

Morrow County Board of Commissioners Meeting Minutes
July 5, 2017
Bartholomew Building Upper Conference Room
Heppner, Oregon

Present

Chair Melissa Lindsay
Commissioner Don Russell
Commissioner Jim Doherty
Jerry Sorte, Administrative Officer
Justin Nelson, County Counsel
Kate Knop, Finance Director
Roberta Lutcher, Executive Assistant

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

City and Citizen Comments: No comments

Open Agenda Requests: Commissioner Doherty requested to add a discussion on an equipment storage structure at the OHV Park.

Consent Calendar

Commissioner Doherty moved to approve the following items in the Consent Calendar:

1. *Accounts Payable in the amount of \$110,422.82 dated July 6th; Payroll Payables
Immediates & Electronic dated June 7th & June 22nd; and HRA VEBA dated June 7th*

Commissioner Russell seconded. Unanimous approval.

Business Items

Second Reading and Adoption – Ordinance ORD-2017-3: Updates to Article 2 of Morrow County Zoning Ordinance

Carla McLane, Planning Director

Ms. McLane provided the second reading by title:

“An Ordinance Amending the Morrow County Zoning Ordinance Article 2 Establishment of Zones”

*Commissioner Doherty moved to adopt Ordinance ORD-2017-3: An Ordinance Amending the Morrow County Zoning Ordinance Article 2 Establishment of Zones, effective October 3, 2017.
Commissioner Russell seconded. Unanimous approval.*

Second Reading and Adoption – Ordinance ORD-2017-4: Farm and Forest Use Model Code Update

Carla McLane, Planning Director

Ms. McLane provided the second reading by title:

“An Ordinance Amending the Morrow County Zoning Ordinance and Zoning Map. More Specifically Amending the Morrow County Zoning Ordinance Article 1 Introductory Provisions;

Article 3 Use Zones Section 3.010 Exclusive Farm Use and Section 3.020 Forest Use; Article 6 Conditional Uses; and Article 7 Dimensional Adjustments, Variances, Special or Temporary Permits and Non-Conforming Uses. Also removing from Article 3 the Section Concerned with Small Farm and Amending the Zoning Map Replacing Small Farm with Exclusive Farm Use.”

Commissioner Russell moved to adopt Ordinance ORD-2017-4: An Ordinance Amending the Morrow County Zoning Ordinance and Zoning Map. More Specifically Amending the Morrow County Zoning Ordinance Article 1 Introductory Provisions; Article 3 Use Zones Section 3.010 Exclusive Farm Use and Section 3.020 Forest Use; Article 6 Conditional Uses; and Article 7 Dimensional Adjustments, Variances, Special or Temporary Permits and Non-Conforming Uses. Also removing from Article 3 the Section Concerned with Small Farm and Amending the Zoning Map Replacing Small Farm with Exclusive Farm Use; including an emergency clause based on economic opportunity, making these changes effective August 1, 2017. Commissioner Doherty seconded. Unanimous approval.

Appointment Recommendation to the Blue Mountain Early Learning Hub Advisory Board
Sheree Smith, Public Health Director

Commissioner Russell moved to recommend Marie Shimer be appointed to the Blue Mountain Early Learning Hub Advisory Board. Commissioner Doherty seconded. Unanimous approval.

2017-2019 Contract between Morrow County and Community Counseling Solutions, Inc. (CCS)
Justin Nelson, County Counsel

As background, Mr. Nelson offered the following explanation: The Board decided at last week’s meeting not to charge CCS a fee for the County’s costs to administer the separate Oregon Health Authority contract. There was lengthy discussion at that meeting between CCS Executive Director Kimberly Lindsay and the Commissioners and staff about audits and responsible parties. CCS was then sent the contract being discussed today for review, and Ms. Lindsay responded with a few changes, among them was a request to alter the language regarding audits because CCS’ auditors did not like the language about providing audit documentation. Mr. Nelson said this is concerning to him since this wasn’t brought up at last week’s meeting.

Kate Knop, Finance Director, said CCS wants to provide disclosure statements in regards to their relationship to Morrow County and not the full audit or single audit. Ms. Knop said Morrow County’s auditors informed her that doesn’t provide the full financial profile, however, the full audits and tax returns can be obtained from a Federal clearinghouse website. Our auditors will require the full independent audit with opinions and the single audit, which is required when an organization receives over \$750,000 in Federal funds, said Ms. Knop.

Mr. Nelson said given the fact the information the County requires can be accessed elsewhere, he decided to go forward with the changes requested. He added his only concern is this was a major point of discussion last week and Ms. Lindsay said independent audits weren’t needed since

State and Federal audits were already conducted, and now she wants this portion of the contract changed. Discussion.

Commissioner Doherty asked Mr. Nelson his recommendation. Mr. Nelson said there have been time constraints with getting this contract completed, but the audits do provide an indication as to the health of the entire organization and he'd encourage the County to push-back on this issue in the future.

Commissioner Doherty asked Mr. Nelson to see if CCS would voluntarily provide the information as a show of good faith.

Commissioner Russell moved to approve the contract with Community Counseling Solutions, Inc., to provide a range of mental health, developmental disability and alcohol and drug abuse treatment services for Morrow County (Local Mental Health Authority), effective July 1, 2017 to June 30, 2019. Commissioner Doherty seconded. Discussion: Commissioner Doherty asked Mr. Nelson to verify whether the advice CCS was given by its auditor was accurate or not. Mr. Nelson replied he would look into the matter. Unanimous approval.

Department Reports

Treasurer's Monthly Report

Gayle Gutierrez

Ms. Gutierrez monthly report included the Pooled Cash Report; outstanding check balance; bank interest rates. She also said the interest rate for the Local Government Investment Pool was 1.30% for May but increased to 1.45% as of June 30th. Ms. Gutierrez noted a previously discussed \$100 deposit to the Community Bank account is now showing.

Ms. Gutierrez also informed the Board of the recent receipt of a Federal Payment in Lieu of Taxes (PILT) payment of \$285,419. (PILT payments are federal payments to local governments to help offset losses in property taxes due to non-taxable Federal lands within their boundaries.) She said PILT payments are based on Bureau of Land Management, Forest Service, Bureau of Reclamation, and Corps of Engineers entitlement acres in the County, but do not include the U.S. Naval Bombing Range.

OHV Equipment Storage Structure

Commissioner Doherty reminded the Board that on April 12th they approved the Purchase Pre-Authorization Request from the Parks Department for two metal buildings that would store equipment and machinery (approximate total \$12,000). However, the buildings were sold just prior to that approval. He asked if the two other bids submitted during that purchase process could be reevaluated and possibly awarded to the next lowest bid. Discussion.

Commissioner Doherty moved to allow the Administrative Officer to review the other bids solicited by the Parks Department for the April 12th Purchase Pre-Authorization for Two Metal Buildings; and if he finds the price to be satisfactory, he should move forward with the purchase

and sign on behalf of the County. If he doesn't find them to be satisfactory, he will suggest another option. Commissioner Russell seconded. Unanimous approval.

Administrative Officer Report

Jerry Sorte, Administrative Officer

Mr. Sorte's report included the following updates:

- Irrigon-Boardman Area Facility planning – A Request for Proposals for a project manager will be sent to the *East Oregonian* and *Heppner Gazette-Times* by the end of this week. Improvements are being made to the Irrigon Annex regarding security.
- Solar Eclipse Planning – multiple meetings are taking place with staff and other entities. Fire remains a concern due to the anticipated dry conditions and high number of visitors. A page within the County website provides eclipse information and will be frequently: www.co.morrow.or.us/community/page/solar-eclipse-august-21-2017
- Circuit Court/Justice Court Office Planning: Work continues with the Circuit Court to prepare an agreement that meets the needs of both parties. Scheduling meetings has been a challenge during the summer months.
- Rodeo organizational structure: The working group continues to have discussions with representatives from the Oregon Trail Pro Rodeo (OTPR) Committee. At this time, the group plans to recommend that the Board of Commissioners create a Board-appointed Rodeo Board to oversee year-round use of the Rodeo facilities. OTPR plans to create nonprofit agencies to manage the annual rodeo. A meeting will be scheduled that will be open to the public and all interested parties in mid-late July.
- Financial Policies Review and Updates: This remains an ongoing project.
- Morrow County Code Update: This needs to be updated to reflect ordinances adopted after 1986. Mr. Sorte is in the process of obtaining an estimate to contract for this update.

County Counsel/District Attorney Quarterly Update

Justin Nelson, County Counsel/District Attorney

Mr. Nelson's report touched on several topics:

- State Circuit Court's new E-Court system: This has had a negative impact on the DA's Office, especially so for Office Manager Cindy Greenup whose workload has increased. Mr. Nelson noted the workload of State Circuit Courts has decreased by passing the data entry function on to other offices.
- Jury Trial: Felony jury trial held in Heppner on June 20th & 21st. Thirty-three jurors were called in who had to be stationed in the Upper Conference Room in the Bartholomew Building prior to jury selection.
- Technology: The DA Media Cart helps the DA's Office with trials and grand juries. The cart contains a computer, video conference system, Blu-Ray player, CD burner/player, audio speakers for increased sound in larger room; and a webcam for Skype or GoToMeeting connectivity.
- Possible budget issue: The legislature is considering a proposal to require DA Offices to record all grand jury functions. This would be an expensive process and Mr. Nelson said

he is not in favor of this change as recorded grand jury proceedings could be a deterrent to witnesses and a benefit to defendants and their attorneys.

Following Mr. Nelson's report, the Commissioners asked him to provide a periodic report on the types of cases and criminal charges that are occurring in the County.

Commissioner Russell brought up the issue of Morrow County establishing its own State Circuit Court District since all the judges who serve Morrow County live out-of-County and apparently do not like travelling here.

Mr. Nelson said it works in some smaller counties such as Lake County and it could work in Morrow County. He said the current system that has a different judge every week in Morrow County doesn't allow for trials to start and end with the same judge. He also said when a judge appears via video, he or she is unable to perceive some of the nuances that take place in the courtroom. He said it's unfair to members of the public who may be applying for a restraining order, for instance, when a judge can't see the fear in someone's eyes. On a more positive note, Mr. Nelson said Judge Eva Temple realizes some of the scheduling issues Morrow County faces and has instructed her staff to docket Morrow County cases with Umatilla County cases. This is a step in the right direction, he said.

Commissioner Reports

- Commissioner Doherty said he met with Jason Lewis-Berry, Jobs and Economy Policy Advisor to Governor Kate Brown and Director of Regional Solutions. The two discussed ways Mr. Lewis-Berry could assist Morrow County with housing issues, and with the turn-over of the Umatilla Army Depot to the Columbia Development Authority. He also met with Mary Corp, Oregon State University Regional Administrator about their proposal to create taxing districts in Umatilla and Morrow Counties. She plans to meet with the Board in the near future, as well. Commissioner Doherty discussed the Tobacco 21 legislation he supported and said it looks like it will pass the House after an amendment was added that 18-21 year-olds can possess tobacco, but stores cannot sell it to them.
- Commissioner Russell discussed the report entitled *The Employment Landscape of Rural Oregon* compiled by the State of Oregon Employment Department. He said the report lists Morrow County as the leader in the State for job growth, but also says we're projected to be at the bottom in the future. He said he emailed the contact person for the report and was referred to someone else for the answers to his questions.
- Chair Lindsay said she's been in communication with Gary Neal, Port of Morrow General Manager about the formation of a negotiating group regarding potential new Amazon buildings and a tax abatement agreement of some kind.

Adjourned: 10:50 a.m.