

**Morrow County Board of Commissioners Meeting Minutes**  
**April 10, 2019**  
**Irrigon Branch of the Oregon Trail Library District, Community Room**  
**Irrigon, Oregon**

**Present**

Chair Jim Doherty

Commissioner Melissa Lindsay

Commissioner Don Russell

Darrell Green, Administrator

Richard Tovey, County Counsel

Karmen Carlson, Human Resources Director

Roberta Lutcher, Executive Assistant

**Call to Order & Pledge of Allegiance:** 9:01 a.m.

**City & Citizen Comments:** Irrigon resident Terianna Tobin addressed the Board about her support of the Second Amendment Preservation Ordinance and said she would like to see it established in Morrow County.

**Open Agenda:** No items

**Consent Calendar**

Commissioner Lindsay requested to remove the Accounts Payable for discussion.

*Commissioner Lindsay moved to approve the following items in the Consent Calendar:*

1. *Retirement Taxes, April 1<sup>st</sup>, \$19,565.41*
2. *Keene Bridge & Snyder Bridge Widening Project Contract with Marcum & Sons, LLC, \$215,555.55*

*Commissioner Russell seconded. Unanimous approval.*

Accounts Payable

Commissioner Lindsay asked about a charge from the Public Health Department for “miscellaneous clothes,” which Administrator Darrell Green said was for a youth who received assistance from the CARE Team, according to an email from Director Sheree Smith.

*Commissioner Lindsay moved to approve the Accounts Payable dated April 11<sup>th</sup> in the amount of \$79,803.46. Commissioner Russell seconded. Unanimous approval.*

**Legislative Updates**

Commissioner Russell said he testified in Salem on Monday in opposition to House Bill 2408 [Oregon Legislative Information, Staff Measure Summary: “House Bill 2408-A requires prevailing wage rate be paid on projects in enterprise zones in which a property tax exemption has or will be received and in which total project cost is at least \$20 million.”] He said the Association of Oregon Counties, the League of Oregon Cities, the Oregon Public Ports Association and economic development professionals throughout the State were in opposition. It passed through on a party line vote, he added.

## **Business Items**

### Contracts for Park Hosts at County Parks

Greg Close, Parks General Manager

Mr. Close presented five contracts:

1. OHV Park Host
2. OHV Park Host Assistant
3. Cutsforth Park Host
4. Anson Wright Park Host
5. Relief Park Host

He said this will be the first year the County will contract a Relief Park Host, which means Park Hosts will no longer have to find their own substitutes and pay for them themselves. The estimated total for the season will be \$26,300 for all five contracts. Discussion.

*Commissioner Russell moved to approve the contracts as presented:*

1. *Ronald Ford, OHV Park Host, \$60 per day*
2. *Gloria Ford, OHV Park Host Assistant, \$35 per day*
3. *Sandra McDonald, Cutsforth Park Host, \$45 per day*
4. *Robert Allen, Anson Wright Park Host, \$35 per day*
5. *Robert Morris, Park Host Relief, pay varies by Park*

*Commissioner Lindsay seconded. Unanimous approval.*

### Noxious Weed Control Agreement with the Army Corps of Engineers

Dave Pranger, Weed Coordinator/Inspector

Mr. Pranger said the agreement allows him to perform weed control activities on properties owned by Army Corps of Engineers within the County. Brief discussion.

*Commissioner Russell moved to approve the Morrow County Weed Control District – Scope of Work for Fiscal Year 2019 for Integrated Pest Management Services on John Day Project Lands, not to exceed amount \$2,500, effective dates October 1, 2018 through September 30, 2019, and authorize Chair Doherty to sign on behalf of the County. Commissioner Lindsay seconded. Unanimous approval.*

### Owner's Rep Evaluation TEAM

Darrell Green, Administrator

Mr. Green said the Request for Proposals for an Owner's Representative for the Irrigon building project was issued and interviews are scheduled May 1<sup>st</sup>. He asked that the Board determine the members of the interview TEAM. Brief discussion.

*Commissioner Lindsay moved to have the members of the Owner's Rep Evaluation Team be the Administrator, Mr. Green, Commissioner Lindsay and Mark Patton, Port of Morrow Chief Operations Officer, and to allow Mr. Green to consult as necessary with the Human Resources Director and Public Works Director. Commissioner Russell seconded. Unanimous approval.*

Intergovernmental Agreement with the City of Irrigon for Sheriff's Services

Sheriff Ken Matlack

Undersheriff John Bowles

Sheriff Matlack said the contract will be on an annual basis, with a review by both parties to take place each January. The amount in the contract was updated to reflect the current cost of a mid-range deputy, he said. Discussion.

*Commissioner Russell moved to approve the Intergovernmental Agreement for Sheriff's Services with the City of Irrigon, effective July 1, 2019 through June 30, 2019, amount \$85,504.82.*

*Commissioner Lindsay seconded. Discussion took place on Section 9 – it was decided the wording should change from "...To modify the agreement or not renew, parties must meet on or before January 5<sup>th</sup> of the contract period..." to "...To modify, renew or not renew, parties must meet on or before January 5<sup>th</sup> of the contract period..." Vote: All opposed, motion failed.*

The Commissioners said in concept, the numbers in the agreement looked good, but decided the revised agreement should be placed on next week's agenda in the Consent Calendar for review.

First Reading – Ordinance No. ORD-2019-5 Miller/Haguewood Aggregate

Carla McLane, Planning Director

Ms. McLane provided the First Reading by title, "An Ordinance Amending the Morrow County Comprehensive Plan, Specifically the Inventory of Natural Resources – Aggregate and Mineral Resources, Adding the Miller/Haguewood Aggregate Site." She said she would return in two weeks for the Second Reading by title.

Deliberations & First Reading – Ordinance No. ORD-2019-4 Code Enforcement Ordinance Proposed Changes

Ms. McLane explained a Public Hearing was held on April 3<sup>rd</sup>, but the comment period remained open until the close of business on April 4<sup>th</sup>. No additional comment was received, she said. The purpose of the new Environmental Health Section, as cited in the Ordinance, is "to implement the County's authority to enforce the Environmental Health programs delegated to Umatilla County by the State of Oregon for On-Site Septic Systems, Food Service Facilities, Tourist Facilities, and Pool Facilities." To that end, Ms. McLane said the documents to transfer On-Site Septic inspections from the Department of Environmental Quality to Umatilla County will be before the Board in the near future.

Discussion then took place on Code Enforcement. Commissioner Russell said if the County goes through the exercise to update its Code Enforcement Ordinance, he wanted to see enforcement take place.

Sheriff Matlack then discussed current practice in the Sheriff's Office regarding code complaints, which is all deputies work code complaints. However, he said they have not done a good job documenting responses to complaints but are currently working on a system to track that.

Chair Doherty commented the Board needs to work on whether or not to mandate that code enforcement is complaint driven.

Sheriff Matlack said the Sheriff's Office no longer looks at it as complaint driven.

*Commissioner Lindsay moved to accept the Code Enforcement Ordinance as presented, with the adjustment of the 200' references to 400', and with the changes from its current state and the final edits as presented during the comment period. Commissioner Russell seconded. Unanimous approval.*

Ms. McLane provided the First Reading by title, "An Ordinance Adopting an Update to the Morrow County Code Enforcement Ordinance, Adding Chronic Nuisances and Environmental Health. This Action Will Also Repeal and Replace Ordinance ORD-2014-11." She pointed out the emergency clause which makes the effective date May 1, 2019.

#### Update on shared Building Official position with the City of Boardman

Commissioner Lindsay

The County signed an intergovernmental agreement in 2000 for the City of Boardman to provide building department services, plan review and building inspections. The City's Building Official recently retired and Commissioner Lindsay said it presented an opportunity for the County to revisit the 19 year-old agreement. She stressed no one has done anything wrong, but conversations are needed to provide clarity on who does what. She also said she planned to meet with Boardman City Manager Karen Pettigrew to learn how the spreadsheet, or formula works regarding the distribution of fees.

Chair Doherty and Commissioner Russell both supported reexamining the IGA.

Ms. McLane said she supported efforts to reopen the agreement to look at the operating plan and asked that the Planning Department be fully engaged as they are the staff members who interact with the Building Official.

Commissioner Russell said he would like to see the State rules or regulations that guide how Building Permit Funds can be used.

### **Department Reports**

#### Planning Department Monthly Report

Ms. McLane handed out copies of a Notice of Rulemaking distributed by the Planning Department. The Notice stated, "This is to notify you that the Land Conservation and Development Commission has proposed an amendment to administrative rule that, if adopted, may affect the permissible uses of your property and other properties." Ms. McLane's accompanying letter said solar power generating facilities are the focus of the rulemaking.

Commissioner Lindsay said this could impact the ability to have solar facilities in the County. Ms. McLane agreed and encouraged people to send comment letters if opposed to the amendment.

Ms. McLane reported recent activity in the Planning Department: multiple permits have been issued and multiple development application were submitted, particularly in south and central County. Planning staff will move forward with an RFP for additional planning work at the three County Parks, as necessary.

#### Justice Court Quarterly Report

The written “Distribution of Fines and Assessments” from Judge Ann Spicer was reviewed in her absence.

#### **Correspondence**

- Letter from the U.S. Department of Interior notifying the County that the U.S. Fish and Wildlife Service will publish a proposal to remove the gray wolf from the List of Endangered or Threatened Wildlife
- Letter to the Oregon State Aviation Board from Chair Doherty in his capacity as Chair of the North East Area Commission on Transportation, urging them to continue funding COAR projects (Critical Oregon Airport Relief)
- Notice of Senator Ron Wyden’s Town Hall Meeting in Boardman on April 14<sup>th</sup>
- U.S. Forest Service, Pacific Northwest Region, 2018 Annual Report

#### **Commissioner Reports**

- Commissioner Russell said the Columbia Development Authority met last Friday and approved a memorandum of agreement with the Confederated Tribes of the Umatilla Indian Reservation (CTUIR), which is awaiting their review. He said the hope is the Army Depot land will be back in local control in the near future.
- Commissioner Lindsay said she attended meetings with NextEra and learned they plan to have “shovels in the ground in November,” with completion anticipated in September 2020. She said Public Works is fully engaged with them on permitting and will be “ahead of the game.” The solar component of the project will be Stage 2 and NextEra wants everything operational in two years. They plan to announce the contractor in the next 30 days and will hold vendor meetings in 30-60 days. She told them to make sure our local population is in the room and to do what they can locally. They pointed out some of the specialized work, such as rebar. Commissioner Lindsay discussed other projects on which she is currently working or researching.

#### **Signing of documents**

**Adjourned:** 12:30 p.m.