

Morrow County Board of Commissioners Meeting Minutes
July 24, 2019
Bartholomew Building Upper Conference Room
Heppner, Oregon

Present

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| Chair Jim Doherty | Kate Knop, Finance Director |
| Commissioner Melissa Lindsay | Justin Nelson, County Counsel |
| Commissioner Don Russell | Karmen Carlson, Human Resources Director |
| Darrell J. Green, Administrator | Roberta Lutcher, Executive Assistant |

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

City & Citizen Comments: None

Open Agenda: Commissioner Russell requested a discussion on the name of Laurel Lane Road.

Consent Calendar: Commissioner Lindsay asked to remove the Easement Modification request from Morrow County Grain Growers (MCGG); Commissioner Russell asked to remove the invoice from the Eastern Oregon Counties Association (EOCA); and Chair Doherty asked to remove the Purchase Pre-Authorization Request from the Assessment & Tax Office for a vehicle.

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

- 1. Accounts Payable, July 24th, \$98,734.39; Three Payroll Payables, July 2nd, \$3,125; July 8th, \$20,825.91; July 17th, \$170,668.08*
- 2. Minutes: June 19th*
- 3. Kayak Public Transit Purchase Service Agreement with the Confederated Tribes of the Umatilla Indian Reservation to provide transportation of elderly and handicapped residents of Morrow County (trips in and out of Irrigon to Hermiston, Pendleton and La Grande), effective July 1, 2019 through June 30, 2021, amount \$12,000 per year*
- 4. Oregon Department of Aviation Intergovernmental Agreement #33694, Lexington Airport, 2018 Statewide Airport Pavement Maintenance Program; \$26,877.09 to crack seal the apron and surrounding taxiways, no match required; and authorize Chair Doherty to sign on behalf of the County*
- 5. Purchase Pre-Authorization Request from the Sheriff's Office for a Polaris Ranger from Morrow County Grain Growers, \$26,024.27; vehicle will be used at the OHV Park, funding from Oregon Parks and Recreation Department ATV Grant Program Agreement #ATV-19-32, 20% match required*
- 6. United States Department of Agriculture, Animal and Plant Health Inspection Service, Wildlife Services, Annual Work and Financial Plan; effective July 1, 2019 to June 29, 2020; \$60,000; for wildlife management assistance to reduce or manage damage by coyotes and other nuisance wildlife to protect property and human health and safety; and authorize Chair Doherty to sign on behalf of the County*

Commissioner Lindsay seconded. Unanimous approval.

9:03 a.m. Public Hearing – Community Wildfire Protection Plan Adoption

Carla McLane, Planning Director

Stephen Wrecsics, GIS Planning Tech

Chair Doherty called for abstentions and conflicts of interest. Hearing none, he asked audience members to sign-in and then outlined how to testify.

Mr. Wrecsics provided the Staff Report. He explained the 2019 Community Wildfire Protection Plan (CWPP) was created by a group of stakeholders that focused on identifying and addressing local wildfire threats. This 2019 update builds on the 2014 CWPP with updated maps and Wildland Urban Interface Boundaries, and is now in alignment with national policy and strategies. Mr. Wrecsics talked about the participating agency partners and the timeline of the committee's work to bring the Plan to the Board for consideration. The members have committed to annual meetings that will likely result in new action items for the update slated for 2023/2024, he said. The sections of the Plan were briefly reviewed by Mr. Wrecsics, who said the Planning Commission forwarded a do-adopt recommendation to the Board.

Chair Doherty commented on the participation from Federal agencies, saying he'd never seen that level before.

Ms. McLane said the Plan itself requires the signatures of the Board of Commissioners, the Morrow County Fire Defense Board Chief, the Oregon Department of Forestry and the U.S. Forest Service. Various discussions.

Chair Doherty called for proponents to speak.

Doug Baxter, Fire Management Officer, U.S. Forest Service, Heppner Ranger District
Mr. Baxter said the CWPP provides the groundwork for future discussions on zoning and ordinances that can provide protections for firefighters. He said there are places in which he would not send his people because they wouldn't get out safely. He said the discussions that took place during the CWPP meetings revolved around evacuation routes, egress in and out and how to provide a safe environment for firefighters to actively engage fires and protect property and lives. He continued, the lines between agencies have been blurred as everyone is now focused on safety and efficiency. We got started down the right track, he added.

Chair Doherty asked Mr. Baxter about sending resources to a structure fire in a high-risk area.

Mr. Baxter said his agency is not equipped to fight structure fires. However, if someone has been proactive and maintained defensible spaces, they might help, but he emphasized, they would not put their people at risk. It's hard to tell people they probably shouldn't have built a house in a high-risk area, he said, but is the risk of putting people there who could die worth it?

Chair Doherty called for opponents to speak. Hearing none, he closed the public hearing at 9:29 a.m. to deliberate.

Commissioner Russell moved to adopt the Community Wildfire Protection Plan with the changes presented by staff and direct Planning staff to prepare the necessary adopting Resolution, noting the Resolution can be on the Consent Calendar for the August 7th Board of Commissioners Meeting. Commissioner Lindsay seconded. Unanimous approval.

Business Items

Heppner Ranger District Wildfire Response Plan

Brandon Houck, Ranger, Heppner District, U.S. Forest Service

Brett Thomas, Umatilla Fire Management Officer, Forest Supervisor's Office, Pendleton

Doug Baxter, Fire Management Officer, U.S. Forest Service, Heppner Ranger District

Mr. Houck laid out the Forest Service's current philosophy regarding wildland fire management, which included the following highlights:

- They continue to follow the goals of the National Cohesive Wildland Fire Management Strategy: safe and effective wildfire response, resilient landscapes, and working toward fire adapted communities.
- They will use active management focused on wildfire risk reduction, forest health, forest products, restoration and cross-boundary collaborations.
- Their Shared Stewardship Initiative addresses concerns related to fuel loads, community exposure and cross-boundary fires through cross-boundary collaboration with states and other partners and neighbors.
- The need to use every tool at their disposal – grazing, timber sales, stewardship contracts, the Good Neighbor Authority, as well as planned and unplanned ignitions.

Mr. Houck said planned ignitions, or prescribed burning, mimic natural fire and restore healthy forests. However, prescribed burning is highly dependent on weather conditions that have to fall within a narrow window of criteria.

Using unplanned ignitions, said Mr. Houck, means the Forest Service will use wildland fire to achieve desired ecological conditions where possible and where it makes sense. When favorable conditions exist, the Umatilla National Forest may implement an active suppression strategy that uses natural barriers or existing roads as containment lines instead of suppressing the fire directly along the fire's edge.

Mr. Houck said by using fire in the right place at the right time to restore resiliency on the landscape, the Forest Service is preventing greater future risks to fire responders, the public, and resource values. There are areas that are excluded from unplanned ignitions, such as the Penland Lake area, Black Mountain above Blake Ranch and the land surrounding the OHV Park.

Mr. Thomas continued the discussion on unplanned ignitions by saying the Forest Service and other partners are good at dealing with smaller fires, but when we keep doing that, it sets the clock back because we continue to miss the natural fire interval. He said, as an agency, it's taken decades to grasp this, that we continue to set the stage for some very difficult days to where we're now not interested in putting someone's son or daughter in tough situations, our own

employees. Mr. Thomas said from his years of experience, some of the lands within Morrow County and in the Heppner District lend themselves to this sort of approach because of the fuel types, road system and fairly gentle terrain. He went on to say the Oregon Department of Forestry is an important partner to bring on board. ODF's mission is "the least acreage burn," and we're having conversations with them, he said.

The Commissioner thanked Mr. Houck, Mr. Baxter and Mr. Thomas for the presentation. Chair Doherty said this kind of collaboration is how things are supposed to happen; Commissioners Lindsay and Russell agreed.

Predator Control

Chris Lulay, USDA Wildlife Services, Morrow County Wildlife Specialist

Patrick Smith, USDA Wildlife Services, Eastern Oregon District Supervisor

Chair Doherty read from a letter submitted by Brian Thompson, livestock producer, asking the County and other livestock producers to contribute toward the cost of hiring a helicopter to fly for coyote predation (Greg Jensen, doing business as calfsavers.com). He said the request from Mr. Thompson, who was unable to attend today's meeting, was reasonable but he wanted to find out if Wildlife Services could work with him and what that value might be, etc.

Mr. Lulay discussed Wildlife Services' aerial and ground efforts for predation using fixed-wing aircraft. He said issues with finding a pilot prevented them from doing as much aerial work in recent years as they'd like.

Mr. Smith explained the absence of a full-time pilot for the past three winters meant they had to borrow a pilot from neighboring states. However, he said they anticipated having a full-time seasonal pilot this upcoming winter. He reviewed the costs associated with the use of a fixed-wing aircraft and said they are usually paid by the cooperator/landowner of the property being flown. However, there are some counties and entities that set aside funds just for aerial operations, he added.

Chair Doherty said Mr. Thompson's group hoped to raise \$15,000-16,000 and the County might consider \$1,000. He asked if Wildlife Services could work with them or would that be outside the agency's scope?

Mr. Smith said Wildlife Services has to be careful when involved with outside entities. Their personnel cannot get in a private aircraft or be working the ground below. They can work with the landowner and give advice as to what areas to fly, for example.

Mr. Lulay said he didn't want to fully exclude their fixed-wing program because it's a valuable asset. In the past, he said, an individual outside Morrow County covered the flying costs of CalfSavers to come in to Morrow County, so that might be why the group is asking for funds now. He then said if the County is allocating funds for aerial depredation, can Wildlife Services be considered, as well.

Commissioner Lindsay said she assumed all of their activities were already part of the budget request to Morrow County.

Mr. Smith said they have not asked for funds to support the aerial program as it's typically charged to the cooperator/landowner. He said some counties do set aside funds for aerial operations, but the focus of the request in Morrow County has been to maintain a full-time person (Mr. Lulay's position).

Chair Doherty asked that they consider one request at a time. He then asked for an update on predator control at the Bombing Range.

Mr. Lulay said the Navy's initial response to the request to do predator control was that it was not their concern. However, Naval Air Station Whidbey Island's Natural Resource Manager, Mike Bianchi, said he would forward the request up the chain to the Commander. There would be stipulations, if allowed, he said.

Commissioner Russell said he would bring the topic up at the meeting in September with the Commander.

Chair Doherty said there is a new Area of Known Wolf Activity in the Gurdane/Lena area and asked the implications of that.

Mr. Lulay said as far as trapping, it means the aerial tool is selective; trap sizes are limited; and traps have to be checked every 24 hours instead of 48.

Mr. Smith said it definitely increases the amount of resources they put into an area.

Getting back to the request from Mr. Thompson, Chair Doherty said he wanted to contact Mr. Thompson before the Board considered a motion.

Site Specific Environmental Review Form Related to a Morrow County Housing Rehabilitation Revolving Loan Program Application

Judy Moore, Greater Eastern Oregon Development Corporation (GEODC)

Ms. Moore said funds are available in Morrow County and Heppner for housing rehabilitation for low-to-moderate-income residents. She discussed the application received from an Irrigon resident and said given the parameters of the program and the value of the home, not all repairs can be done. However, to proceed with the repairs that can be made, the Site Specific form needs to be signed by the highest elected official. She also said she needed to form a committee consisting of one or two bankers to review the application. Commissioner Lindsay offered to assist Ms. Moore with forming the committee.

Chair Doherty said he would be happy to sign the form.

Ms. Moore concluded by saying she was drafting an intergovernmental agreement to combine both the Morrow County and City of Heppner funds into one fund.

Juvenile Crime Prevention (JCP) Funds

Sherry Wright, Juvenile Probation Counselor

Darrell Green, Administrator

Ms. Wright said Morrow County is the only county that does not participate in State JCP funds, which are used to reduce recidivism and for crime prevention. She said Morrow County received the funds from approximately 1999-2010 to support a Juvenile Counselor position but decided not to participate when the grant process became too onerous and the funding was decreased. The Juvenile Counselor position was eliminated at that time. Since then, she said, the process to obtain the funding has become less intense. She discussed her ideas for use of the funds, and noted they would not be used to support a position in the Juvenile Department.

Mr. Green said the Finance Department is available to help the Juvenile Department with grant reporting, but the proposal to apply for the funds has to go before the LPSCC Committee (Local Public Safety Coordinating Council).

Commissioner Lindsay said she believed there would be support for this with the LPSCC Committee, and Chair Doherty encouraged Ms. Wright to keep moving forward.

Intergovernmental Agreement with Umatilla County Health Department, Nurse Family Partnership; and Business Associate Agreement

Sheree Smith, Public Health Director

Ms. Smith explained that a full-time nurse in the Public Health Department is assigned half-time to the Nurse Family Partnership (NFP) program. According to the Oregon Health Authority website, NFP is a program that partners a registered nurse with vulnerable first time mothers early in their pregnancy to provide home visits that continue through the child's second birthday. Ms. Smith explained Umatilla County acts as the fiscal agent and the only funds exchanged are for reimbursement of training costs to Morrow County for required trainings. She then discussed the Business Associate Agreement and said it was to protect personal health information, as required by HIPPA (Health Insurance Portability and Accountability Act).

Commissioner Russell moved to approve the Nurse Family Partnership Intergovernmental Agreement with Umatilla County Health Department, effective July 1, 2018 - June 30, 2022; and the Business Associate Agreement, Nurse Family Partnership with Umatilla County Health Department for the exchange of information for mutual client services, effective July 1, 2019 - June 30, 2022, and authorize Chair Doherty to sign both agreements on behalf of the County. Commissioner Lindsay seconded. Unanimous approval.

Department Reports

Public Health Department Quarterly Report

Ms. Smith reviewed her quarterly report. Discussion also took place on recruitment efforts for the vacant Registered Nurse position.

Business Items, continued

Easement Modification Request from MCGG

Ms. McLane

At the July 17th BOC Meeting, the Board agreed the Easement Modification request could move forward to this week's Consent Calendar. MCGG requested the County reduce the size of the 100' abandoned Union Pacific Railroad Easement to 25' and define it as being at the southern border of their property in Ione to allow for planned expansion.

Commissioner Lindsay asked if a 25' easement was large enough, especially given the development in north County.

Ms. McLane explained the 100' easement was defined as "floating" in the 1990 or 1991 document until a utility was installed in it, then it becomes 25'. This request, as with the fire hall in Heppner, seeks to "nail down" the 25' easement so the owners can build upon the property without being encumbered by the larger easement, she said.

Surveyor Stephen Haddock also provided additional details on the history of the easement.

Commissioner Lindsay moved to approve the modifications to the easement as described in the Modification of Easement document. Commissioner Russell seconded. Unanimous approval.

EOCA Membership Dues Invoice

The Board tabled the item until EOCA establishes a budget that outlines how dues will be used.

Purchase Pre-Authorization Request, Assessment & Tax Replacement Vehicle

Chair Doherty noted the request came in after the deadline and asked Mr. Green to help him understand why it was added to the agenda.

Mr. Green said the next BOC Meeting would not be until August 7th and the quotes for the 2019 vehicles were subject to availability, meaning if they sold, the 2020 vehicles would be at an increased price. Discussion about the details of the quotes.

Commissioner Russell moved to approve the Purchase Pre-Authorization Request from Assessment & Tax for a 2019 Jeep Cherokee Plus from Hermiston Chrysler Dodge Jeep Ram in the amount of \$23,287.50. Commissioner Lindsay seconded. Discussion. The Board had several questions for Mr. Gorman and decided to talk to him via telephone following the Executive Session and then call for the vote.

Laurel Lane Road Discussion

Commissioner Russell said Boardman resident Ed Glenn communicated to the County his displeasure that what he believed to be Laurel Lane is being referred to as Laurel Road and in some instances Laurel Lane Road. He said Mr. Glenn donated the land for the road with the stipulation it be called Laurel Lane, after his daughter. The County later renamed all its roads that run east-to-west as “lanes” and roads that run north-to-south as “roads.” At that time, Mr. Glenn wanted it to still be “lane,” even though it fit the designation as “road.” Morrow County Judge Don McElligott and Mr. Glenn reached the compromise of Laurel Lane Road. Commissioner Russell reviewed additional history of the street in question.

County Counsel Justin Nelson said they responded to Mr. Glenn that there is a process to change street names that can be taken up by the landowner. However, he said in this case, it might be best for the County to be responsible for that process.

Commissioner Russell said he would report back with Mr. Glenn’s response.

Break: 11:35-11:40 a.m.

Department Reports, continued

Surveyor’s Quarterly Report

Stephen Haddock

Mr. Haddock reviewed his report. He also talked about six subdivision plats in the process in the County. He said one subdivision includes 34 lots on the edge of Boardman, 32 of which are already slated for housing development. He said the entry and exit of the subdivision will be on Wilson Lane, a County road. He said he and Ms. McLane are in discussions to develop a standardized process to notify the County when cities/entities receive applications for development, such as subdivisions.

Road Report

Eric Imes, Assistant Road Master

Mr. Imes reviewed the Road Report for July. The discussion turned to permits for building in the right-of-way after Chair Doherty said he received calls from constituents asking why the County appeared to be inconsistent in its permitting requirements. Commissioner Lindsay said she received calls, as well, and suggested a written policy might be needed. Chair Doherty said a longer discussion is needed in order to build some consistency into the process.

Weed Department Quarterly Report

Dave Pranger, Weed Coordinator/Inspector

Mr. Pranger reviewed his report for April-June. He reported on a meeting at the Naval Bombing Range with Mr. Bianchi. He said they discussed noxious weed control and the County’s priorities. Another site visit is scheduled for September, and he said he was encouraged by what the Navy is doing and looked forward to implementing future recommendations.

Lunch break: 12:21-1:00 p.m.

1:00 p.m. Executive Session – Pursuant to ORS 192.660(2)(e) – To conduct deliberations with persons designated by the governing body to negotiate real property transactions

1:32 p.m. Closed Executive Session

1:33 p.m. Executive Session - Pursuant to ORS 192.660(2)(e) – To conduct deliberations with persons designated by the governing body to negotiate real property transactions

1:54 p.m. Closed Executive Session

1:55 p.m. Executive Session - Pursuant to ORS 192.660(2)(g) – To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations

2:15 p.m. Closed Executive Session

Return to Regular Meeting

Business Items, continued

Predator Control, continued

Chair Doherty said he was unable to reach Mr. Thompson and suggested \$1,000 be put toward the request; Commissioner Lindsay agreed. She further noted her name (Turner Ranch) was among the ranches listed in the attachment to Mr. Thompson’s letter even though she is not a cattle rancher, but because her property provided the needed “connectivity” to make the area continuous.

Commissioner Russell moved to approve \$1,000 be granted to the request as outlined in Mr. Thompson’s letter, with the funds to come from the Court Discretionary Fund. Commissioner Lindsay seconded. Unanimous approval.

Purchase Pre-Authorization Request, Assessment & Tax Replacement Vehicle, continued

Commissioner Lindsay called for the question. Commissioner Russell said for discussion purposes, it’s been noted the assessor preferred a more neutral color. Chair Doherty said the Board made the determination based on that, and the fact the next meeting was two week out and there was a risk of the cost increasing. It was not based on the location relative to cost, he said. Unanimous approval.

Miscellaneous

Chair Doherty discussed the need to have the minutes of the Columbia River Enterprise Zone II Board publicly available on the County website, as they are public meetings.

Department Reports, continued

Human Resources Quarterly Report

Karmen Carlson, Director

Ms. Carlson reviewed her report. Discussion transpired on making the hiring process uniform between all departments.

County Counsel/District Attorney Quarterly Report

Justin Nelson, County Counsel/DA

Mr. Nelson reviewed his report.

Correspondence

- Letter from Lindsay Huddleston, Hilltop Public Solutions, asking for assistance to encourage Congress to pass the United States-Mexico-Canada Agreement (USMCA)
- Email from the Association of Oregon Counties conveying an invitation from the White House to all Oregon commissioners and judges to attend a briefing on September 10th

Commissioner Reports

- Commissioner Lindsay talked about drone activity at the Pendleton Airport and the idea of bringing some of that to the Lexington Airport. This topic, as well as other airport-related matters, prompted her to ask Public Works staff to put together a meeting of the Airport Advisory Committee. She also reported LPSCC approved forwarding the Justice Reinvestment grant for Parole & Probation to receive those funds. She said the BOC currently does not receive reports from P&P, and some members of LPSCC want more data to show they are improving recidivism statistics. Commissioner Lindsay said she is now a member of the GEODC Board and will work for stronger activity in Morrow County.
- Commissioner Russell said work continues on the retirement plan change analysis. He provided reports on the most recent meeting of the CREZ II Board and the Solid Waste Advisory Committee.
- Chair Doherty talked about the Stepping Up Summit he attended, as well as the Annual Conference of the National Association of Counties

Signing of documents

Adjourned: 4:00 p.m.