

Morrow County Court
September 7, 2016
Heppner, Oregon
Bartholomew Building Upper Conference Room

Present

Judge Terry Tallman
Commissioner Leann Rea
Commissioner Don Russell
Jerry Sorte, Administrative Officer
Richard Tovey, County Counsel
Justin Nelson, County Counsel
Karen Wolff, Human Resources Director
Roberta Lutcher, Court Executive Assistant

Audience

Bobbi Childers, Clerk
Mike Gorman, Assessor/Tax Collector
Gayle Gutierrez, Treasurer
Angeline Williams, Morrow County Circuit Court Operations Supervisor

Call to Order: 9:00, followed by pledge of allegiance

City and Citizen Comments – No comments

Open Agenda Requests – Fair Board appointment; Courthouse Clock discussion

Circuit Court Facility Request

Roy Blaine, Trial Court Administrator, Sixth Judicial District

Mr. Blaine's request was to modify the judge's bench in the Courtroom to make it adjustable for the monitors and keyboards used by the judges. He noted the bench is original to the Courthouse and a carpenter would be hired to cut the bench top and perform the finish work. He said three of the five judges have requested the modification. When he suggested the Commissioners drop by the Courtroom to look at the bench, Judge Tallman said the room is locked when not in use, and that he objected to a public Courtroom in a public building being locked. Mr. Blaine responded he would look into the situation.

Commissioner Rea asked if Mr. Blaine contacted the State Historic Preservation Office (SHPO) since any changes would also require that office's approval; he said he had not. He also agreed to respond to Commissioner Rea's request that he exhaust all other options, one being adjustable chairs with foot rests. He said he would report back on both opening the Courtroom and looking into other solutions.

Old Business

Morrow County Code Amendment Regarding Approval of Construction in the Right-of-Way Permits

Jerry Sorte, Administrative Officer

The existing Construction in the Right-of Way Permits require County Court approval. Mr. Sorte presented draft changes to Code that would streamline the process and delegate the approval authority to the Public Works Director or his/her designee. After the Court suggested a few modifications, he said he would return with a revised draft at the September 21st County Court meeting in Boardman.

New Business

Oregon State University/Morrow County – 4-H Youth Outreach Program Coordinator

Damion Turner

Mr. Turner provided a brief overview of his background and discussed goals since becoming the 4-H Youth Outreach Program Coordinator on May 1st. He said he would like to see more involvement with the schools in Morrow County in creating after school programs, such as a Junior Master Gardner program. He also said he is sending a survey to current members in an effort to learn their desires for the 4-H program.

Office Space Lease Request – Gilliam-Bisbee Building

Mr. Sorte said the request from Domestic Violence Services, Inc. is to rent the first floor office formerly occupied by the Veterans Services Representative. The Court directed him to bring forward a month-to-month lease agreement for consideration that would include language allowing the County to divest itself of interest in the building at any time to accommodate our plans.

Physician Assistant Employment Contract

Sheree Smith, Health Department Director

Ms. Smith discussed the difficulty in obtaining someone to perform Family Planning exams for the Health Department and provided written documentation of such. She asked the Court to approve the agreement with Morrow County Health District's (MCHD) newly hired Physician Assistant, Amanda Fabian. Commissioner Rea stated as a member of MCHD's Board, she would recuse herself from today's discussion as she did at an earlier MCHD Board's meeting when the same topic came up. Her only contribution to the Board's discussion was to confirm the County follows federal mileage guidelines, she said.

Commissioner Russell moved to approve the Physician Assistant-Certified Agreement between Morrow County, the Morrow County Health District and Amanda Fabian, PA-C. Terms to be \$50 per hour of service performed, and mileage at the approved IRS rate per mile of authorized and necessary travel. Judge Tallman seconded. Aye: Judge Tallman, Commissioner Russell. Abstained: Commissioner Rea. Motion carried.

Declaration of Surplus Properties

Karen Wolff, Human Resources Director

Ms. Wolff requested two properties be declared surplus. She said since both have values determined by the Assessor's Office of less than \$15,000, it is not a requirement that they go to Sheriff's Sale auction. She suggested the adjacent property owners be notified of the County's plans to sell the properties.

270 W. Baltimore, Heppner

Ms. Wolff said the property is 22' x 132' and could only accommodate a house 12' wide when setbacks are taken into consideration. Since there are no publication costs, the minimum bid could be \$500, she said.

Commissioner Russell moved to declare as surplus the property described as Morrow County Account 387, 2S2634AA-1400 (270 W. Baltimore, Heppner), and direct staff to proceed with disposal with the minimum bid established at \$500. Commissioner Rea seconded. Unanimous approval.

Columbia Lane, Irrigon

Ms. Wolff said this property is a narrow strip of land and most likely should have been part of an adjacent property. She suggested the property be transferred to the adjacent landowner of Tax Lot 2400 and ask that they pay the recording fees. Commissioner Rea expressed concerns about land-locking other Tax Lots, and Mr. Sorte said staff could research easements.

Commissioner Rea moved to declare as surplus the property described as Morrow County Account 9765, 5N2623D-2401 (on Columbia Lane, Irrigon), and direct staff to clarify that adjacent properties will not be land-locked by the transfer of the property to the adjacent owner of Tax Lot 2400; further stipulating the buyer will pay the cost to transfer the property. Commissioner Russell seconded. Unanimous approval.

Award Janitorial Services Bid

Mr. Sorte said Public Works received two responses to the Request for Qualifications (RFQ) for County-wide janitorial services. A committee reviewed both bids and the unanimous selection was Heppner Janitorial LLC, he said. If the Court awards the bid, staff can move forward on a contract that can be presented in the near future, said Mr. Sorte. Commissioner Rea said she has a potential conflict of interest and recused herself from the discussion.

Based on the recommendation of the Review Committee, Commissioner Russell moved to award the bid for Janitorial Services to Heppner Janitorial LLC. Judge Tallman seconded. Aye: Judge Tallman, Commissioner Russell. Recused: Commissioner Rea. Motion carried.

Fair Board Appointment Request

Mr. Sorte said Cody High submitted a written request to be appointed to the Fair Board. He said Mr. High has the support of Fair Secretary Ann Jones. If appointed, it will bring the Fair Board to a full seven members, he added.

Commissioner Rea moved to appoint Cody High to the Morrow County Fair Board, with the three year term to be September 7, 2016 through December 31, 2019. Commissioner Russell seconded. Unanimous approval.

Department Reports

Sheriff's Office Update

Sheriff Ken Matlack

Sheriff Matlack reviewed information from the report for August, including:

- August 3rd – a counterfeit \$50 bill was passed at the Watermelon Festival in Irrigon.
- August 9th – two sheep and two goats killed in their pasture in Irrigon, possibly by a cougar.
- August 15th – a male arrived at Pioneer Memorial Hospital with a gunshot wound to the foot; believed to be accidental.
- August 17th – a search warrant was served in Boardman and three people were arrested; Blue Mountain Enforcement Narcotics Team (BENT) involved.
- August 20th – A suspected gang-related incident resulted in the stabbing of 26 year-old male (transported by private vehicle to Good Shepherd Medical Center in Hermiston.) A suspect has been identified in the on-going investigation.
- August 22nd – a van was rear-ended in an Oregon Department of Transportation work zone.
- As of August 25th, dispatch received 99 accidental 911 phone calls.
- Discussed potential budget problems related to services with Community Counseling Solutions (CCS). Background information explained by Sheriff Matlack – last year the Local Public Safety Coordinating Council (LPSCC) came up with a plan to hire a second Parole Officer with funds from the State. The contract specified \$10,000 would go to domestic violence services. Morrow County has more need for mental health and drug/alcohol addiction treatment services than domestic violence services. In addition, the \$10,000 is not guaranteed each year because it is granted on a competitive basis. Separate, but related is a \$14,000-16,000 shortfall in what the Sheriff's Office provides to CCS toward a clinician who treats south County residents. Sheriff Matlack suggested CCS keep the \$7,000 stipend they pay to the Sheriff's Office for gas. Judge Tallman and Commissioner Russell agreed, with the caution that the total amount going to CCS be appropriately reflected in the budget. Sheriff Matlack said even if CCS keeps the stipend, there's still a shortage. He said he'll meet again with CCS' Kimberly Lindsay and report back to the Court.

(Justin Nelson arrived after his Grand Jury duties and relieved Mr. Tovey.)

County Counsel Report

Mr. Nelson said work continues on gathering and searching for the requested documents in the unfunded mandate litigation. Contracts and agreements are also being reviewed.

Administrative Officer Report

- Mr. Sorte said he's in the process of seeking quotes for website services and hopes to bring back information to the Court by the end of September or early October.
- A draft Tobacco Policy continues to be fine-tuned by staff and will be presented in the near future.
- Judge Ann Spicer's office will be moved to the Bartholomew Building into the office currently occupied by The Loop. The Loop will relocate to another office down the hall.
- Landscaping around the Bartholomew Building – irrigation is the next step, to be followed by laying sod.

Claims

Commissioner Rea moved to approve the Payroll Payables, Monthlies, dated August 2016; Payroll Payables, Immediates & Electronic, dated August 17th and August 31st, and HRA VEBA, dated August 31st; 2016 Morrow County Rodeo Payouts, dated August 29th; Void Check, dated September 8th; and the Accounts Payable, dated September 8th in the amount of \$128,761.80. Commissioner Russell seconded. Unanimous approval.

Minutes

Commissioner Rea moved to approve the minutes of August 24th, with corrections. Commissioner Russell seconded. Unanimous approval.

Commissioner Russell moved to approve the minutes of August 31st, as presented. Judge Tallman seconded. Unanimous approval.

Commissioner Rea moved to approve the Executive Session minutes of August 24th, as presented. Commissioner Russell seconded. Unanimous approval.

Correspondence Reviewed:

- Letter from Larry Givens to Association of Oregon Counties Board of Directors encouraging members to have Emergency Managers, Public Works Directors, and First Responders develop the Sister County Program (for Emergency Preparedness).
- Letter from Water Resources Department to Farmland Reserve Inc., Natural Resource Group, notifying they are in receipt of the water right transfer application.
- Oregon Water Resources Department's August 23rd newsletter – *Integrated Water Resources Strategy*
- Thank you letter from Columbia Basin Electric Cooperative for the contribution from the County toward the Electric Car Charging Station Project.
- Invitation to the Port of Morrow (POM) Warehousing Ribbon Cutting Ceremony on Wednesday, September 14th, 11:00 a.m., 73336 Lewis & Clark Drive, Boardman.
- Notice from the Columbia River Enterprise Zone II of a public meeting on Wednesday, September 14th, 6:00 p.m., POM Riverfront Center, to consider a boundary expansion request.

Commissioner Reports

- Commissioner Russell discussed the visit by the Governor's Energy Policy Advisor to Boardman on September 1st. He said he found Ruchi Sadhir to be someone who wants to keep energy projects going in eastern Oregon, and the fact that the visit even took place was quite "refreshing."
- Commissioner Russell said he attended the meeting of the Morrow County Citizens Economic Development Task Force which at one time was headed up by the mayors and/or managers of the communities in the County. It has morphed into being led by County staff and he said he thought it should return to its original structure. Commissioner Rea said she agreed, and the County should always be available to assist, but the group should not be County-driven.
- Commissioner Rea said she attended many of the same meetings and functions as Commissioner Russell. She also said she noticed the new electric car charging station in Heppner has already been in use.
- Judge Tallman said he attended a meeting with Avista and PGE representatives.
- Judge Tallman discussed possible legislative changes to the structure of the Community Care Organizations throughout the state.

Courthouse Clock

Commissioner Rea said the clock chimes correctly, but the clock faces are not accurate. She asked if it might be possible to run one clock face from the current mechanism and operate the other two faces by battery. Judge Tallman said he's spoken to Master Clockmaker, Gary Kopperud, and it may be best to have him explain the current problems to the Court at an upcoming meeting.

Recess: 11:32 a.m.

Reconvened: 1:30 p.m.

Planning Discussion with the Oregon Trail Pro Rodeo Committee

Judge Terry Tallman

Ann Jones, Fair Secretary

Commissioner Leann Rea

Kate Knop, Finance Director

Commissioner Don Russell

Roberta Lutchter, Court Executive Assistant

Jerry Sorte, Administrative Officer

Justin Nelson, County Counsel

Gayle Gutierrez, Treasurer

Karen Wolff, Human Resources Director

Past and Present Rodeo Committee Members:

Judy Healy, Ken Bailey, Terri Gentry, Jay Papineau, Mike Mahoney, Jim Kirkpatrick, Jamie Helfrecht, Camille Peck, Zach Lantis, Angie Hanson, Ronda Hamby, Donna Dougherty, Barry Munkers, Kyle Robinson, Miles Binger,

Mr. Sorte said he and County staff are looking for direction on the financial processes associated with the Rodeo. Ms. Knop added the County wants to find the best way to work together to process things efficiently. A long and wide-ranging discussion ensued. In the end, the group decided to meet again in the evening to accommodate the work schedules of the numerous

Rodeo Committee members. The working group will attempt to find a way to balance the financial requirements by which the County is bound, with the desires of the volunteer committee that has done its own substantial fundraising. Options under consideration:

1. Remain a County entity with a board appointed by the County Court, working with County staff and County guidelines regarding expenditures, internal controls, procurement, etc.
2. Become a formal, independent group through written agreement that receives annual grants from the County Court during Budget Hearings.

Other highlights:

- Commissioner Rea said she would like to see the Rodeo Committee equal to, not under, the Fair Board.
- Mr. Mahoney discussed the volunteer effort by the Rodeo Committee to maintain the grounds with no County assistance whatsoever. Mr. Bailey added the Fair Board can rent out facilities but no revenue comes to the Rodeo Committee. Judge Tallman spoke of the need to resolve these inequities.
- Ms. Gentry said the Morrow County School District worked out an agreement with the County for the football field, perhaps something similar could work for the Rodeo Board. Mr. Sorte said that would be one of the options mentioned – a written agreement with terms that protect the historic investments of the Rodeo Committee.
- Mr. Mahoney asked the County to put together a few proposals for the Rodeo Committee to consider. Mr. Sorte said the County would assemble two different scenarios.
- Ms. Healy said the biggest advantage of remaining under the County umbrella is the insurance coverage provided. It would be hard to get insurance as a private entity, she said.

Adjourned: 2:43 p.m.