

Morrow County Court
May 27, 2015
Heppner, Oregon
Pioneer Annex Conference Room

Present

Judge Terry Tallman
Commissioner Don Russell
Karen Wolff, Executive Secretary/Personnel Director
Justin Nelson, District Attorney/Interim County Counsel
Roberta Lutchter, Court Executive Assistant

Excused

Commissioner Leann Rea

Judge Tallman called the meeting to order at 9:02 a.m.

City and Citizen Comments – Lexington/Ione

No comments

Open Agenda

Judge Tallman said several Special Transportation Fund items have been added to the agenda, as well as a discussion with Undersheriff Steve Myren about security cameras for the Bartholomew Building.

Department Report

Surveyor Update

Stephen Haddock, Surveyor
Kristina Powell, Land Surveyor in Training

Mr. Haddock's report included:

- The publicly viewable survey records of Morrow County will be completed after the next work party with the Blue Mountain Chapter of the Professional Land Surveyors of Oregon. Mr. Haddock said this accomplishment would not have taken place without the volunteer efforts of the Chapter over the last few years.
- Railroad maps – the Department of Revenue agreed to send everything the State has on file for Morrow County. Mr. Haddock said he expects about 50 maps will be sent to him on a CD.
- "Traffic" through the viewable hard copies has been reduced now that records are available to view online.
- Several recent partitions in the Lexington area revealed places with multiple monumentations and Mr. Haddock said this is an excellent opportunity to use the Public Land Corner Preservation Fund to preserve the Public Land Corners in the area.
- The Public Land Corner Survey in Heppner should be completed by the end of this summer.

New Business

Security Camera Options for the Bartholomew Building

Undersheriff Steve Myren

Undersheriff Myren said he's been in discussions with Rob Naughton, InterMountain Education Service District, Director of Business Development, concerning the security camera choices for the new building. Whether the County chooses a good quality camera system (\$15,000-20,000) or a less expensive version, (around \$3,500), both will utilize the same type of cable, he explained. Undersheriff Myren said he recommended the less expensive option and the County could upgrade at a later date. If that is the case, he said, the existing cameras can be easily switched out to an upgraded version, and both systems operate the same, whether server or DVR based. Undersheriff Myren said he believes the \$3,500 for the second option could come from Emergency Management funds he has available for such uses. It was decided to purchase the lower priced system.

Contracts

2015-2017 Intergovernmental Agreement (IGA) for the Financing of Community Addictions and Mental Health Services

Ms. Wolff explained Morrow County is the local Mental Health Authority and accepts the State funds from this agreement. They are then sent to Community Counseling Solutions (CCS) via a separate agreement, for providing Mental Health related services. The two year contract was reviewed by the Executive Director of CCS and County Counsel, Ms. Wolff stated.

Commissioner Russell moved to approve Agreement #14799, 2015-2017 IGA for the Financing of Community Addictions and Mental Health Services with the Oregon Health Authority, and authorize Judge Tallman to sign on behalf of the County. Judge Tallman seconded. Unanimous approval.

The total authorized for Mental Health Services was noted to be \$2,255,520.

McGee Wealth Management (MWM) Agreements

Judge Tallman said the rate an investment firm charges to manage an entity's funds is based on the total amount of funds, in Morrow County's case, \$20,000,000. The rate MWM charges the County is the rate most firms charge to manage funds in excess of \$40,000,000. He said he thinks the County is getting a good deal; Commissioner Russell agreed.

Commissioner Russell moved to approve the Investment Management and Consulting Agreement (Discretionary) for Morrow County, as well as, Schedule A and Schedule B, with McGee Wealth Management, Inc. Judge Tallman seconded. Unanimous approval.

Commissioner Russell moved to approve the Statement of Investment Policy and Objectives, May 20, 2015, with McGee Wealth Management, Inc. Judge Tallman seconded. Unanimous approval.

Special Transportation Fund Resolutions, Policy Document and Purchasing Pre-Authorization
Anita Pranger, STF Coordinator

Ms. Pranger said once the Resolutions are passed and the Policy Document is accepted, the State will release over \$60,000 in funding to the Morrow County STF program.

Commissioner Russell moved to approve the Title VI Program Policy dated May 27, 2015. Judge Tallman seconded. Unanimous approval.

Ms. Pranger discussed the Critical Findings referenced in the Resolutions that have now been satisfied (two 30-day Critical Findings, and three 60-day Critical Findings).

Commissioner Russell moved to approve In the Matter of a Resolution for Completing Critical Findings from a Review of the Special Transportation Fund, Resolution R-2015-5. Judge Tallman seconded. Unanimous approval.

Commissioner Russell moved to approve In the Matter of a Resolution for Completing Critical Findings from a Review of the Special Transportation Fund, Resolution R-2015-6. Judge Tallman seconded. Unanimous approval.

Commissioner Russell moved to approve the Purchasing Pre-Authorization Request for a desk top computer for the STF Office, in the amount of \$1,754.29, and authorize Judge Tallman to sign on behalf of the County. Judge Tallman seconded. Unanimous approval.

Minutes

Commissioner Russell moved to approve the minutes of May 20, 2015, with corrections. Judge Tallman seconded. Unanimous approval.

Correspondence Reviewed:

- Letter from the Morrow County Court to former County Counsel, Ryan Swinburnson, notifying him he is released from any obligation or contract to litigate on Morrow County's behalf; and requesting he forward all records related to his representation of Morrow County; and submit his final accounting of fees by June 15, 2015.
- Public Notice from the U.S. Army Corps of Engineers, Portland District, on Drought Conditions within the State of Oregon.
- Letter from Senator Ron Wyden to the Secretary of Defense, Secretary of Homeland Security, and the Administrator of the Federal Aviation Administration regarding the Fossil Radar. Judge Tallman noted the Court is appreciative of Sen. Wyden's efforts in this matter.
- Wenaha Group's Weekly Morrow County Government Project Update for the Bartholomew Building.

Discussion of Three Landscaping Options for the Bartholomew Building

Ms. Wolff said the architects for the building, LKV Architects, consulted with Westwinds Nursery in Hermiston and have come up with three options. She said it is recommended two of

the three staircases from Court Street to the property be eliminated because of slope, grade and ease of maintenance issues. Discussion. Judge Tallman said Commissioner Rea hasn't seen the options yet and we might want to see what she wants. Ms. Wolff said a recommendation is needed by Tuesday, June 2nd. Commissioner Russell asked that the options be forwarded to Commissioner Rea and inform her the other Commissioners are leaning toward Option SW-1, but we want her input.

Public Hearing – Lexington Urban Growth Boundary Zone Change

Carla McLane, Planning Director

Ken Bailey, owner, Bailey Heavy Equipment Repair/Lexington Machine

Judge Tallman opened the Public Hearing at 11:03 a.m. and called for abstentions or conflicts of interest from the Commissioners – Commissioner Russell: none; Judge Tallman: none; Commissioner Rea: absent. The procedure for offering testimony was outlined and Judge Tallman then called for the Staff Report.

Ms. McLane explained Mr. Bailey has a machine shop business in Lexington which has outgrown its space and to get to the zone change of the land north of Highway 74, the Planning Department worked with nearby property owners, Jeff Cutsforth and Duane Neiffer on two land partitions and two non-farm dwelling approvals. Ms. McLane said today's final action would be to rezone this portion of the Lexington Urban Growth Boundary north of the highway to Rural Light Industrial designation, and in addition, Planning has been working with the Town of Lexington to zone a small portion to Urban Industrial. After Ms. McLane provided additional detail from the Staff Report, Judge Tallman asked if the Town of Lexington was in agreement with the changes; Ms. McLane said, yes.

Commissioner Russell asked Ms. McLane if anyone spoke in opposition during the Planning Commission Public Hearing on this matter. Her response was no, and she said she only received positive comments.

Judge Tallman called for proponents to speak. Mr. Bailey said he's obviously in favor of the change because it affects his ability to build a larger facility, and after looking in the area for another place to move his business...this property made sense. He added he is currently "hemmed in" by residences on three sides of his property and Highway 74 on the other.

Judge Tallman called for opponents to speak – no response; Public Hearing closed at 11:18 a.m.

On the recommendation of the Morrow County Planning Commission, Commissioner Russell moved to approve the following:

- 1. Amend the Comprehensive Plan Urbanization Element, both the Introduction and the Town of Lexington portions.*
- 2. Amend the Comprehensive Plan Map changing the designation from Residential to Industrial.*
- 3. Apply the Rural Light Industrial Use Zone, thereby amending the Zoning Map, changing the designation from Farm Residential to Rural Light Industrial.*

And direct Staff to prepare the necessary documents to make the changes. Judge Tallman seconded. Unanimous approval.

Planning Miscellaneous

Ms. McLane stated Reclaim, Inc. at the Port of Morrow is up for a Department of Environmental Quality (DEQ) permit renewal and asked if the Court wants to make comment in support of issuance of the permit. Commissioner Russell said he's in support of the project...their process doesn't even have a smoke stack and he's never seen anything piled up around their building. He said he's unsure of the number of Reclaim employees, but they operate several shifts. Judge Tallman said he thought the Court should make comment. Commissioner Russell said the original owners are no longer there and the engineering firm is the major partner. Ms. McLane said it's now known as McKinstry Reclaim. Commissioner Russell said they have been good community members. Ms. McLane said she will draft the comment letter to be signed by the Court.

Commissioner Reports

Commissioner Russell said he continues to gather information on the question of whether or not Morrow County should change its Juvenile Court system. He said Wasco County is the most recent County to make the change from the County Judge hearing Juvenile cases to turning those over to the Circuit Court. He said he will contact Wasco County for further information.

Judge Tallman said he's been coordinating with Ms. Pranger in getting information before the Special Transportation Advisory Committee and the County Court, and with the \$11,000 in the STF account, he believes the County can move ahead with some kind of consideration for drivers. He said Dave Cooley with the Oregon Department of Veteran Affairs indicated it is an acceptable use of ODVA's grant funds.

Lunch break: 11:43 a.m.

Resume: 1:00 p.m.

New Attendees:

Gayle Gutierrez, Treasurer

Rick Worden, Finance Director

Department Report

Personnel Update

Karen Wolff, Executive Secretary/Personnel Director

Ms. Wolff said there have been previous discussions on the need to update the Morrow County Policy regarding Cost of Living Adjustments (COLAs) for managers (managers receive the average of the COLAs for the three unions). However, she said she has discovered the County doesn't have a written policy on this, it's just always been done that way. Ms. Wolff said this means the County Court now has various options to consider, but she recommended additional discussion take place when Commissioner Rea is in attendance.

Review Human Resources (HR) Director and Administrative Officer (AO) Job Descriptions

Ms. Wolff said last week's Court meeting resulted in the HR position wage moving from Pay Range 23 to Pay Range 22 (New Hire, Step A - \$5,369 per month) and the AO remained at Pay Range 26 (New Hire, Step A - \$6,526 per month). She said she hasn't yet made some other requested changes, but in the meantime, would like to know if there are additional questions or concerns in order to keep the process moving forward. Commissioner Russell said he was happy with the HR salary change and that Finance Director, Rick Worden, had indicated the wage for the AO position is manageable for the County. Judge Tallman and Commissioner Russell decided to wait until Commissioner Rea is in attendance before taking any action.

Review County Drug and Alcohol Policy

Ms. Wolff asked if the Commissioners had a policy preference now that they've had a chance to review the two options – "No Impairment Drug-Alcohol Use Policy" or "Zero Tolerance Drug-Alcohol Use Policy." Discussion ensued. Because there was confusion about whether or not tests for THC (the chemical responsible for most of marijuana's psychological effects) measure actual levels or just the presence of, Commissioner Russell asked Ms. Wolff to see how a few counties in Washington are dealing with this situation.

Comments Prior to Executive Session

Ms. Wolff stated we will not be coming out of either Executive Session to make a decision.

1:47 p.m. Executive Session

ORS 192.660(2)(h) To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

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

3:26 – Closed Executive Sessions - No Decisions

Adjourned: 3:30 p.m.