county clerk; use of alternative recording method allowed. (1) The county clerk shall keep a direct general index and an indirect general index in the office of the clerk.

(2) The direct general index shall contain, but need not be limited to, the following:

(a) Date and time of reception.

(b) Names of grantors.

(c) Names of grantees.

(d) Nature or type of instrument.

(e) Volume and page where recorded or the instrument number.

(f) Remarks.

(g) Brief description of tract.

(h) To whom delivered.

(i) Fees received.

(3) The clerk shall make correct entries in the direct general index of every instrument recorded under the appropriate heading, entering the names of the grantors in alphabetical order.

(4) The indirect general index shall contain, but need not be limited to, the following:

(a) Date and time of reception.

(b) Names of grantees.

(c) Names of grantors.

(d) Nature or type of instrument.

(e) Volume and page where recorded or the instrument number.

(f) Remarks.

(g) Brief description of tract.

(5) The clerk shall make in the indirect general index correct entries of every instrument required by law to be entered in the general index direct, entering the names of the grantors in alphabetical order.

(6) Whenever any mortgage, bond, judgment or other instrument has been released or discharged from record, or by recording a deed or lease, the clerk shall immediately note in both the direct general index and the indirect general index under the column headed "Remarks," and opposite the appropriate entry, that such instrument has been satisfied.

(7) In lieu of both the direct general index and the indirect general index a county clerk may use a data processing device or computer to provide a combined index to books or records defined in law that shall contain the following:

(a) Date and time of reception.

(b) Names of grantees.

(c) Names of grantors.

(d) Nature or type of instrument.

(e) Recording number.

(f) Brief description of tract.

(g) To whom delivered.

(h) Fees received.

(i) When available, a reference to the instrument being released or discharged.

(j) Such other information as the county clerk may require.

(8) The county clerk shall provide public access to the combined index and otherwise meet the requirements of ORS chapter 192. [Amended by 1969 c.702 §1; 1987 c.586 §32; 1999 c.654 §17]

205.180 Entry in appropriate record of instruments received for recording. (1) The county clerk shall make in the appropriate record correct entries of every instrument required by law to be recorded.

(2) Whenever any instrument has been received for record, the county clerk shall immediately place upon such instrument a certificate, noting the day, hour and minute of its reception and fees received for recording and, when recorded, a reference to where it is recorded. The date of record of such instrument is the date of recordation.

(3) Whenever any instrument has been recorded, the county clerk shall immediately make an entry in the record of the clerk with the amount paid as fee for recording.

(4) After such instrument has been recorded the county clerk shall return it to the person who recorded or is authorized to receive the same, writing the name of the person to whom it is delivered in the record. [Amended by 1987 c.586 §33; 1999 c.654 §18]

205.190 Record of plats and maps of towns, villages, cemeteries. Each county clerk shall maintain a record of all maps of towns, villages, or additions to the same, or cemeteries, within the county, together with any description, acknowledgment or other writing therein. The county clerk shall create and store the maps in accordance with archival standards for the preservation of the record. The clerk shall keep an index that may be part of the deed index and shall contain the name of the town, village, addition or cemetery plat. The clerk shall not be bound to perform any duty required by ORS 205.130, 205.160, 205.180 and this section for which a fee is allowed, unless such fee has been paid or tendered, but when any such map has, prior to May 29, 1919, been incorrectly recorded in the plat records or deed records of the county, and such plat so incorrectly recorded is again presented by anyone to the clerk for record, the clerk shall correctly record such map in the record of plats without charge therefor, and shall make notation in the index of the fact of such re-recording, giving the book and page or instrument number where the re-recording appears. The record of the original map so re-recorded, as well as the record of all maps recorded under this section, as well as all original maps or plats recorded prior to May 29, 1919, shall be safely kept in the office of the clerk. The clerk shall not refuse to comply with this section by reason of the fact that some portion of the lands so platted were brought under any statute of this state relating to the registration of land titles. [Amended by 1999 c.710 §10]

205.220 Recording copies of estate records; copy as evidence. Any copies of records of any estate administered in this state, certified to as true and correct by the clerk of the court in which the estate was or is being administered, shall be received and recorded by the officer having charge of the deed records of any county upon the payment of the fees required by law. A certified copy of such record shall be received as prima facie evidence of the original record in any court of this state.

205.232 Conditions for instruments to be recorded; exception. Except as provided in ORS 205.327, a county clerk shall not accept any instrument for recording unless the text of the instrument is typed, written or printed in 8-point type or larger on paper that is not larger than 14 inches long and 8-1/2 inches wide and which paper is of sufficient quality for recording photographically. However, this section does not apply to out-of-state notarial acts or to certified

copies of public records presented to a county clerk for recording. [1991 c.230 §2; 1993 c.321 §3]

205.234 Requirements for first page of instruments to be recorded; cover sheet. (1)

When an instrument is presented to a county clerk for recording, the first page of the instrument must contain at least:

- (a) The names of the transactions as required in ORS 205.236;
- (b) The names of the persons described in ORS 205.125 (1)(a) and (b) and 205.160;
- (c) The person to whom and, for mailing purposes only, the address to which the instrument will be delivered as provided in ORS 205.180;
- (d) For instruments that convey or contract to convey fee title to real estate and for memoranda of the instruments, the true and actual consideration paid for the transfer as required by ORS 93.030;
- (e) For instruments that convey or contract to convey fee title to real estate, the tax statement information required by ORS 93.260;
- (f) For instruments recorded in the County Clerk Lien Record, the information described in ORS 205.125 (1)(c) and (e); and
- (g) For instruments that assign a mortgage or trust deed, the name and address of the assignee mortgagee or assignee trust deed beneficiary.

(2) Notwithstanding ORS 205.327, if an instrument presented for recording does not contain the information required by subsection (1) of this section, a cover sheet may be prepared that contains the required information. The person that presents the instrument for recording shall prepare the cover sheet. The cover sheet may be attached to the instrument and must be recorded as a part of the instrument. Any errors in the cover sheet do not affect the transactions contained in the instrument. The cover sheet need not be separately signed or acknowledged. [1991 c.230 §3; 1993 c.321 §4; 2007 c.345 §1; 2011 c.505 §3; 2012 c.47 §4]

205.236 Labeling of instrument to be recorded; instrument describing two or more transactions; recordation; fee. (1) An instrument required or permitted by law to be recorded shall be clearly labeled in sufficient detail to enable the clerk to record the instrument in the appropriate record.

(2) An instrument describing two or more transactions required or permitted by law to be recorded as separate instruments may be recorded when the instrument is labeled in sufficient detail to enable the clerk to record the transactions in the appropriate records and:

- (a) The transactions described in the instrument involve the same properties;

- (b) The transactions are assignments, releases or satisfactions of any recorded instrument;
- (c) The transactions are liens recorded under ORS 311.675;
- (d) The transactions are municipal assessment liens being recorded under ORS 93.643;
- (e) The instrument is recorded under ORS 371.650; or
- (f) The instrument is a cooperative contract recorded under ORS 62.360.

(3) When an instrument described in subsection (2) of this section is accepted for recording by a county clerk, the county clerk shall enter the instrument into the appropriate records.

(4) Recording fees shall be charged for recording each additional transaction described in subsection (2) of this section and the fee shall be the fee provided for in ORS 205.320.

(5) Nothing in this section is intended to abolish the requirements for collection of the fees required under ORS 205.323.

(6) Recording an instrument under this section when the instrument is not clearly labeled does not affect the validity of the recordation.

(7) A county clerk shall not incur civil or criminal liability, either personally or in an official capacity, for recording an instrument under this section when the instrument is not labeled in sufficient detail to allow the clerk to record the transactions in all appropriate records. [1991 c.230 §5; 1993 c.321 §5; 1999 c.654 §20]

205.238 Return of instrument after recordation. In every county, the county clerk shall return any instrument presented for recording to the person authorized to receive the instrument. The county clerk shall return the instrument by personally delivering or mailing the instrument not later than the 10th business day, not counting days on which the recording office is closed, after the date of recordation. [1991 c.230 §6]

205.242 Clerk to receive and certify instruments during specified hours; exception. (1) Except as provided in subsection (2) of this section, in every county, the office of the county clerk shall receive and certify, as required by ORS 93.620, instruments presented for recording for a minimum of six hours between the hours of 9 a.m. and 4 p.m., including the first hour and the last hour, on every day except Saturdays, Sundays and other holidays.

(2) The provisions of this section may be modified for a fiscal year by the county governing body upon adoption of a resolution in which it determines in its discretion that a fiscal emergency exists. A resolution adopted under this subsection may be renewed, amended or repealed. Hours of recording shall not be reduced under the resolution to any extent greater than the reductions for other nonemergency county services housed within the same building. [1991 c.230 §7; 1995 c.784 §1; 1997 c.249 §58]

205.244 Rerecording of corrected instruments. (1) An instrument that has been previously recorded may be rerecorded to make corrections in the original instrument.

(2) The county clerk shall record an instrument presented for rerecording as provided in subsection (1) of this section. The corrected instrument need not be acknowledged again. The person presenting the instrument for rerecording shall cause a rerecording certificate to be affixed to the first page of the instrument or to a cover sheet authorized by ORS 205.234 (2) added as a new first page to the instrument. The rerecording certificate shall contain the words "RERECORDED AT THE REQUEST OF _____ TO CORRECT _____. PREVIOUSLY RECORDED IN BOOK _____ AND PAGE ____, OR AS FEE NUMBER ____."

(3) A certified copy of a recorded instrument may not be altered for the purpose of correcting the original instrument. The person presenting the instrument may present an unaltered certified copy of the recorded instrument when it is attached to a cover sheet authorized by ORS 205.234 (2). The cover sheet must contain the rerecording certificate described in subsection (2) of this section. The rerecorded document may include attachments identified on the cover sheet that are necessary to make the corrections.

(4) A county clerk shall not incur civil or criminal liability, either personally or in an official capacity, for recording a corrected instrument under this section. [1991 c.230 §9; 2009 c.302 §1]

205.246 Instruments to be recorded; fees. (1) The county clerk shall record the following instruments required or permitted by law to be recorded and entered in the office of the county clerk:

- (a) Financing statements recorded in the office of the county clerk under ORS 79.0501 (1)(a);
- (b) Hospital and physician liens recorded under ORS 87.565;
- (c) Federal tax liens and certificates and notices affecting federal tax liens recorded under ORS 87.806;
- (d) Cooperative contracts recorded under ORS 62.360;
- (e) Special district assessments attaching to real property;
- (f) Lien foreclosure statements recorded under ORS 87.202;
- (g) A certified copy of the judgment or a lien record abstract or other liens affecting the title to real property;
- (h) Building code exemptions required under ORS 455.320 and 455.345;
- (i) Construction liens recorded under ORS 87.050;
- (j) Liens upon chattels recorded under ORS 87.246;

- (k) Liens on real property recorded under ORS 87.372;
- (L) Employee benefit plan liens recorded under ORS 87.860;
- (m) Attorney liens recorded under ORS 87.455 and 87.460;
- (n) Long term care liens recorded under ORS 87.517;
- (o) Ambulance services liens recorded under ORS 87.623;
- (p) Community property records recorded under ORS 108.530;
- (q) Sheriff transfer of records recorded under ORS 206.100;
- (r) Corrected instruments required under ORS 205.244;
- (s) Mineral and mining records required under ORS 517.030, 517.052, 517.160, 517.180, 517.210, 517.220, 517.280, 517.310 and 517.320;
- (t) Copies of records certified by a county clerk or court clerk;
- (u) Subdivision and partition plats recorded under ORS 92.140;
- (v) Condominiums recorded under ORS chapter 100;
- (w) Requests for notice of transfer or encumbrance or terminations of requests for notice of transfer or encumbrance presented for recordation under ORS 411.694;
- (x) Bankruptcy documents presented for recordation under ORS 93.770;
- (y) A written warranty agreement under ORS 701.605;
- (z) An instrument, as described in ORS 86.722, to correct errors in a recorded trust deed;
- (aa) An order or decision under section 8 (7), chapter 424, Oregon Laws 2007, or section 6, chapter 855, Oregon Laws 2009, that is final by operation of law or on appeal;
- (bb) A notice of designation of substantial damage described in ORS 105.780;
- (cc) A notice of remedy of substantial damage described in ORS 105.780; and
- (dd) An affidavit of an owner of a facility, as defined in ORS 90.100, certifying the owner's compliance with ORS 90.800 to 90.850.

(2) The county clerk shall charge and collect fees specified in ORS 205.320, 205.327 and 205.350 for recording an instrument required to be recorded under subsection (1) of this section.

(3) Indexes may be maintained for instruments recorded under subsection (1) of this section in the same manner as provided in ORS 205.160. [1989 c.791 §21; 1991 c.230 §14; enacted in lieu of 205.245 in 1997; 1999 c.654 §§21,21a; 2001 c.301 §23; 2001 c.445 §169; 2001 c.501 §9; 2003 c.638 §4; 2005 c.85 §2; 2005 c.169 §3; 2008 c.48 §3; 2009 c.628 §1; 2009 c.855 §15; 2013 c.303 §2; 2014 c.89 §13]

205.255 Filing requirement as recording requirement. Any requirement by the laws of this state that an instrument described in ORS 205.246 be filed in the office of the county clerk or that an instrument be filed in deed or mortgage records shall be considered to be a requirement that such instruments be recorded instead of being filed. [Formerly 21.530; 1991 c.230 §16]

COLLECTION AND DISPOSITION OF FEES

205.320 Fees collected by county clerk; use of portion of certain fees. (1) In every county there shall be charged and collected in advance by the county clerk, for the benefit of the county, the following fees, and no more, for the following purposes and services:

(a) For filing and making entry when required by law of any instrument required or permitted by law to be filed, when it is not recorded, \$5 for each page.

(b) For filing and making entry of the assignment or satisfaction of any filed, but not recorded, instrument, \$5 for each page.

(c) For each official certificate, \$3.75.

(d)(A) For recording any instrument required or permitted by law to be recorded, \$5 for each page, but the minimum fee shall not be less than \$5. As used in this subparagraph, "page" means one side of a sheet 14 inches, or less, long and 8-1/2 inches, or less, wide.

(B) For supplying to private parties copies of records or files, not more than \$3.75 for locating a record requested by the party and 25 cents for each page. As used in this subparagraph, "page" means one side of a sheet 14 inches, or less, long and 8-1/2 inches, or less, wide.

(C) For each official certificate, \$3.75.

(e) For taking an affidavit for and making and issuing a marriage license and registering the return of the license, or for taking an affidavit for and registering a Declaration of Domestic Partnership, \$25.

(f) For solemnizing a marriage under ORS 106.120, \$105. This paragraph does not require that the county clerk charge a fee for solemnizing a marriage after normal working hours or on Saturdays or legal holidays. This paragraph does not prohibit a county clerk from charging and accepting a personal payment for solemnizing a marriage if otherwise authorized by ORS 106.120.

(g) For taking and certifying acknowledgment or proof of execution of any instrument, the fee established in the schedule adopted by the Secretary of State under ORS 194.400.

(h) For issuing any license required by law, other than a marriage or liquor license, and for which no fee is otherwise provided by law, \$5.

(i) For any service the clerk may be required or authorized to perform and for which no fee is provided by law, such fees as may favorably compare with those established by this section for similar services and as may be established by order or rule of the county court or board of county commissioners.

(j) For recording any instrument under ORS 205.130 (2), as required by ordinance pursuant to ORS 203.148.

(k) In addition to and not in lieu of the fees charged under paragraph (d) of this subsection, for each additional municipal assessment lien recorded under ORS 93.643, \$5.

(L) In addition to and not in lieu of the fees charged under paragraph (d) of this subsection, for each additional assignment, release or satisfaction of any recorded instrument, \$5.

(m) In addition to and not in lieu of the fees charged under paragraph (d) of this subsection, for each additional transaction described under ORS 205.236, \$5.

(n) In addition to and not in lieu of the fees charged under paragraph (d) of this subsection, for each additional lien recorded under ORS 311.675, \$5.

(o) For preparing and recording the certificate under ORS 517.280, \$20 or such other fee that is established by the county governing body.

(p) In addition to and not in lieu of the fees charged under paragraph (d) of this subsection, for each additional claim listed on an affidavit of annual compliance under ORS 517.210, \$5.

(q) In addition to and not in lieu of the fees charged under paragraph (d) of this subsection, for each additional name listed on a cooperative contract under ORS 62.360 (2) or for recording the termination of a cooperative contract under ORS 62.360 (4), \$5.

(2) Notwithstanding any other law, five percent of any fee or tax that is not collected for the benefit of the county clerk shall be deducted from the fee or tax. The moneys deducted shall be expended for acquiring storage and retrieval systems, payment of expenses incurred in collecting the fee or tax and maintaining and restoring records as authorized by the county clerk. Moneys collected under this subsection shall be deposited in a county clerk records fund established by the county governing body. No moneys shall be deducted under this subsection from:

(a) Fees collected for the Domestic Violence Fund under ORS 106.045.

(b) Fees collected for conciliation services under ORS 107.615.

(c) Real estate transfer taxes enacted prior to January 1, 1998.

(d) Fees collected under ORS 205.323 for the Oregon Land Information System Fund.

(e) Fees collected under ORS 205.323 (1)(c) for the housing-related programs listed in ORS 294.187 (2)(b). [Amended by 1957 c.359 §1; 1965 c.619 §38; 1971 c.621 §25; 1975 c.607 §24; 1979 c. 724 §6; 1979 c.833 §25; 1981 c.835 §13; 1981 s.s. c.3 §98; 1983 c.393 §24; 1985 c.582 §6; 1987 c.469 §2; 1987 c.586 §35; 1989 c.976 §35; 1991 c.230 §17; 1997 c.253 §1; 1999 c.654 §22; 2001 c.713 §3; 2003 c.565 §2; 2007 c.99 §14; 2009 c.18 §1; 2013 c.219 §57; 2015 c.27 §22; 2015 c.168 §3]

205.323 Additional fees for recording certain instruments; use of fees. (1) In addition to and not in lieu of the fees charged and collected under ORS 205.320 and other fees, the county clerk shall charge and collect the following fees for the recording or filing of any instrument described in ORS 205.130:

(a) A fee of \$1, to be credited as provided in subsection (4)(a) of this section;

(b) A fee of \$10, to be credited as provided in subsection (4)(b) of this section; and

(c) A fee of \$20, to be credited as provided in subsection (4)(c) of this section.

(2) Subsection (1) of this section does not apply to the recording or filing of the following:

(a) Instruments that are otherwise exempt from recording or filing fees under any provision of law;

(b) Any satisfaction of judgment or certificate of satisfaction of judgment; or

(c) Internal county government instruments not otherwise charged a recording or filing fee.

(3) Subsection (1)(c) of this section does not apply to the recording or filing of:

(a) Instruments required under ORS 517.210 to maintain mining claims;

(b) Warrants issued by the Employment Department pursuant to ORS 657.396, 657.642 and 657.646; or

(c) A certified copy of a judgment, a lien record abstract as described in ORS 18.170 or a satisfaction of a judgment, including a judgment noticed by recordation of a lien record abstract.

(4) Of the amounts charged and collected under this section:

(a) The recording or filing fee charged and collected under subsection (1)(a) of this section must be deposited and credited to the Oregon Land Information System Fund established under ORS 306.132.

(b) The recording or filing fee charged and collected under subsection (1)(b) of this section shall be credited as follows:

(A) Five percent of the fee must be credited for the benefit of the county;

(B) Five percent of the fee must be credited for the benefit of the county clerk for the purposes described in ORS 205.320 (2); and

(C) 90 percent of the fee must be credited to and deposited in the County Assessment and Taxation Fund created under ORS 294.187.

(c) The recording or filing fee charged and collected under subsection (1)(c) of this section must be credited to and deposited in the County Assessment and Taxation Fund created under ORS 294.187.

(5) The Department of Revenue is exempt from paying the fee under subsection (1)(c) of this section. [1989 c.796 §15; 1999 c.701 §3; 1999 c.788 §61; 1999 c.803 §8; 2001 c.501 §10; 2001 c.713 §5; 2009 c.18 §2; 2013 c.646 §1; 2015 c.27 §23]

205.327 Penalty for presenting nonstandard instruments for recording. When an instrument required or permitted by law to be recorded is presented to a county clerk for recording, if the instrument does not comply with the requirements of ORS 205.232 or 205.234, the county clerk shall record the instrument, but shall charge and collect in advance a penalty of \$20. The penalty authorized and collected under this section is in addition to and not in lieu of the fees charged under ORS 205.320 for recording the instrument. [1991 c.230 §4; 2001 c.713 §4; 2015 c.168 §1]

205.350 Fees for approving and recording plats. The fee for performing the services set forth in ORS 92.090, 92.100 and 271.230, shall be set by ordinance of the county governing body. [Amended by 1971 c.621 §29; 1975 c.607 §28; 1979 c.833 §29]

205.360 Clerk to receipt and account for certain probate fees collected. The clerk of the county court shall receive and receipt for fees prescribed in ORS 21.170 that are collected by the clerk, stating in the receipt the amount so received, from whom received and on what account the amount was received, specifying the cause or proceeding. If it is ascertained at any time that the clerk has received any such fees not so accounted for, or done service without collecting fees therefor as provided in ORS 21.170, or neglected duty in any other respect, the payment of salary of the clerk shall be withheld until the matter is fully rectified. [Amended by 1981 s.s. c.3 §99; 2011 c.595 §136]

205.365 Disposition of County Clerk Lien Record fees. Within the first 10 days of the month following the month in which collected, all fees collected by a county clerk for recording and making entry of any instrument in the County Clerk Lien Record shall be paid to the county treasurer for deposit in a separate account in the county general fund. Moneys in such account shall be credited to the county clerk and used exclusively by the county clerk for payment of expenses incurred in maintaining the County Clerk Lien Record. [1983 c.696 §32]

205.370 Payment to and disposition of trial fees by court clerk. Trial fees in the county court exercising judicial functions shall be paid to the clerk of the court, who shall keep a regular account of them, and by whom paid, in the fee book. The clerk shall pay the amount of such fees received to the treasurer of the county, as often as once a month, taking receipt therefor in duplicate, one of which the clerk shall file in the office of the clerk and the other the clerk may retain as private property. At the annual accounting of the county officers with the county court, the clerk shall exhibit to such court a detailed statement of the trial fees received by the clerk in the course of the year, verified by the oath of the clerk. [Amended by 1981 s.s. c.3 §100]

205.395 Payment of fees by state agencies for entry in County Clerk Lien Record. Notwithstanding the provisions of ORS 182.040 to 182.060 and 205.320 relating to the time and manner of payment of fees to the county clerk, a state officer or state agency that records a warrant, order, a certified copy of the judgment or lien record abstract or other document with a county clerk for entry in the County Clerk Lien Record shall not be required to pay the fee for that service in advance or at the time the entry is made. Except as provided in ORS 137.270 the county clerk, on the 10th day of each month, shall provide the officer or agency with an itemized statement of all recordings made by the officer or agency for the preceding month, together with the total charge therefor. The officer or agency, upon receipt of the itemized statement, shall promptly pay the amount due the county. The fees that may be charged and collected by the county clerk for recording and making entry of any instrument in the County Clerk Lien Record are those fees prescribed for recording documents. [1983 c.696 §2; 1987 c.586 §36]

INVALID CLAIMS OF ENCUMBRANCE

205.450 Definitions for ORS 205.450 to 205.470. As used in ORS 205.450 to 205.470:

- (1) "Encumbrance" means a claim, lien, charge or liability attached to and binding property.
- (2) "Encumbrance claimant" means a person who purportedly benefits from the filing of an encumbrance.
- (3) "Federal official or employee" has the meaning given the term "employee of the government" in the Federal Tort Claims Act (28 U.S.C. 2671).
- (4) "Filing" includes filing or recording.
- (5) "Invalid claim of encumbrance" means a claim of encumbrance that is not a valid claim of encumbrance.
- (6) "Property" includes, but is not limited to, real and personal property.
- (7) "State or local official or employee" means an appointed or elected official, employee or agent of:
 - (a) A branch of government of this state or a state agency, board, commission or department of a branch of government of this state;

- (b) A public university listed in ORS 352.002;
- (c) A community college or local school district in this state;
- (d) A city, county or other political subdivision in this state; or
- (e) A public corporation in this state.

(8) "Valid claim of encumbrance" is an encumbrance that:

(a) Is an encumbrance authorized by statute;

(b) Is a consensual encumbrance recognized under the laws of this state; or

(c) Is an equitable, constructive or other encumbrance imposed by a court of competent jurisdiction. [1997 c.290 §1; 2005 c.22 §156; 2011 c.637 §70]

205.455 Invalid claim of encumbrance; acceptance of filing prohibited; notice of invalid claim; form; posting notice; effect of filing invalid claim of encumbrance. (1) No person or county shall accept for filing an invalid claim of encumbrance.

(2) No person or county shall accept for filing a claim of encumbrance against the property of a federal official or employee or a state or local official or employee based on the performance or nonperformance of the official duties of the official or employee unless accompanied by an order from a court of competent jurisdiction authorizing the filing of the encumbrance.

(3) A claim of encumbrance against the property of a federal official or employee or a state or local official or employee based on the performance or nonperformance of the official duties of the official or employee that is not accompanied by an order from a court of competent jurisdiction is an invalid claim of encumbrance and has no legal effect.

(4) If an invalid claim of encumbrance against the property of a federal official or employee or against the property of a state or local official or employee is accepted for filing, the filing officer shall accept for filing a notice of invalid encumbrance signed and submitted by:

(a) The assistant United States attorney representing the federal agency of which the individual is an official or employee;

(b) The assistant attorney general representing the state official, employee or agent, or the state agency, board, commission, department or public university listed in ORS 352.002 of which the individual is an official, employee or agent; or

(c) The attorney representing the community college or local school district, political subdivision or public corporation of which the individual is an official, employee or agent.

(5) A notice of invalid encumbrance shall be in substantially the following form:

NOTICE OF INVALID ENCUMBRANCE

FILED AGAINST

_____ (Insert name)

(ORS 205.455)

_____ IS A _____
(Name) (Title)

NOTICE is hereby given that the document entitled _____, purporting to create an obligation against or an interest in the real or personal property of the person named above, filed and/or signed by _____ (insert name), and filed or recorded in book/reel/volume No. _____ on page _____ or document/fee/file/ instrument/microfilm No. _____ in the _____ (insert name of office where document was filed or recorded), is an invalid claim of encumbrance under ORS 205.450 and 205.455.

No order from a court of competent jurisdiction authorizing the filing of such encumbrance accompanied the filing and, pursuant to ORS 205.455, the encumbrance has no legal effect and is invalid.

A copy of this Notice of Invalid Encumbrance has been mailed this day by depositing a true copy of the notice in the United States mail, addressed to _____ (name and address of encumbrance claimant), the last-known address of _____ (insert name of encumbrance claimant).

DATED this ___ day of _____, ____.

Attorney for _____

SUBSCRIBED AND SWORN to before me this ___ day of _____, ____.

NOTARY PUBLIC FOR OREGON

My commission expires: _____

(6) A copy of the notice of invalid encumbrance filed under this section shall be posted at the county courthouse and mailed by the attorney to the encumbrance claimant at the encumbrance claimant's last-known address, if available.

(7) No person or county shall be liable under this section for accepting for filing an invalid claim of encumbrance or for accepting for filing a notice of invalid encumbrance.

(8) Filing a notice of invalid encumbrance under this section shall clear title to all property that is affected by the claim of encumbrance that is the subject of the notice of invalid encumbrance from all claims, liens, charges or liabilities attached to the property under the claim of encumbrance. [1997 c.290 §2; 2011 c.637 §71]

205.460 Order to show cause why invalid claim of encumbrance should not be stricken; petition; hearing; release of invalid claim; application. (1) A person whose property is subject to an invalid claim of encumbrance may petition the circuit court of the county in which the person resides or in which the property is located for an order, which may be granted ex parte, directing the encumbrance claimant to appear at a hearing before the court and show cause why the claim of encumbrance should not be stricken and other relief provided by this section should not be granted. The court shall schedule the hearing no earlier than seven days after the date of the order. The scheduled date of the hearing shall allow adequate time for notice of the hearing under subsection (4) of this section.

(2) A petition under this section shall state the grounds upon which relief is requested, and shall be supported by the affidavit of the petitioner or the petitioner's attorney setting forth a concise statement of the facts upon which the motion is based.

(3) The petition and affidavit described in subsection (2) of this section shall be in substantially the following form:

IN THE CIRCUIT COURT OF

THE STATE OF OREGON

FOR THE COUNTY OF _____

_____,)
 Petitioner,) Case No. _____
)
) PETITION FOR AN
) ORDER STRIKING
 v.) AND RELEASING
) ENCUMBRANCES,
) AWARDING COSTS
) AND ATTORNEY FEES
 _____,) AND ORDER TO
 Respondent.) SHOW CAUSE

Petitioner, _____ (insert name), by and through _____ (insert name and title of attorney for petitioner, if applicable), petitions this court, pursuant to ORS 205.460, for an order striking and releasing purported encumbrances, filed or recorded against Petitioner by Respondent, _____ (insert name or names) filed or recorded in book/reel/volume No. _____ on page _____ or document/fee/file/instrument/microfilm No. _____ in the _____ (insert name of office where document was filed or recorded), and for an order, pursuant to ORS 205.460, for costs and attorney fees required to bring this action, on the grounds that the purported encumbrances have no basis in law or fact. Petitioner further requests that this court enter an order requiring Respondent to appear before this court and to show cause why the above order should not be entered. Finally, Petitioner requests an order from the court requiring Respondent to pay penalties and damages as provided in ORS 205.470.

DATED this ___ day of _____, ____.

Petitioner or Petitioner's Attorney

IN THE CIRCUIT COURT OF

THE STATE OF OREGON

FOR THE COUNTY OF _____

_____,)
Petitioner,) Case No. _____

)
) AFFIDAVIT OF

v.) _____
)

)
)

_____,)
Respondent.)

_____)
STATE OF OREGON)

) ss.
County of _____)

I, _____ (insert name of affiant), after being duly sworn, depose and say:

1. I am the above-entitled petitioner (or the attorney for the petitioner) in this matter.

2. The information contained in this affidavit is of my own personal knowledge.

3. Attached as numbered exhibits are true and correct copies of the following documents that were filed or recorded in the _____ (insert name of office where documents were filed or recorded) on _____ (insert date):

(List and attach document(s))

4. For any purported encumbrances identified above the following is true. The encumbrance is not authorized by statute, was not entered into consensually, and is not an equitable, constructive or other encumbrance imposed by a court of competent jurisdiction.

DATED this ___ day of _____, ____.

(Petitioner or Petitioner's Attorney)

SUBSCRIBED AND SWORN to before me this ___ day of _____, ___

NOTARY PUBLIC FOR OREGON

My commission expires: _____

(4) A copy of the petition and the order directing the encumbrance claimant to appear under this section shall be served upon the encumbrance claimant:

(a) By service in the manner provided for personal service of summons under ORCP 7; or

(b) By mailing a true copy of the petition, affidavit and order to the encumbrance claimant at the encumbrance claimant's last-known address, both by first class mail and by certified or registered mail, return receipt requested. A notice mailed under this paragraph is effective on the date that the notice is deposited with the United States Postal Service, properly addressed and postage prepaid.

(5) The order to show cause shall be in substantially the following form and shall clearly state that if the encumbrance claimant fails to appear at the time and place noted, the claim of encumbrance shall be stricken and released and that the encumbrance claimant shall be ordered to pay the costs and reasonable attorney fees incurred by the petitioner at trial and on appeal:

IN THE CIRCUIT COURT OF

THE STATE OF OREGON

FOR THE COUNTY OF _____

_____,)
 Petitioner,) Case No. _____
)
) ORDER TO
 v.) SHOW CAUSE
)
)
 _____,)
 Respondent.)

THIS MATTER came before the court on _____ (insert date) on Petitioner’s Petition for an Order Striking and Releasing Encumbrances, Awarding Costs and Attorney Fees and Order to Show Cause. The court, having considered the petition, the Affidavit of _____ (insert name) and the attached exhibits, and it appearing to the court that there are sufficient grounds to issue an order to show cause,

IT IS HEREBY ORDERED that the Respondent, _____ (insert name), appear before this court on _____ (insert date), at _____ (insert time), to show cause why the petition should not be granted in its entirety.

IMPORTANT NOTICE:

IF YOU FAIL TO APPEAR AT THE ABOVE TIME AND PLACE, THE COURT MAY ENTER AN ORDER STRIKING AND RELEASING YOUR ENCUMBRANCE CLAIMS FILED AGAINST PETITIONER AND YOU MAY BE ORDERED TO PAY COSTS AND REASONABLE ATTORNEY FEES INCURRED BY THE PETITIONER.

DATED this ___ day of _____, ____.

Circuit Court Judge

(6) If the court determines that the claim of encumbrance is invalid, the court shall issue an order striking and releasing the claim of encumbrance and may award costs and reasonable attorney fees at trial and on appeal to the petitioner to be paid by the encumbrance claimant. If the court determines that the claim of encumbrance is valid, the court shall issue an order so stating and may award costs and reasonable attorney fees at trial and on appeal to the encumbrance claimant to be paid by the petitioner.

(7) The procedure set forth in this section is not available against a person lawfully conducting business as:

(a) An institution, a national bank, an out-of-state bank or an extranational institution, as those terms are defined in ORS 706.008, a savings bank, a federal savings bank or a subsidiary of an entity described in this paragraph;

(b) A financial holding company, a bank holding company, a savings and loan holding company or a subsidiary of a financial holding company, a bank holding company or a savings and loan holding company;

(c) A credit union, as defined in ORS 723.006, or a federal credit union;

(d) A consumer finance company subject to the provisions of ORS chapter 725;

(e) A mortgage banker or a mortgage broker, as those terms are defined in ORS 86A.100, a mortgage servicing company or any other mortgage company; or

(f) An insurer as defined in ORS 731.106.

(8) The procedure set forth in this section is not available against:

(a) An officer, agency, department or instrumentality of the federal government;

(b) An officer, agency, department or instrumentality of this state; or

(c) An officer, agency, department or instrumentality of a political subdivision or public corporation in this state. [1997 c.290 §3; 1999 c.59 §57; 2001 c.377 §42; 2009 c.541 §9; 2015 c.244 §89a]

205.465 Claim of encumbrance against certain property invalid without judicial order. A claim of encumbrance against the property of a federal official or employee or against the property of a state or local official or employee based on the performance or nonperformance of official duties of the official, employee or agent shall be invalid unless an order from a court of competent jurisdiction authorizing the filing of the encumbrance is filed with the encumbrance. [1997 c.290 §4]

205.470 Liability for filing invalid claim of encumbrance. Any person who knowingly files, or directs another to file, an invalid claim of encumbrance shall be liable to the owner of

the property bound by the claim of encumbrance for a sum of not less than \$5,000 or for actual damages caused by the filing of the claim of encumbrance, whichever is greater, together with costs and reasonable attorney fees at trial and on appeal. Any grantee or other person purportedly benefited by an invalid encumbrance that is filed who willfully refuses to release the invalid encumbrance upon request of the owner of the property affected shall be liable to the owner for the damages and costs and reasonable attorney fees at trial and on appeal provided in this section. [1997 c.290 §5]

MISCELLANEOUS PROVISIONS

205.510 County clerk not to act or have partner acting as attorney. (1) No county clerk shall during the term of office of that clerk institute or assist in instituting any suit, action or probate proceeding in any court of which the clerk is an officer, act as an attorney or counselor with or without hire in any such suit, action or proceeding, or have a partner who shall act as an attorney in any of such proceedings.

(2) The county clerk of Multnomah County and the deputies of the clerk are prohibited from practicing or having a partner practicing as an attorney-at-law, while in office.

205.515 Orders or warrants issued by state agency or officer; docketing; transfer to County Clerk Lien Record. (1) If an order or warrant issued by a state agency or officer was docketed in the judgment docket of the circuit court of any county before October 3, 1989, notice of satisfaction or release of the lien of an order or warrant so docketed shall be docketed in the same judgment docket in which the order or warrant was docketed.

(2) If an order or warrant issued by a state agency or officer was docketed in the judgment docket of a circuit court of any county before October 3, 1989, the officer or agency may cause such an order or warrant to be transferred to and recorded in the County Clerk Lien Record of the same county in which the order or warrant was originally docketed as provided in subsection (3) of this section. An order or warrant so transferred shall continue the lien created by the original docketing of the order or warrant.

(3) Upon request, the clerk of a circuit court shall supply to an officer or agency a certified copy of any order or warrant docketed in the judgment docket of a circuit court before October 3, 1989. That certified copy may then be recorded in the County Clerk Lien Record of the county where the circuit court is located in the same manner and with the same effect provided for the recording of original orders and warrants. Upon recording of the order or warrant, the agency or officer shall as soon as possible thereafter cause to be returned to the clerk of the circuit court that prepared the certified copy, the original of that certified copy reflecting the recording of the copy in the County Clerk Lien Record and the date of the recording. The clerk shall then cause to be entered in the register a notation reflecting the recording of the order or warrant in the County Clerk Lien Record and the date of the recording.

(4) Nothing in this section shall be construed to affect the status of liens created by, or require the transfer from, any judgment docket to any County Clerk Lien Record of any order or

warrant docketed in a judgment docket before October 3, 1989. [1989 c.706 §5; 2003 c.576 §196]

205.525 Interest on penalties imposed by orders; satisfaction of orders or warrants issued by state agency or officer; recording release of lien in County Clerk Lien Record. (1) Interest on a penalty imposed by an order shall run from the date of issuance of a final order at the rate provided for interest on judgments provided for in ORS 82.010 unless the penalty is paid within the time allowed by law.

(2) An order or warrant may be satisfied by payment of the amount due under the order or warrant, any penalties or interest accruing in connection with the order or warrant under law, and all costs incurred by the agency in connection with recording, indexing or service of the order or warrant and the satisfaction thereof. When an order or warrant has been fully satisfied it shall be the responsibility of the agency or officer that issued the order or warrant to record a full satisfaction in each county in which the order or warrant was recorded.

(3) The lien of an order or warrant may be released only by the officer or agency that issued the order or warrant. A release of the lien may be recorded in the County Clerk Lien Record in which the order or warrant was recorded. If the officer or agency records a release, the cost of recording or indexing the release may be recovered in advance from the person seeking the release. [1989 c.706 §4; 2005 c.22 §157]

PENALTIES

205.990 Penalties. Any officer who violates ORS 205.510 (1) shall be deemed guilty of official misconduct and punished therefor as provided by ORS 162.415. [Amended by 1959 c.552 §15; 1971 c.743 §346]



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 – Sheriff

Our current Sheriff, Kenneth Matlack, has been in office since 2004. There are 25 – 29 employees in the Sheriff's Office, depending on the time of year.

The biggest change in the Sheriff's Office was the retirement of Undersheriff Steve Myren and the promotion of John Bowles to Undersheriff effective 2/3/2016. Undersheriff Bowles hit the ground running and has been doing an excellent job.

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. A response was not received from Sheriff Matlack.

(P.S. – The Sheriff provided a response recently. It is attached.)

There is a statutory requirement that the Sheriff be paid more than any employee in their department. We received clarification that this is based on straight wage and does not include Overtime wages. In order to comply with this statute, the Sheriff's wage was increased from \$4,494/mo to \$4,718/mo effective January 3, 2016. It was also decided that the 3% Cost of Living would not be applied to the Sheriff wage effective 7/1/2016, because the increase in wage effective 1/3/2016 was more than 3%.

The attached spreadsheet lists the salaries for Sheriff's from the Counties chosen by the County Commissioners as comparators for all Elected Officials. I do not have a recommendation for Sheriff compensation, but will defer to the Compensation Board.

Karen Wolff

From: Kenneth Matlack
Sent: Monday, February 20, 2017 4:50 PM
To: Karen Wolff
Subject: RE: Compensation Committee Questions

Karen,

Sorry for the delay. I would just say that I feel the comparisons for Morrow County SO would be Sheriff's Offices that look more like ours including, Baker County, Union County, Wasco Co or perhaps Crook or Jefferson. I think from perspective items like, Budgets, Number of employees including enforcement people assigned enforcement duties including the Sheriff and Undersheriff when needed. Like duties such as Dispatch, Emergency Management, Animal Control and so forth trying to compare apples to apples. Cities like the salary survey that we put out should be compared, Hermiston, Pendleton, Milton Freewater etc. Budgets of for comparable services, number of vehicles, additional services provided, court security, OHV, SAR etc. You were provided with an OSSA salary benefits, costs, manpower, services, etc spread sheet that had good data. They probably weren't too happy I put that out but it should have been very helpful. You probably already are doing this but I thought I would remind you. Also of concern would be and Jerry has said he is aware of it where we have managers who are getting paid less than their subordinates. The undersheriff is a good example. That position should be getting more pay than his subordinate(s). Perhaps that position should be a personal services contract for the responsibility it holds. We have others that are in conflict where the supervisor is going to get the same pay as the subordinate. Perhaps we could talk about that a little more in person. That all for now. Thanks,

Ken

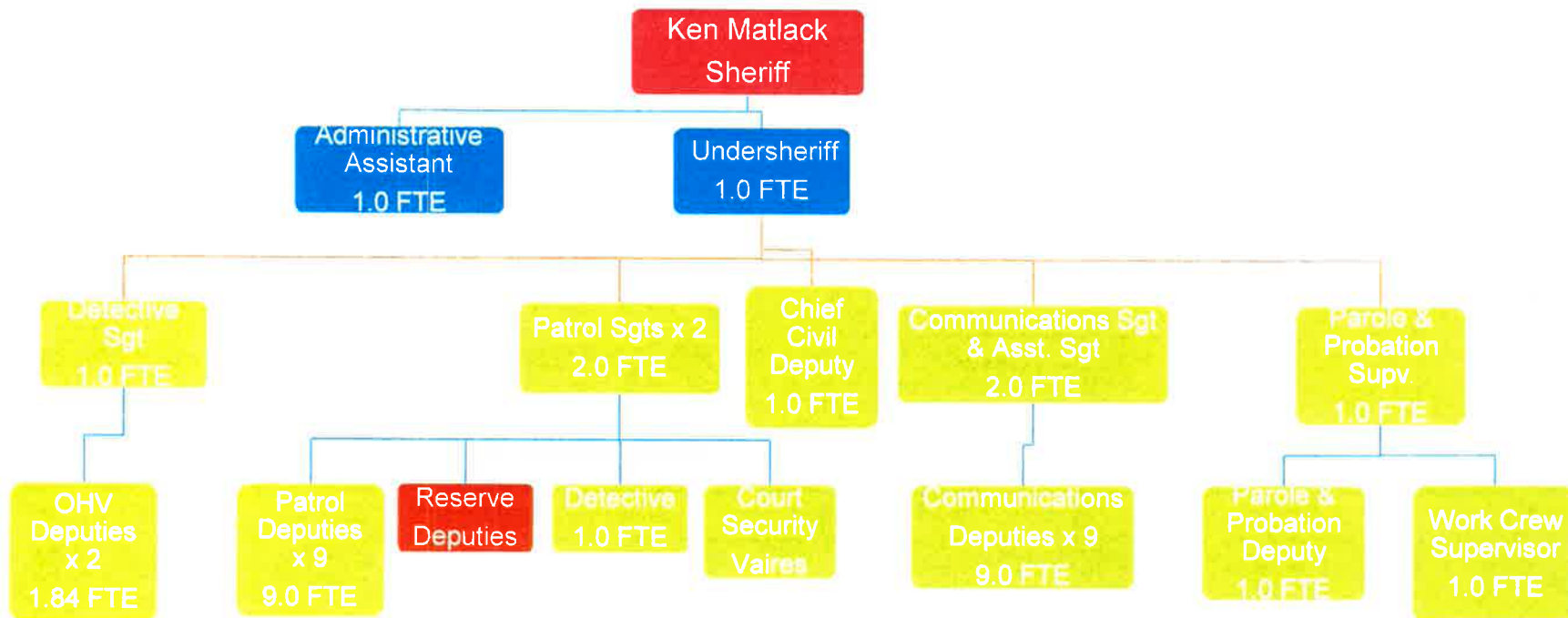
From: Karen Wolff
Sent: Wednesday, February 01, 2017 4:38 PM
To: Karen Wolff
Cc: Jerry Sorte
Subject: Compensation Committee Questions

Dear Elected Officials,

The Board of Commissioners began discussions today regarding the Compensation Committee and the process for the Compensation Committee for this year. Prior to making the final decisions, the Commissioners would like your comment on a couple of questions. They would like to provide direction to me next week, so we are asking for a response in the next couple of days.

1. Who do you believe would be good comparators for your Office? This could be counties, cities, private sector, agencies, or anything else. Please also provide a brief description of why these would be good comparators, ie: similar size budget, similar size population, similar duties, similar education requirements, etc. Please feel free to provide a list of several comparators.
2. Please provide a brief description of what your particular Office does. 300 words or less if possible.

Sheriff's Office



Total FTE, including Sheriff = 25.0 FTE

February 2017

Morrow County Information Request

2016/2017

Sheriff

	Annual Salary	Full or Part time	Total # employees supervised	Communications Center Too?	Jail Too?	Elected or Appointed?
Sheriff						
Matilla	\$89,424	Full		Yes	Yes	Elected
Union	\$85,239	Full	33	No	Yes	Elected
Vasco	\$82,710	Full	30	Yes	No	Elected
Flood River	\$90,000	Full				Elected
Jefferson	\$89,136	Full	42	No	Yes	Elected
Crook	\$96,491	Full	27	No	Yes	Elected
Morrow	\$98,136	Full		Yes	No	Elected
Average	\$90,162					
Average w/o MC	\$88,833					

MANAGERS AND SUPERVISORS
2016-2017

COLA 3.000%

		STEP A HIRE	STEP B 1 YR	STEP C 3 YRS	STEP D 5 YRS	STEP E 7 YRS	STEP F 9 YRS	STEP G 11 YRS	STEP H 13 YRS
		A	B	C	D	E	F	G	H
MANAGEMENT ASSISTANT	12	\$3,496	\$3,671	\$3,855	\$4,047	\$4,250	\$4,462	\$4,685	\$4,920
ASST. COMM SGT	17	\$4,462	\$4,685	\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279
COMMUNICATIONS SERGEANT	19	\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922
PATROL SERGEANT	21	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632
	22	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014
DETECTIVE SERGEANT		\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014
COMMUNITY CORR SUPERVISOR		\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014
UNDER SHERIFF	25	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835	\$9,277

Chapter 206 — Sheriffs

2015 EDITION

SHERIFFS

COUNTIES AND COUNTY OFFICERS

DUTIES OF SHERIFF

- 206.010 General duties of sheriff
- 206.015 Qualifications of sheriff; certification as police officer; determination of eligibility to be candidate for election to office of sheriff
- 206.030 Duty to execute process and make return; taking concealed personal property; use of force
- 206.040 Execution of process and service of papers
- 206.050 Commanding assistance in process serving
- 206.060 When sheriff justified in executing process
- 206.070 Excusing liability of sheriff in execution of process
- 206.080 Certificate of election or appointment to new sheriff; service on former sheriff
- 206.090 Delivery of jail, prisoners and process to new sheriff
- 206.100 Written assignment of items delivered
- 206.110 Return of process by former sheriff; completion of execution of process by successor; duty of successor as to defective or lost deeds
- 206.120 Disposition of money in custody when office vacant
- 206.180 Location of sheriff's office
- 206.210 Authority of sheriff over organization of office

MISCELLANEOUS

- 206.310 Service of papers on sheriff

206.315 Expenses of sheriff in conveying convicts and persons with mental illness to state institutions

206.325 Expenses of sheriff in caring for property in custody

206.330 Sheriff entitled to rewards

206.345 Contracts with cities; authority under contract

UNIFORMS

206.355 Unauthorized use of uniform prohibited

PENALTIES

206.991 Penalties

DUTIES OF SHERIFF

206.010 General duties of sheriff. The sheriff is the chief executive officer and conservator of the peace of the county. In the execution of the office of sheriff, it is the sheriff's duty to:

(1) Arrest and commit to prison all persons who break the peace, or attempt to break it, and all persons guilty of public offenses.

(2) Defend the county against those who, by riot or otherwise, endanger the public peace or safety.

(3) Execute the process and orders of the courts of justice or of judicial officers, when delivered to the sheriff for that purpose, according to law.

(4) Execute all warrants delivered to the sheriff for that purpose by other public officers, according to law.

(5) Attend, upon call, the Supreme Court, Court of Appeals, Oregon Tax Court, circuit court, justice court or county court held within the county, and to obey its lawful orders or directions.
[Amended by 1985 c.339 §1]

206.015 Qualifications of sheriff; certification as police officer; determination of eligibility to be candidate for election to office of sheriff. (1) A person is not eligible to be a candidate for election or appointment to the office of sheriff unless:

(a) The person is 21 years of age or older;

(b) The person has at least four years' experience as a full-time law enforcement officer or at least two years' experience as a full-time law enforcement officer with at least two years' post-high-school education; and

(c) The person has not been convicted of a felony or of any other crime that would prevent the person from being certified as a police officer under ORS 181A.355 to 181A.670.

(2) As used in subsection (1) of this section, "two years' post-high-school education" means four semesters or six quarters of classroom education in a formal course of study undertaken after graduation from high school in any accredited college or university. The term does not include apprenticeship or on-the-job training.

(3) If the person is not certified as a police officer by the Department of Public Safety Standards and Training at the time of accepting appointment or filing as a candidate, a person elected or appointed to the office of sheriff must obtain the certification not later than one year after taking office. A copy of the certification shall be filed with the county clerk or the county official in charge of elections. The county governing body shall declare the office of sheriff vacant when the person serving as sheriff is not certified as a police officer within one year after taking office.

(4) The Department of Public Safety Standards and Training, in consultation with the Board on Public Safety Standards and Training, shall establish a procedure for determining whether an individual is eligible under subsection (1) of this section to be a candidate for election to the office of sheriff. A copy of the department's determination of an individual's eligibility to be a candidate for election to the office of sheriff shall be filed with the county clerk or county official in charge of elections not later than the 61st day before the date of the election. If the department determines that the individual is not eligible to be a candidate for election to the office of sheriff, the county clerk or county official in charge of elections shall not place the name of the individual on the ballot at the election. [1971 c.299 §1; 1981 c.808 §5; 1987 c.484 §1; 1993 c.493 §87; 1997 c.853 §35]

206.030 Duty to execute process and make return; taking concealed personal property; use of force. An officer to whom any process, order or paper is delivered shall execute or serve it according to its command or direction, or as required by law, and must make a written return of the execution or service thereof. If a sheriff is directed by a court to take personal property into custody at a specific premises, and the property is concealed in a building or enclosure, the sheriff shall demand its delivery. If delivery is not made, the sheriff shall use such reasonable force as is necessary to enter into the building or enclosure and take the property into possession. [Amended by 2003 c.304 §1]

206.040 Execution of process and service of papers. When any process, order or paper is delivered to an officer, to be executed or served, the officer shall deliver to the person delivering it, if required, on payment of the fee, a written memorandum, specifying the names of the parties in the process, order or paper, the general nature thereof and the day on which it was received. The officer shall also, when required by law, or upon the request of the party served, without fee, deliver to the party a copy thereof.

206.050 Commanding assistance in process serving. (1) When an officer finds, or has reason to apprehend, that resistance will be made to the execution or service of any process, order or paper delivered to the officer for execution or service, and authorized by law, the officer may command as many adult inhabitants of the county of the officer as the officer may think proper and necessary to assist the officer in overcoming the resistance, and if necessary, in seizing, arresting and confining the resisters and their aiders and abettors, to be punished according to law.

(2) National Guard members are exempt from any service commanded under subsection (1) of this section while they continue to be active members. [Amended by 1961 c.454 §209; 2007 c.255 §12]

206.060 When sheriff justified in executing process. A sheriff is justified in the execution of process regular on its face, and appearing to have been issued by competent authority, whatever may be the defect in the proceedings in which it was issued.

206.070 Excusing liability of sheriff in execution of process. No direction or authority by a party or the attorney of the party to a sheriff or the officer of the sheriff, in respect to the execution of process or the return thereof, or to any act or omission relating thereto, can be shown to discharge or excuse the sheriff from a liability for neglect or misconduct, unless it is contained in a writing signed by the party to be charged or affected thereby or the attorney of the party.

206.080 Certificate of election or appointment to new sheriff; service on former sheriff. When a new sheriff is elected or appointed, and has qualified, the county clerk shall give the new sheriff a certificate of that fact, under the seal of office of the county clerk. Whenever thereafter the new sheriff is authorized by statute to enter upon the duties of the office, the new sheriff shall serve such certificate upon the former sheriff, from which time the powers of the former sheriff cease, except when otherwise specially provided.

206.090 Delivery of jail, prisoners and process to new sheriff. Within one day after the service of the certificate referred to in ORS 206.080 upon the former sheriff, the former sheriff shall deliver to the successor:

(1) The jail of the county, with its appurtenances and the property of the county therein.

(2) The prisoners then confined in the county jail.

(3) The process or other papers in the custody of the former sheriff, authorizing or relating to the confinement of the prisoners, or if they have been returned, a written memorandum of them and the time and place of their return.

(4) All process for the arrest of a party, and all papers relating to the summoning of jurors which have not been fully executed.

(5) All executions and final process, except those which the former sheriff has executed, or has begun to execute, by the collection of money or a levy on property.

(6) All process or other papers for the enforcement of a provisional remedy not fully executed.

206.100 Written assignment of items delivered. The former sheriff shall also at the time referred to in ORS 206.090 deliver to the new sheriff a written assignment of the property, process, papers and prisoners delivered. The new sheriff shall thereupon acknowledge in writing, upon the assignment, the receipt of the property, process, papers and prisoners therein specified, furnish the former sheriff a certified copy thereof and file the original in the county clerk's office.

206.110 Return of process by former sheriff; completion of execution of process by successor; duty of successor as to defective or lost deeds. (1) The former sheriff shall return all process, whether before or after judgment, which the former sheriff has fully executed, and the new sheriff and the successor in office shall complete the execution of all final process which the predecessor commenced and did not complete.

(2) In all cases where real property is sold under execution by any sheriff, and the sheriff fails or neglects during the term of office of the sheriff, by virtue of the expiration thereof, or otherwise, to make or execute a proper sheriff's deed conveying the property to the purchaser, or if through mistake in its execution, or otherwise, any sheriff's deed is inoperative, or if by reason of the loss of an unrecorded sheriff's deed, the purchaser, the heirs or assigns or successors in interest of the purchaser desire the execution of another sheriff's deed, the sheriff in office at any time after the purchaser is entitled to a deed shall execute such conveyance. When executed to cure or replace a defective or lost deed such conveyance shall be to the grantee in the defective or lost deed, but shall relate back and be deemed to take effect as of the date of the execution of the defective or lost deed so as to inure to the benefit of the heirs and assigns, or other successors in interest, of the grantee named therein. Such conveyance so executed by the sheriff in office shall have the same force and effect as if executed by the sheriff who made the sale. [Amended by 2003 c.576 §395]

206.120 Disposition of money in custody when office vacant. When the official term of office of any sheriff ends by expiration of the term, death, resignation, removal from office or otherwise, the money in the custody of the sheriff by virtue of the office of the sheriff, belonging to the county or litigants, shall be turned over immediately to the successor in office, and duplicate itemized receipts therefor immediately shall be filed with the county treasurer.

206.180 Location of sheriff's office. The sheriff of each county shall keep an office in such room or building, at the place appointed by law for holding courts therein, as the county court may by order designate.

206.210 Authority of sheriff over organization of office. Notwithstanding the provisions of ORS 241.016 to 241.990 or any other county civil service law or regulation, the sheriff may organize the work of the office of the sheriff so that:

(1) The various duties required of the office may be assigned to appropriate departments and divisions to be performed by persons experienced and qualified for such respective kinds of work.

(2) The duties of the various assistants, officers and deputies of the sheriff are coordinated so that, when not engaged in a particular duty specified or directed to be done and not then requiring attention, such persons shall perform the other duties required of the office and then required to be done.

(3) The cooperation among assistants, officers, deputies and employees in the departments and divisions may be secured for the purposes of avoiding duplication of time and effort. [1963 c.331 §2]

MISCELLANEOUS

206.310 Service of papers on sheriff. Personal service of a paper upon the sheriff may be made by delivering it to a person belonging to and in the office during office hours, or if no such person is there, by leaving it in the office, or if the office is not open, by delivering it to the county clerk or the deputy of the county clerk, at the county clerk's office. [Formerly 206.130]

206.315 Expenses of sheriff in conveying convicts and persons with mental illness to state institutions. (1) A sheriff is entitled to receive from the county the actual and necessary expenses of the sheriff incurred in transporting and conveying convicts and parole violators to a Department of Corrections institution and persons with mental illness to a state mental hospital when conveyed by the sheriff in pursuance of the adjudication of an authorized tribunal of the state, to be audited and allowed as other claims against the county.

(2) All counties are entitled to receive reimbursement from the state in the amounts specified in subsection (3) of this section for the actual and necessary expenses incurred by the sheriff under subsection (1) of this section.

(3) Reimbursement by the state under subsection (2) of this section shall be as follows:

(a) Full reimbursement for transporting and conveying persons with mental illness to a state mental hospital.

(b) Full reimbursement for returning a parole violator to the state penitentiary.

(c) Seventy-five percent reimbursement for transporting and conveying a convict to a Department of Corrections institution. [Formerly 204.421; 1987 c.320 §146; 2007 c.70 §55]

206.325 Expenses of sheriff in caring for property in custody. A sheriff is entitled to claim from the plaintiff or moving party in any account, action or proceeding such reasonable sums of money as the sheriff may have been compelled to pay or incur in the care of property in the custody of the sheriff, under attachment, execution or proceedings for the claim and delivery of personal property. [Formerly 204.425]

206.330 Sheriff entitled to rewards. The sheriff is entitled to demand and receive to the sheriff's own use any reward offered in pursuance of law for the apprehension of any person charged with or suspected of crime, when the sheriff has earned the same by a compliance with such offer. [Formerly 206.150]

206.345 Contracts with cities; authority under contract. (1) A sheriff shall have authority to enter into contracts, jointly with the governing body of the county, on behalf of the county, as provided in ORS 190.010.

(2) During the existence of the contract, the sheriff and the deputies of the sheriff shall exercise such authority as may be vested in them by terms of the contract, including full power and authority to arrest for violations of all duly enacted ordinances of the contracting city. [1967 c.236 §1]

UNIFORMS

206.355 Unauthorized use of uniform prohibited. No person other than a county sheriff, person designated by a county sheriff, or regularly salaried sheriff's deputy shall wear, use, copy or imitate in any manner the uniform of that county sheriff. [1979 c.492 §2]

PENALTIES

206.991 Penalties. Violation of ORS 206.355 is a Class A misdemeanor. [1979 c.492 §3]



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 – Treasurer

Our current County Treasurer, Gayle Gutierrez, has been in office since 1996. There are no other employees in the Treasurer's Office.

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 Ms. Gutierrez.

The attached spreadsheet lists the salaries for County Treasurers from the Counties chosen by the County Commissioners as comparators for all Elected Officials. Most of the counties have absorbed the Treasurer function into the Finance Department, either as the Finance Director or as an hourly position. That makes it difficult for a direct comparison.

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

Karen Wolff

From: Gayle Gutierrez
Sent: Thursday, February 02, 2017 3:48 PM
To: Karen Wolff
Subject: FW: Message from "RNP002673AA8C83"
Attachments: 20170202152547263.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good Afternoon!

Attached is a list of duties I do, that I prepared for the commissioners. As for the counties and businesses that were discussed at yesterday's meeting, I really can't think of anymore. I just feel if we get too many to compare to it's going to be impossible to do. If it's not already ;). My main concern is the internal discrepancies of wages between some of the elected officials, department heads, and union members. We have to consider the relative worth of each office. We are so intertwined, The Assessor, Clerk, Treasurer, and other offices, that one could not function without the other. No one department stands alone or is more important than the others.

Thanks.

Gayle L. Gutierrez
Dorror County Treasurer
41-676-5630

-----Original Message-----

From: courthousecopier@copier.com [mailto:courthousecopier@copier.com]
Sent: Thursday, February 02, 2017 3:26 PM
To: Gayle Gutierrez
Subject: Message from "RNP002673AA8C83"

This E-mail was sent from "RNP002673AA8C83" (MP C6003).

Scan Date: 02.02.2017 15:25:47 (-0800)
Queries to: courthousecopier@copier.com

Duties of the Treasurer

Receives and inputs all revenue for the whole county and taxing districts

2015-2016 year \$82,840,141.33 was received and \$81,052,529.99 was disbursed

Responsibly for daily cash flow

Monthly Tax Distribution, November it is weekly distribution

In control of three bank accounts, more if investing, and the building loan

Receives and distributes Sale of County Lands monies

Reports to various State Unclaimed Property Divisions

Bond payments for MCSD, WCPD, and HRFPD

**Receives and distributes Wind Tower monies and Additional monies from the state
and reports to the state**

Maintain Banking relationships

Order and secure blank check stock and signature stamp

Maintain records according to OAR 166 including keeping a record of when records are destroyed

Quarterly CAFFA payments to the state

Investment policy updates (when necessary)

Account Payables-sign all checks, double check invoices, & mail

Assist with Payroll

Assists with the local Oregon Cultural Trust

Make loan payments

Reads and interprets ORS 208, 293, and 294

ACH coordinator for the county

Receives investment authorization for taxing districts

Maintains Equity Fund

Court Security Quarterly reports

Identify and receipt ACH payments for Justice Court, Tax, Clerk, Park, Health departments daily

Works with the MCURD, IRFPD, Ione-Lexington Cemetery, HRFPD districts, issues check from their funds that I hold

Balances 113 funds

Works with auditors when necessary

**Receives and distributes Federal payments such as PILT, Mineral Leases, Utilities in Lieu, Flood Control
Federal Forest Fees, and RR in Lieu**

Receives from State Alcohol Beverages Tax, Cigarette Tax, Amusement Tax, Gas Tax

Refunds for Tax Office

Daily Banking

open mail

filing

Responsible for the postage meter

codes invoices for my office and some for the General Fund non-departmental

Computer-Incode, email, internet, Word, and Excel

Office machines-calculator, postage machine, copier, fax machine

Attend annual Budget meetings

Knowledge of Budget Law

Knowledge of Public Meeting Laws

Engage with the general public

Engage with other departments and help with questions on Rev/Exp reports, ect

Attend County Court meetings when necessary

Attend annual conferences to further education

Working on Policy Procedure Manual for Treasurers Office

Assists other Department when needed

Treasurer's Office

Treasurer
Gayle Gutierrez

Total FTE = 1.0

February 2017

Morrow County Information Request
2016/2017

Treasurer

	Annual Salary	Full or Part time	Total # employees supervised	Tax Collector Too?	Budget Officer Too?	Elected or Appointed?
<u>Treasurer</u>						
Umatilla	\$ 85,212	Full	2		Yes	Appointed
Union	\$ 37,404	Part time	0	No	No	Elected
Wasco	\$25.17/hr	Part time	0	No	No	Elected
Hood River						Appointed
Jefferson	\$ 7,474	Full	3	No	Yes	Elected
Crook	\$ 84,448	Full	4	Yes	Yes	
Morrow	\$ 68,475	Full	0	No	No	Elected
Average hourly	\$34.06					
<i>Average w/o MC</i>	<i>\$34.29</i>					

CFO
currently works 10 hrs bi-weekly
Budget & Finance Director
Finance Director/Treasurer
Finance Director/Treasurer/Budget Officer

Chapter 208 — County Treasurers

New sections of law were enacted by the Legislative Assembly during its 2016 regular session and pertain to or are likely to be compiled in this ORS chapter. See sections in the following 2016 Oregon Laws chapters: 2016 Session Laws 0078

2015 EDITION

COUNTY TREASURERS

COUNTIES AND COUNTY OFFICERS

- 208.010 Receipt and disbursement of funds
- 208.020 Payment, nonpayment and interest on county orders
- 208.030 Redemption of county orders
- 208.040 Notation of amount of interest paid
- 208.060 Cancellation of warrants received for obligations due county
- 208.070 Manner of keeping books
- 208.080 Inspection of books by county court; exhibit of moneys
- 208.090 Monthly financial statement
- 208.110 Crediting of moneys to proper funds; payment from funds
- 208.140 Annual settlement with county court
- 208.150 Delivery of property to successor
- 208.170 Administration of oaths
- 208.990 Penalties

208.010 Receipt and disbursement of funds. The county treasurer shall receive all moneys due and accruing to the county, and disburse the same on the proper orders, issued and attested by the county clerk.

208.020 Payment, nonpayment and interest on county orders. The county treasurer shall pay all orders of the county clerk when presented, if there is money in the treasury for that purpose, and write on the face of such orders the date of redemption and the signature of the county treasurer. If there are no funds to pay an order when presented, the county treasurer shall indorse thereon "Not paid for want of funds," and the date of presentment, over the signature of the county treasurer, which shall entitle such order thenceforth to draw legal interest; provided, the county court of any county, sitting for the transaction of county business, may, at any regular term thereof, by order duly made and entered of record, prescribe a rate of interest less than the legal rate, and after a rate of interest less than the legal rate is so prescribed, all orders of the county clerk issued while such orders remain unrevoked shall show upon their face the rate of interest so fixed by the court, which rate they shall bear. Such interest shall cease from the date of notice by publication in some newspaper circulated in the county, to be given by the county treasurer, when the county treasurer has as much as \$15,000 belonging to the county fund, that there are funds to redeem the outstanding orders.

208.030 Redemption of county orders. County orders shall be redeemed by the treasurer according to the priority of the time of presentment. Such orders, payable out of the county revenue, shall be received in payment of county taxes without any regard to priority of presentment or number, but the treasurer shall not pay any balance thereon over and above such tax when there are outstanding orders unpaid for want of funds.

208.040 Notation of amount of interest paid. When the county treasurer redeems any order on which interest is due, the county treasurer shall note on such order the amount of interest paid thereon, and shall enter on the account the amount of such interest, distinct from the principal.

208.060 Cancellation of warrants received for obligations due county. The county treasurer of any county may, upon order of the county court, cancel any county warrant which the county treasurer has been compelled to receive in payment of or as an offset to obligations due the county.

208.070 Manner of keeping books. The county treasurer shall so arrange and keep the books of the county treasurer that the amount received and paid out, on account of separate and distinct funds, or specific appropriations, shall be exhibited in separate accounts, as well as the whole receipts and expenditures by one general account.

208.080 Inspection of books by county court; exhibit of moneys. The county treasurer shall at all times keep the books and office of the county treasurer subject to the inspection and examination of the county court. The county treasurer shall exhibit the money in the office of the county treasurer to such court at least once a year.

208.090 Monthly financial statement. The county treasurer of each county shall, on or before the 10th day of each calendar month, file with the county court a statement in writing showing, as of the first of the then calendar month:

- (1) The amount of cash on hand in the custody of the county treasurer as county treasurer;
- (2) The banks in which such funds are deposited, with the amounts so deposited in each bank;
- (3) The security furnished the county by each bank to cover such deposits, and the interest rates paid on such deposits; and
- (4) A statement of the amount of outstanding warrant indebtedness of the county and the date up to which the county's warrant indebtedness has been redeemed.

208.110 Crediting of moneys to proper funds; payment from funds. In all counties having a population of 100,000 or more, the county treasurer shall:

- (1) Credit all fees, moneys received in trust for litigants or other persons and all other public moneys, except tax moneys, to the proper funds.
- (2) Keep a trust fund for each public officer receiving money in trust for litigants or other persons.
- (3) Pay out money from any such trust fund to the persons entitled to the same upon the order of any such officer.
- (4) Receive checks, drafts and money orders for any such officer for collection only.
- (5) If a check, draft or money order received under subsection (4) of this section is returned to the treasurer unpaid, charge the same to the account of such officer. [Amended by 1981 c.48 §5; 2005 c.22 §158]

208.140 Annual settlement with county court. The county treasurer shall annually make complete settlement with the county court at the regular January term thereof.

208.150 Delivery of property to successor. The county treasurer shall, at the expiration of the term of the county treasurer, deliver to the successor of the county treasurer all public money, books and papers in the possession of the county treasurer.

208.170 Administration of oaths. The county treasurer and the deputy of the county treasurer are authorized to administer all oaths necessary in the discharge of the duties of their office.

208.990 Penalties. Any county treasurer failing to comply with ORS 208.020 for a period of 10 days commits a Class A violation. [Amended by 1999 c.1051 §166; 2011 c.597 §82]

CHAPTER 78

AN ACT

HB 4093

Relating to courthouses; creating new provisions; amending ORS 153.019, 153.020, 153.640, 153.675 and 221.315; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. (1) As used in this section, "offense" means:

(a) A violation of a parking ordinance; or

(b) A traffic offense as defined in ORS 801.555 (2).

(2) Notwithstanding ORS 137.143, the presiding judge of the judicial district in which a county is located may order that the circuit court for the county impose a surcharge in the amount of \$5 on each fine assessed for an offense in the county if:

(a) The county has received funds, or has legislative authorization to receive funds, for a county courthouse from the proceeds of bonds issued pursuant to Article XI-Q of the Oregon Constitution deposited in the Oregon Courthouse Capital Construction and Improvement Fund established in section 64, chapter 723, Oregon Laws 2013;

(b) Debt service is owed on any Article XI-Q bonds issued related to the county courthouse;

(c) Debt service is owed on any bonds issued under ORS 271.390 or ORS chapter 287A to finance capital costs of the courthouse project for which bonds are or will be issued under section 8, chapter 705, Oregon Laws 2013, in the county imposing the surcharge;

(d) The board of county commissioners has requested that the presiding judge of the judicial district in which the county is located order the imposition of a surcharge and has identified the purposes for which the surcharge funds would be used; and

(e) The Chief Justice of the Supreme Court has approved the surcharge.

(3) The circuit court for the county may not impose a surcharge under this section unless, before July 1 of the calendar year preceding the imposition of the surcharge, the court submits to the State Court Administrator a copy of the order imposing the surcharge. The court may begin imposing the surcharge on fines for offenses occurring on and after January 1 of the calendar year following submission of the order to the State Court Administrator.

(4) Except as provided in ORS 153.640 and 221.315, the surcharge shall be levied fully if any fine is imposed.

(5) The surcharge shall be collected by the circuit court for the county and paid to the county for deposit in the account established under section 2 of this 2016 Act and used solely for:

(a) Payment of capital costs of the courthouse project for which bonds are or will be issued under section 8, chapter 705, Oregon Laws 2013, in the county imposing the surcharge; or

(b) Payment of debt service and related expenses and funding of debt service reserves, if any, for bonds issued under ORS 271.390 or ORS chapter 287A to finance capital costs of the courthouse project for which bonds are or will be issued under section 8, chapter 705, Oregon Laws 2013, in the county imposing the surcharge.

SECTION 2. (1) The county treasurer shall deposit moneys received from surcharges imposed under section 1 of this 2016 Act in a courthouse surcharge account maintained by the county treasurer.

(2) The moneys in the courthouse surcharge account and interest upon the account are reserved for the purposes of:

(a) Payment of capital costs of the courthouse project for which bonds are or will be issued under section 8, chapter 705, Oregon Laws 2013, in the county imposing the surcharge; or

(b) Payment of debt service and related expenses and funding of debt service reserves, if any, for bonds issued under ORS 271.390 or ORS chapter 287A to finance capital costs of the courthouse project for which bonds are or will be issued under section 8, chapter 705, Oregon Laws 2013, in the county imposing the surcharge.

(3) The county treasurer may charge against the courthouse surcharge account an administrative fee for the actual costs associated with maintaining the account. The total administrative fees charged each year may not exceed five percent of the moneys received from surcharges imposed under section 1 of this 2016 Act for that year.

SECTION 3. ORS 153.019 is amended to read: 153.019. (1) Except as provided in ORS 153.020, the presumptive fines for violations are:

(a) \$435 for a Class A violation.

(b) \$260 for a Class B violation.

(c) \$160 for a Class C violation.

(d) \$110 for a Class D violation.

(2) The presumptive fine for a specific fine violation is:

(a) The amount specified by statute as the presumptive fine for the violation; or

(b) An amount equal to the greater of 20 percent of the maximum fine prescribed for the violation, or the minimum fine prescribed by statute for the violation.

(3) Any surcharge imposed under section 1 of this 2016 Act shall be added to and made a part of the presumptive fine.

SECTION 4. ORS 153.020 is amended to read:

153.020. (1) If a person is charged with a traffic violation, as defined in ORS 801.557, and the enforcement officer issuing the citation notes on the citation that the offense occurred in a highway work zone and is subject to the provisions of ORS 811.230, occurred in a posted school zone and is subject to the provisions of ORS 811.235, or occurred in a safety corridor and is subject to the provisions of ORS 811.483, the presumptive fine for the violation is:

- [(1)] (a) \$870 for a Class A violation.
- [(2)] (b) \$520 for a Class B violation.
- [(3)] (c) \$320 for a Class C violation.
- [(4)] (d) \$220 for a Class D violation.

(2) **Any surcharge imposed under section 1 of this 2016 Act shall be added to and made a part of the presumptive fine.**

SECTION 5. ORS 153.640 is amended to read:

153.640. (1) If a circuit court enters a judgment of conviction for a traffic offense, the full amount of the fine imposed under the judgment is payable to the state if the conviction resulted from a prosecution arising out of an arrest or complaint made by an officer of the Oregon State Police or by any other enforcement officer employed by state government, as defined in ORS 174.111.

(2)(a) If a circuit court enters a judgment of conviction for a traffic offense and the conviction resulted from a prosecution arising out of an arrest or complaint made by a sheriff, deputy sheriff, city police officer or any other enforcement officer employed by a local government, as defined in ORS 174.116:

[(a)] (A) The amount prescribed by ORS 153.633 (1) is payable to the state and must be deposited in the Criminal Fine Account;

[(b)] (B) **Subject to paragraph (b) of this subsection, one-half of the amount remaining after any payment required by [paragraph (a) of this subsection] subparagraph (A) of this paragraph is payable to the local government that employs the enforcement officer; and**

[(c)] (C) **Subject to paragraph (b) of this subsection, one-half of the amount remaining after any payment required by [paragraph (a) of this subsection] subparagraph (A) of this paragraph is payable to the state.**

(b) **If the full amount of the fine imposed by a circuit court is collected and a surcharge imposed under section 1 of this 2016 Act is part of the presumptive fine as provided in ORS 153.019 or 153.020, the last \$5 of the amount collected shall be paid to the county for deposit in the county's courthouse surcharge account established under section 2 of this 2016 Act. If the full amount of the fine imposed is not collected, the \$5 payment required by this paragraph shall be reduced by one dollar for every dollar of the fine that is not collected.**

SECTION 6. ORS 221.315 is amended to read:

221.315. (1) Prosecution of violations of the charter or ordinances of a city in circuit or justice court shall be by the city attorney and in the name of such city. An agreement may be made between any city and, on behalf of the state, the presiding judge for the judicial district in which all or part of such city is located, that such violations be prosecuted for such city in the circuit court by the district attorney in the name of the State of Oregon. An agreement may be made, pursuant to ORS 190.010, between any city and the county in which all or part of such city is located, that such violations be prosecuted for such city in the justice court by the district attorney in the name of the State of Oregon.

(2) Except as otherwise provided by an agreement made under subsection (1) of this section in respect to the court, all fines collected by the circuit or justice court having jurisdiction of a violation of a city charter or ordinance shall be paid as follows:

(a) **Subject to subsection (3) of this section, one-half of the fine shall be credited and distributed to the treasurer of the city whose charter or ordinance was violated, as a monetary obligation payable to the city.**

(b) If collected by the circuit court, **and subject to subsection (3) of this section, one-half of the fine shall be credited and distributed as a monetary obligation payable to the state.**

(c) If collected by the justice court, one-half of the fine shall be credited and distributed to the treasurer of the county in which the court is located as a monetary obligation payable to the county.

(3) **If the full amount of the fine imposed by a circuit court under this section is collected and a surcharge is imposed on the fine under section 1 of this 2016 Act, the last \$5 of the amount collected shall be paid to the county for deposit in the county's courthouse surcharge account established under section 2 of this 2016 Act. If the full amount of the fine imposed is not collected, the \$5 payment required by this subsection shall be reduced by one dollar for every dollar of the fine that is not collected.**

SECTION 7. ORS 153.675 is amended to read:

153.675. (1) Amounts payable to the state under ORS 153.633, 153.645 and 153.650 shall be transferred by the court to the Department of Revenue for distribution as provided in ORS 305.830. **Except as provided in ORS 153.640 (2)(b), amounts payable to a local government under ORS 153.640 to 153.680 shall be deposited by the court in the local government's general fund and are available for general governmental purposes.**

(2) Justice and municipal courts must make the transfer required by subsection (1) of this section under ORS 153.633, 153.645 and 153.650 not later than the last day of the month immediately following the month in which a payment on a judgment is received by the court.

SECTION 8. This 2016 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2016 Act takes effect on its passage.

Approved by the Governor March 29, 2016
Filed in the office of Secretary of State March 29, 2016
Effective date March 29, 2016



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

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 ORS209.230 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>					
Umatilla					
Union	0				
Wasco	\$75,276	Full	1	Direct Hire	
Hood River	Appointed				
Jefferson	\$35.04/hr	Full	0	Elected	
Crook	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

- 209.250 Survey by registered land surveyor; requirements for map, narrative or report of survey; waiver of required filing; effect of noncompliance
- 209.255 Amendment of survey map or narrative by affidavit of correction; preparation, certification and recording of affidavit
- 209.260 Fee for filing and indexing
- 209.270 Records of county surveyor; location; accessibility
- 209.300 Abandonment of railroad line; notice to county surveyor; request for copies of plats
- 209.990 Penalties; civil remedies

209.005 Definitions. As used in this chapter, unless the context requires otherwise:

(1) "Control point" means a horizontal or vertical survey position set within the stated precision of the survey.

(2) "County surveyor" means an individual appointed or elected to the office of county surveyor and who is responsible for performing the duties of such office as described by law.

(3) "Deputy county surveyor" means an individual appointed by the county surveyor to the office of deputy county surveyor.

(4) "Geodetic control" means horizontal or vertical survey monuments that are primarily intended to be used as reference positions for other surveys or that serve to extend the national geodetic control network.

(5) "Monument" means any permanent material object or collection of objects, either natural or man-made, that indicates the position on the ground of a survey station, public land survey corner or accessories, or a land boundary corner established by a qualified surveyor.

(6) "Public land survey corner" means a section corner, one-quarter section corner, Donation Land Claim corner, meander corner, witness corner or any other corner established by the General Land Office or its successor.

(7) "Registered professional land surveyor" has the meaning given that term in ORS 672.002. [1989 c.394 §2; 1991 c.339 §1; 2005 c.230 §1]

209.015 Authority to enter upon land; no unnecessary damage; notice. (1) Subject to subsection (3) of this section, the county surveyor, and employees and agents of the county surveyor, may enter upon any land for the purpose of surveying or performing any work necessary to carry out existing laws and may establish permanent survey monuments.

(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

the corners, giving the dates and names of persons present. When so established or reestablished such corner monuments shall be recognized as the legal and permanent corners.

(6) Establish or reestablish, upon order of the county court or board of county commissioners, all public land survey corners where all physical evidence is destroyed or cannot be found but where the official government notes are available, the corners to be reestablished in the manner provided in ORS 209.130 for establishing corners, and keep a separate record of the same, giving the date and names of persons present, and turn such record over to the surveyor's successor. When so established or reestablished such corner monuments shall be recognized as the legal and permanent corners.

(7) At the expiration of the term of office transfer all records to the successor. [Amended by 1979 c.653 §4; 1981 c.153 §56; 1985 c.582 §7; 1989 c.394 §7; 1997 c.489 §9]

209.080 Compensation of county surveyor. The compensation for the county surveyor shall be as determined by the county court or board of county commissioners, and paid out of the county treasury upon order of the county court. [Amended by 1979 c.653 §5; 1981 c.111 §1; 1989 c.394 §8]

209.090 Procuring and filing copies of plats and field notes of United States surveys; copies as evidence. (1) The county court shall procure from the Bureau of Land Management a copy of the field notes and plats of all surveys and resurveys of public lands of townships, sections, Donation Land Claims, mineral claims, homesteads, meander lines or other similar surveys lying within its county. These shall include copies of the official plats and field notes of the survey and shall be filed in the office of the county surveyor.

(2) Copies, certified by the county surveyor, of copies of such field notes or plats filed in the office of the county surveyor by the county court shall be prima facie evidence. [Amended by 1979 c.653 §6; 1989 c.394 §9]

209.100 Administering oaths. The county surveyor or a deputy may administer the oaths or affirmations necessary to the legal establishment of roads and other surveys, and to take the evidence of any person who may be produced to prove any point material to such survey. [Amended by 1979 c.653 §7]

209.115 Qualifications of county surveyor. An individual is not eligible to hold the office of county surveyor or deputy county surveyor unless the individual is a registered professional land surveyor. [1989 c.394 §3]

209.130 Establishment of corners; references; additional reference using coordinate system. (1) In the establishment or reestablishment of a public land survey corner, the county surveyor shall set a monument of durable quality. When a monument cannot be set at the exact corner position or it is not practicable to set a monument, then a witness corner monument shall be set.

(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]

209.155 Removal or destruction of survey monument during road construction; survey map in lieu of replacement; delineation of newly defined right of way. (1) Notwithstanding ORS 209.150, when a recorded survey monument, other than a public land survey corner, is removed, destroyed or disturbed as a result of construction or reconstruction of a public road, the survey monument does not have to be replaced if:

(a) The original location of the recorded survey monument is within the new right of way;
and

(b) The person or public agency responsible for the construction or reconstruction causes a registered professional land surveyor to locate any survey monuments that are subject to removal, destruction or disturbance and to file a map, prior to the beginning of construction, with the county surveyor that identifies all existing recorded monuments, the existing right of way and controlling centerline and the survey control used to comply with this section.

(2) The newly defined right of way may be delineated by either of the following methods:

(a) All control points that define the right of way centerline are monumented or referenced with monuments. The right of way boundary is monumented at all angle points, points of curve, points of tangency and at least every 1,000 feet on long curves and tangents. A survey that identifies the survey control and the new right of way and controlling centerline shall be filed with the county surveyor within 180 days after completion of construction.

(b) A permanent survey control point network is established referencing the new right of way and controlling centerline. The network shall consist of at least three control monuments and must span the length of the project. Each control monument shall be intervisible with at least two other control monuments. At least two monuments on the network must be part of the original control used to locate the monuments described in subsection (1)(b) of this section. A map identifying the control network and the new right of way and controlling centerline shall be filed with the county surveyor within 180 days after completion of construction.

(3) The types of monuments shall be as described in ORS 92.060.

(4) The survey maps required by this section shall comply with ORS 209.250 and any other requirement of law.

(5) For the purpose of complying with subsection (1)(b) of this section, locating a survey monument may consist of establishing coordinates on the monument using the Oregon Coordinate System pursuant to ORS 93.312, Local Datum Plane coordinates that scale Oregon State Plane coordinates of the Oregon Coordinate System to a plane close to the ground elevation of a survey project or other coordinates compatible with those coordinates shown on the survey.

(6) For the purpose of complying with this section, the date of completion of construction is deemed to be the date when all substantial road improvements are completed. [1997 c.336 §2; 2011 c.179 §3]

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

elements, survey records, found survey monuments, plat records, road records or other pertinent data were controlling when establishing or reestablishing the lines. If the narrative is a separate document, the narrative must also contain the following:

(a) Location of survey by one-fourth section, Township and Range.

(b) The date of survey.

(c) The surveyor's seal and original signature.

(d) The surveyor's business name and address.

(3) A permanent map must show the following:

(a) Location of survey by one-fourth section, Township and Range.

(b) The date of survey.

(c) Scale of drawing and North Arrow.

(d) The distance and course of all lines traced or established, giving the basis of bearing and the measured distance and course to a monumented section corner, one-quarter corner, one-sixteenth corner or Donation Land Claim corner in Township and Range, or to a monumented lot or parcel corner or boundary corner of a recorded subdivision, partition or condominium.

(e) Measured bearings, angles and distances that are used as a basis for establishing or reestablishing lines or monuments separately indicated from those of record together with the recording reference. Metric measurements may be used if a conversion to feet is provided.

(f) Monuments set and their relation to older monuments found. A detailed description of monuments found and set must be included and monuments set must be separately indicated from those found.

(g) The surveyor's seal and original signature.

(h) The surveyor's business name and address.

(4)(a) Within 30 days of receiving a permanent map under this section, the county surveyor shall review the map to determine if it complies with subsections (1), (2) and (3) of this section and applicable local ordinances. A map must be indexed by the county surveyor within 30 days following a determination that the map is in compliance with this section. A survey prepared by the county surveyor in an official or private capacity must comply with subsections (1), (2) and (3) of this section.

(b) A survey map found not to be in compliance with subsection (1), (2) or (3) of this section must be returned within 30 days of receipt for correction to the surveyor who prepared the map.

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.

(h) A statement explaining the purpose of the survey, the equipment and procedures used, including the geoid model and reference ellipsoid used, and the names or numbers of the found record control monuments used and their source.

(i) The scale of drawing and North Arrow if a map or diagram is included.

(j) The seal and original signature of the surveyor.

(k) For geodetic control, a statement regarding the network accuracy and local accuracy of the survey, categorized by horizontal position, ellipsoidal height and orthometric height, relative to the National Spatial Reference System. The statement shall include the accuracy classification at the 95 percent confidence level for both network and local classifications in accordance with Standards for Geodetic Control Networks, Part 2 of the federal Geospatial Positioning Accuracy Standards (FGDC 1998) for the newly established monuments.

(7) The county surveyor shall file and index reports that comply with subsections (5) and (6) of this section within 30 days of determining compliance.

(8) A monument set by a registered professional land surveyor to mark or reference a point on a property or land line or to mark or reference a geodetic control survey point must be durably and visibly marked or tagged with the registered business name or the letters "L.S." followed by the registration number of the surveyor in charge or, if the monument is set by a public officer, the monument must be marked with the official title of the office.

(9) If, in the performance of a survey, a registered professional land surveyor finds or makes changes in a public land survey corner or its accessories as described in an existing corner record or survey map in the office of the county surveyor, the surveyor shall complete and submit to the county surveyor a record of the changes found or made to a corner or accessories to the corner. The record must be submitted within 45 days of the corner visits, and must include the surveyor's seal and original signature, business name and address, and be on stable base reproducible material in the form required by the county surveyor.

(10) The signature and stamp of a registered professional land surveyor on a permanent survey map or plat constitutes certification that the map or plat complies with the applicable provisions of this chapter.

(11) A registered professional land surveyor failing to comply with the provisions of subsections (1) to (9) of this section, ORS 92.050 to 92.080 or a county ordinance establishing standards for surveys or plats is subject to disciplinary action by the State Board of Examiners for Engineering and Land Surveying.

(12) A federal or state agency, board or commission, special district or municipal corporation making a survey of lands within this state shall comply with this section. [Amended by 1963 c.555 §1; 1965 c.542 §1; 1979 c.653 §16; 1981 c.113 §2; 1983 c.309 §11; 1989 c.394 §14; 1991 c.339 §3; 1993 c.219 §13; 1997 c.489 §11; 1999 c.710 §11; 1999 c.1018 §7; 2005 c.22 §159; 2005 c.230 §2; 2011 c.179 §4]

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]

209.270 Records of county surveyor; location; accessibility. (1) The records of the county surveyor shall be located in county facilities designated by the county governing body.

(2) The county surveyor shall be provided reasonable facilities for the proper filing, indexing, copying, public inspection and examination and protection of public records as required under ORS 192.430 and 192.440. [1981 c.429 §3]

209.300 Abandonment of railroad line; notice to county surveyor; request for copies of plats. When a railroad gives notice of its intention to abandon a railroad line within this state, the Department of Transportation shall provide a copy of the notice to the county surveyor of each county in which the line to be abandoned is located. Upon written request from a county surveyor so notified, the railroad shall provide the county surveyor with a reproducible copy of the right of way plats for the line to be abandoned. The copy of the right of way plats shall be provided prior to abandonment at no cost to the county surveyor, and shall show the center line of trackage as originally constructed and currently existing, together with ties to monumented public land survey corners, as shown by the right of way plats. [1985 c.220 §2; 1989 c.394 §16; 1995 c.733 §43]

209.990 Penalties; civil remedies. (1) The costs of the reestablishment of the corner or witness monument may be recovered in a civil action together with costs and attorney fees for the prevailing party.

(2) A person may obtain injunctive relief to prevent further disturbance or destruction of survey monuments.

(3) Any county surveyor failing to perform the duties required of the surveyor by ORS 209.020 to 209.090 shall be fined not exceeding \$100, to be recovered by an action brought by the injured party. [Amended by 1979 c.653 §17; 1989 c.394 §17]



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 – Assessor

Our current County Assessor, Mike Gorman, has been in office since 2014. There are currently six (6) employees in the Assessor's Office. All are full-time.

The County Court approved adding a Data Analyst position back to the Assessor's Office this Fiscal Year. This position was vacated by a retirement and was not filled at that time. Mr. Gorman made a request to fill that position, which was approved. The position was filled by a promotion from within the Department. That left a vacancy for an Appraiser. The Lead Appraiser announced their intention to retire in March of 2017. Due to the current vacancy and anticipated vacancy, two Appraiser Trainees have been/are being hired.

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. Gorman.

The attached spreadsheet lists the salaries for County Assessor from the Counties chosen by the County Commissioners as comparators for all Elected Officials. I do not have a recommendation for Assessor compensation, but will defer to the Compensation Board.



P.O. Box 247 • Heppner, Oregon 97836
(541) 676-5607 FAX: (541) 676-5610

ASSESSMENT & TAXATION

MIKE GORMAN
Assessor/Tax Collector

02/02/2017

Commissioner Melissa Lindsay
Commissioner Don Russell
Commissioner Jim Doherty

RE: Elected Officials Compensation

County Commissioners,

I have been asked by Karen Wolff, Human Resources Director, to give examples of "good comparators" to my office, which could include "other counties, cities, private sectors, agencies or anything else", for the purpose of the elected officials compensation. I will start with other counties, I do not have a good answer for which other counties may be most comparable. Oregon Counties vary in governmental structure, geographical size, population, value, land use, etc. We could all make a case for which County or group of Counties are most similar or dissimilar to Morrow County and have different conclusions. If I had to compare to a particular city, I would choose Pendleton, Hermiston, La Grande, Baker City and The Dalles as they are regionally close and have similar populations to Morrow County. Private business would be a stretch because I am not aware of any local or regional private businesses that have a \$4 Billion value or that do over \$35 Million annually in business other than the likes of Amazon, Google or Apple. Other local agencies that would be comparable may include the Port of Morrow, Port of Umatilla, Port of Wasco and CTUIR. I strongly believe a comparison that may have been overlooked in the recent years are the wages of the recently adjusted non-elected department heads and management staff within Morrow County. That comparison is required in ORS204.112(3). If there were no elected department heads in Morrow County, I believe those department heads would have received the same treatment as the non-elected departments heads and management staff.

Karen also asks to give a brief description of what my particular office does. The Morrow County Assessment and Tax Office values, calculates, extends and collects taxes for all Real Property, Manufactured Structures, Personal Property and Utility Property located within Morrow County in accordance with State Law. Morrow County has a Market Value of over \$4 Billion, a taxable value of over \$2 Billion, a certified tax of over \$32 Million and Morrow County also receives in lieu of tax money of over \$5 Million, all

of which this office manages. Those respective properties total over 9,600 accounts. This office administers several exemption and special assessment programs for example, Enterprise Zone and SIP Exemptions, Veterans and Senior Deferral, Charitable, Religious and Benevolent Exemptions, Farm, Forest and Wildlife Habitat Special Assessments and Low Income Housing Special Assessments to name a few. This office works closely with the County Clerk, Treasurer and Planner to achieve these duties. This office works with the Oregon Department of Revenue for State Appraised Accounts. This office has a staff of seven including myself. The Assessor and Appraisal staff have statutory requirements that include being a Registered Appraiser with the Oregon Department of Administrative Services, as well as continuing education requirements. This office is an agent for the Building Codes Division of the Oregon Department of Consumer and Business Services for processing Manufactured Home Ownership Documents and Trip Permits. This office defends Morrow County for all levels of property appeals from the local Board of Property Tax Appeals up to The Magistrate Division and Regular Division of The Oregon Tax Court. For all of the above mentioned items, the Assessor is ultimately responsible for. This office is responsible for collecting all local taxing districts budgets and forwarding them to the Oregon Department of Revenue. This office also works closely with all local taxing districts for budgeting purposes. This office handles all public, private and governmental inquiries for property located in Morrow County. In short, the Assessor, Tax Collector and staff are the basis for Oregon's Local Government and Local School systems, without the Assessment and Tax Office, all local governments and special districts would cease to exist.

If you have any questions or concerns please call 541-676-5607.

Respectfully,



Michael Gorman
Assessor/Tax Collector

Assessor's Office



Total FTE, including Assessor = 7.0 FTE

February 2017

Morrow County Information Request

2016/2017

Assessor

	Annual Salary	Full or Part time	Total # employees supervised	Tax Collector Too?	Elected or Appointed?
<u>Assessor</u>					
Umatilla	\$80,208	Full		Yes	Appointed
Union	\$74,808	Full		9 Yes	Elected
Wasco	\$77,196	Full		9 Yes	Elected
Hood River	No Assessor				Appointed
Jefferson	\$65,406	Full		5 No	Elected
Crook	\$77,418	Full		7 No	Elected
Morrow	\$78,283	Full		6 Yes	Elected
Average	\$75,553				
<i>Average w/o MC</i>	<i>\$75,007</i>				

Assessment & Taxation Director

Dept of Records & Assessment Dir

Pay Range \$58,656 - \$85,509

**GENERAL SCALE
2016 - 2017**

COLA 3.000%

RANGE	POSITION	Hire	1 year	1 year	1 year	1 year	1 year	
		0 A	B	C	D	E	F	
4		4	\$2,383	\$2,502	\$2,627	\$2,759	\$2,897	\$3,041
7		7	\$2,759	\$2,897	\$3,041	\$3,193	\$3,353	\$3,521
	A&T Clerk							
8		8	\$2,897	\$3,041	\$3,193	\$3,353	\$3,521	\$3,697
	Appraiser Trainee							
	Appraiser Trainee							
9		9	\$3,041	\$3,193	\$3,353	\$3,521	\$3,697	\$3,882
	A&T Office Specialist							
13		13	\$3,697	\$3,882	\$4,076	\$4,280	\$4,494	\$4,718
	Appraiser I							
15		15	\$4,076	\$4,280	\$4,494	\$4,718	\$4,954	\$5,202
	Appraiser II							
16		16	\$4,280	\$4,494	\$4,718	\$4,954	\$5,202	\$5,462
	Data Analyst (Assr.)							
17		17	\$4,494	\$4,718	\$4,954	\$5,202	\$5,462	\$5,735
18		18	\$4,718	\$4,954	\$5,202	\$5,462	\$5,735	\$6,022
	Lead Appraiser							

Retiring March 2017

post 7/1/99 (moves alternating years on scale)

pre 7/1/99 (moves annually on scale)



Human Resources

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

Karen Wolf
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 – Justice of The Peace

Our current County Justice of The Peace, Ann Spicer, has been in office since 2012. There are two (2) other employees in the Justice Court. One Court Clerk II which is 1.0 FTE and one Court Clerk I which recently was increased from 0.6 FTE to 0.8 FTE.

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 Judge Spicer.

The attached spreadsheet lists the salaries for County Justice of The Peace from the Counties chosen by the County Commissioners as comparators for all Elected Officials. Most of the counties have abolished this office, which makes it difficult for a direct comparison.

I do not have a recommendation for Justice of The Peace compensation, but will defer to the Compensation Board.

Karen Wolff

From: Ann Spicer
Sent: Thursday, February 02, 2017 3:31 PM
To: Karen Wolff
Subject: RE: Compensation Committee Questions

Follow Up Flag: Follow up
Flag Status: Flagged

It is very hard to compare justice courts because we all do different things. Union County and Gilliam county are the only eastern Oregon counties somewhat similar to Morrow County. They are similar in that the Judge works approximately the same number of hours and handles many of the same kinds of cases.

As you are aware, we do traffic, evictions, small claims and misdemeanors. About half of justice courts statewide just do traffic and most eastern Oregon justice courts do not have the number of cases Morrow County has. Gilliam County has about half the crimes as we have and I have been unable to obtain Union County stats. Our traffic numbers are higher than Gilliam County at present.

The Judge in Union County is an attorney. Gilliam County has a lay Judge.

From: Karen Wolff
Sent: Wednesday, February 01, 2017 4:38 PM
To: Karen Wolff <kwolff@co.morrow.or.us>
Cc: Jerry Sorte <gsorte@co.morrow.or.us>
Subject: Compensation Committee Questions

Dear Elected Officials,

The Board of Commissioners began discussions today regarding the Compensation Committee and the process for the Compensation Committee for this year. Prior to making the final decisions, the Commissioners would like your comment on a couple of questions. They would like to provide direction to me next week, so we are asking for a response in the next couple of days.

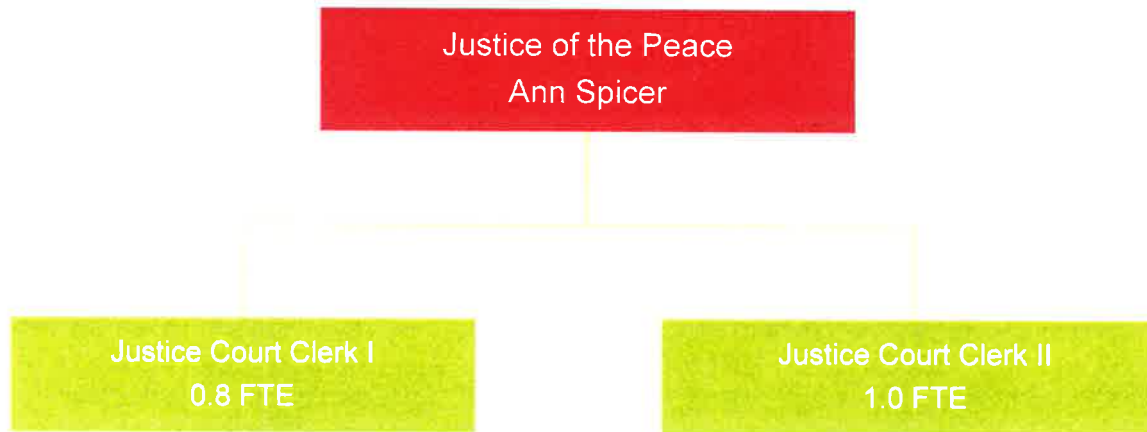
1. Who do you believe would be good comparators for your Office? This could be counties, cities, private sector, agencies, or anything else. Please also provide a brief description of why these would be good comparators, ie: similar size budget, similar size population, similar duties, similar education requirements, etc. Please feel free to provide a list of several comparators.
2. Please provide a brief description of what your particular Office does. 300 words or less if possible.

I will compile this information and provide it to the Commissioners for next week. The information will also be in the agenda packet that is sent out prior to the meeting.

Thanks for your help on this.

Karen Wolff

Justice Court Department



Total FTE, including Justice = 2.8 FTE

February 2017

Morrow County Information Request
2016/2017

Justice of
the Peace

	Annual Salary	Full or Part time	Total # employees supervised	Tax Collector Too?	Elected or Appointed?
JP					
Umatilla	No JP				
Union	\$20,400	Part time	1	No	Elected
Wasco	N/A				
Hood River	\$65,230				
Jefferson	No JP				
Crook	No JP				
Morrow	\$68,475	Full	1.8	No	Elected
Average	\$51,368				

**GENERAL SCALE
2016 - 2017**

COLA 3.000%

RANGE POSITION
4 PT Court Clerk
8 Court Clerk

	Hire	1 year	1 year	1 year	1 year	1 year
	0 A	B	C	D	E	F
4	\$2,383	\$2,502	\$2,627	\$2,759	\$2,897	\$3,041
8	\$2,897	\$3,041	\$3,193	\$3,353	\$3,521	\$3,697

post 7/1/99 (moves alternating years on scale)

pre 7/1/99 (moves annually on scale)



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 – District Attorney

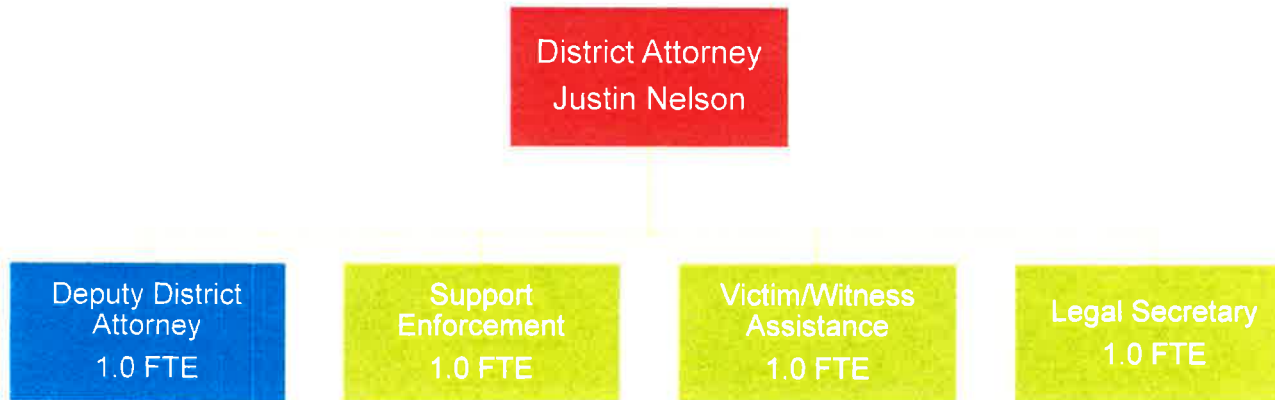
Our current County District Attorney, Justin Nelson, has been in office since 2010. There are four (4) employees in the District Attorney's Office. All are full-time.

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. Mr. Nelson chose to not comment since he is actually a State of Oregon employee, not a county employee.

The attached spreadsheet lists the additional compensation paid to County District Attorney's from the Counties chosen by the County Commissioners as comparators for all Elected Officials. The District Attorney receives a wage from the State and the amounts listed are above that wage. Four (4) of the six (6) counties surveyed do pay their DA and additional monthly amount. Morrow County's District Attorney and Deputy District Attorney's receive a monthly contract fee of \$\$2,500 each for County Counsel services.

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

District Attorney



Total FTE, including DA = 5.0 FTE

February 2017

Morrow County Information Request

2016/2017

District Attorney

	County Contribution to Salary	Full or Part time	Total # employees supervised	Elected or Appointed?
DA				
Umatilla	\$19,055	Full		Elected
Union	\$10,000	Full	9	Elected
Wasco	\$0			
Hood River	\$0			
Jefferson	\$14,399	Full	7	Elected
Crook	\$22,729	Full	13	Elected
Morrow	\$6,000	Full	4	Elected

And additional County Counsel Stipend

**GENERAL SCALE
2016 - 2017**

COLA 3.000%

RANGE	POSITION	Hire 0 A	1 year B	1 year C	1 year D	1 year E	1 year F
10	10 Legal Secretary	\$3,193	\$3,353	\$3,521	\$3,697	\$3,882	\$4,076
11	11 Victims Advocate	\$3,353	\$3,521	\$3,697	\$3,882	\$4,076	\$4,280
12	12 Support Enforcement Officer	\$3,521	\$3,697	\$3,882	\$4,076	\$4,280	\$4,494

post 7/1/99 (moves alternating years on scale)

pre 7/1/99 (moves annually on scale)

MANAGERS AND SUPERVISORS
2016-2017

COLA 3.000%

		STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	STEP H
		HIRE	1 YR	3 YRS	5 YRS	7 YRS	9 YRS	11 YRS	13 YRS
		A	B	C	D	E	F	G	H
DEPUTY DISTRICT ATTORNEY I	19	\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922
		\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922
DEPUTY DISTRICT ATTORNEY II	22	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014
		\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014
DEPUTY DISTRICT ATTORNEY II	24	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835



Human Resources

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(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 – Elected Officials vs Managers

In preparing for the Compensation Board meeting, the County Commissioners directed me to develop comparisons of Elected Officials with Morrow County Department Heads and Managers. To that end I have developed the attached spreadsheets, inserting the Elected Officials wages in to the Nonrepresented Wage Scale.

The first spreadsheet compares Step 1 wages for Nonrepresented with Elected Officials. The second spreadsheet compares midpoint wages. Minimum Education and Minimum Experience reference the minimum amount stated in the job description in order to qualify for the position. For Elected Officials, I took the requirements from State Statute. Some of the Elected Offices do not have minimum requirements, and some do have minimum requirements. I have provided the ORS for each office in the tab for that office.

I do not have a recommendation, but rather ask that the Compensation Board have a discussion regarding the wages paid to our Elected Officials as compared to our Nonrepresented Employees.

MANAGERS AND SUPERVISORS

COLA 3.000%

2016-2017

Step 1 Comparison		STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	STEP H	Minimum	Minimum	Employees
		HIRE	1 YR	3 YRS	5 YRS	7 YRS	9 YRS	11 YRS	13 YRS	Education	Experience	Supervised
		A	B	C	D	E	F	G	H			
COURT EXECUTIVE ASSIST.	10	\$3,171	\$3,330	\$3,496	\$3,671	\$3,855	\$4,047	\$4,250	\$4,462	AA	3 years	0.0
SPECIAL TRANS. CORD.		\$3,171	\$3,330	\$3,496	\$3,671	\$3,855	\$4,047	\$4,250	\$4,462	HS	0 years	1.0
	11	\$3,330	\$3,496	\$3,671	\$3,855	\$4,047	\$4,250	\$4,462	\$4,685			
MANAGEMENT ASSISTANT	12	\$3,496	\$3,671	\$3,855	\$4,047	\$4,250	\$4,462	\$4,685	\$4,920	BS or	4 years	5.0
	13	\$3,671	\$3,855	\$4,047	\$4,250	\$4,462	\$4,685	\$4,920	\$5,166			
PARKS GEN MNGR OF OP	14	\$3,855	\$4,047	\$4,250	\$4,462	\$4,685	\$4,920	\$5,166	\$5,424	HS	2 years	3.0
FINANCE MGT. ASSISTANT		\$3,855	\$4,047	\$4,250	\$4,462	\$4,685	\$4,920	\$5,166	\$5,424	BS or	4 years	0.0
PUBLIC WORKS MANAGER	15	\$4,047	\$4,250	\$4,462	\$4,685	\$4,920	\$5,166	\$5,424	\$5,695			
GENERAL MAINT SUPV	16	\$4,250	\$4,462	\$4,685	\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	AA	2 years	1.5
ASST. COMM SGT	17	\$4,462	\$4,685	\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279	HS	3 years	9.0
	18	\$4,685	\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593			
COMMUNICATIONS SGT	19	\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	AA		10.0
ASST. PUBLIC WORKS DIR.	20	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	AA	6 years	17.0
PATROL SERGEANT	21	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	AA		10.0
HUMAN RESOURCES		\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	BS	6 years	0.0
JUVENILE DIRECTOR		\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	BA or BS	4 years	2.0
PLANNING DIRECTOR	22	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	MS	7 years	4.0
DETECTIVE SERGEANT		\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	AA		1.8
COMMUNITY CORR SUPV		\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	AA		2.0
Treasurer		\$5,706								None	None	0.0
Clerk		\$5,706								None	None	2.0
Justice of the Peace		\$5,706								None	None	1.8
PUBLIC HEALTH DIR	23	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414	BS		12.0
DEPUTY DA	24	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835	JD		0.0
PUBLIC WORKS DIRECTOR		\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835	AA	6 years	27.0
FINANCE DIRECTOR		\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835	BS	1 year	2.0
UNDER SHERIFF	25	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835	\$9,277			25.0

Commissioner (0.5 FTE)		\$6,402								None	None	1.0
Assessor		\$6,402								HS	1 year	6.0
	26	\$6,923	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835	\$9,277	\$9,741			
COUNTY ADMINISTRATOR	27	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835	\$9,277	\$9,741	\$10,228	BS	6 years	10.0
	28	\$7,632	\$8,014	\$8,414	\$8,835	\$9,277	\$9,741	\$10,228	\$10,739			
	29	\$8,014	\$8,414	\$8,835	\$9,277	\$9,741	\$10,228	\$10,739	\$11,276			
Sheriff		\$8,178								AA	2 years	26.0
	30	\$8,414	\$8,835	\$9,277	\$9,741	\$10,228	\$10,739	\$11,276	\$11,840			

MANAGERS AND SUPERVISORS COLA 3.000%
2016-2017

Midpoint Comparison	STEP A	STEP B	STEP C	STEP D	STEP E	STEP F	STEP G	STEP H	Minimum Education	Minimum Experience	Employees Supervised	
	HIRE	1 YR	3 YRS	5 YRS	7 YRS	9 YRS	11 YRS	13 YRS				
	A	B	C	D	E	F	G	H				
COURT EXECUTIVE ASSIST.	10	\$3,171	\$3,330	\$3,496	\$3,671	\$3,855	\$4,047	\$4,250	\$4,462	AA	3 years	0.0
SPECIAL TRANS. CORD.		\$3,171	\$3,330	\$3,496	\$3,671	\$3,855	\$4,047	\$4,250	\$4,462	HS	0 years	1.0
	11	\$3,330	\$3,496	\$3,671	\$3,855	\$4,047	\$4,250	\$4,462	\$4,685			
MANAGEMENT ASSISTANT	12	\$3,496	\$3,671	\$3,855	\$4,047	\$4,250	\$4,462	\$4,685	\$4,920	BS or	4 years	5.0
	13	\$3,671	\$3,855	\$4,047	\$4,250	\$4,462	\$4,685	\$4,920	\$5,166			
PARKS GEN MNGR OF OP	14	\$3,855	\$4,047	\$4,250	\$4,462	\$4,685	\$4,920	\$5,166	\$5,424	HS	2 years	3.0
FINANCE MGT. ASSISTANT		\$3,855	\$4,047	\$4,250	\$4,462	\$4,685	\$4,920	\$5,166	\$5,424	BS or	4 years	0.0
PUBLIC WORKS MANAGER	15	\$4,047	\$4,250	\$4,462	\$4,685	\$4,920	\$5,166	\$5,424	\$5,695			
GENERAL MAINT SUPV	16	\$4,250	\$4,462	\$4,685	\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	AA	2 years	1.5
ASST. COMM SGT	17	\$4,462	\$4,685	\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279	HS	3 years	9.0
	18	\$4,685	\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593			
COMMUNICATIONS SGT	19	\$4,920	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	AA		10.0
Treasurer				\$5,706						None	None	0.0
Clerk				\$5,706						None	None	2.0
Justice of the Peace				\$5,706						None	None	1.8
ASST. PUBLIC WORKS DIR.	20	\$5,166	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	AA	6 years	17.0
PATROL SERGEANT	21	\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	AA		10.0
HUMAN RESOURCES		\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	BS	6 years	0.0
JUVENILE DIRECTOR		\$5,424	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	BA or BS	4 years	2.0
Commissioner (0.5 FTE)				\$6,402						None	None	1.0
Assessor				\$6,402						HS	1 year	6.0
PLANNING DIRECTOR	22	\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	MS	7 years	4.0
DETECTIVE SERGEANT		\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	AA		1.8
COMMUNITY CORR SUPV		\$5,695	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	AA		2.0
PUBLIC HEALTH DIR	23	\$5,980	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414	BS		12.0
DEPUTY DA	24	\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835	JD		0.0
PUBLIC WORKS DIRECTOR		\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835	AA	6 years	27.0

FINANCE DIRECTOR		\$6,279	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835	BS	1 year	2.0
UNDER SHERIFF	25	\$6,593	\$6,922	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835	\$9,277			25.0
	26	\$6,923	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835	\$9,277	\$9,741			
Sheriff					\$8,178					AA	2 years	26.0
COUNTY ADMINISTRATOR	27	\$7,269	\$7,632	\$8,014	\$8,414	\$8,835	\$9,277	\$9,741	\$10,228	BS	6 years	10.0
	28	\$7,632	\$8,014	\$8,414	\$8,835	\$9,277	\$9,741	\$10,228	\$10,739			
	29	\$8,014	\$8,414	\$8,835	\$9,277	\$9,741	\$10,228	\$10,739	\$11,276			
	30	\$8,414	\$8,835	\$9,277	\$9,741	\$10,228	\$10,739	\$11,276	\$11,840			