

Morrow County Board of Commissioners Meeting Minutes
May 20, 2020
Bartholomew Building Upper Conference Room
Heppner, Oregon

Present In-Person

Chair Melissa Lindsay
Commissioner Don Russell
Commissioner Jim Doherty
Darrell J. Green, Administrator
Roberta Lutchter, Executive Assistant
Richard Tovey, County Counsel
Undersheriff John Bowles
Sheryll Bates, Mike Hughes, Karen
Pettigrew, Dave Sykes

Via Electronic Means

Stephanie Case, Bobbi Childers, Glen Diehl,
Mike Gorman, Gayle Gutierrez, Kate Knop,
Justin Nelson, Matt Scrivner, Linda
Skendzel, LeAnn Wright, Gregg Zody,
Heather Baumgartner, Torrie Griggs, Lisa
Mittelsdorf, Ryan Rea, Greg Sweek, Sandy
Toms, three unidentified callers

Call to Order & Pledge of Allegiance: 9:02, followed by roll call

City & Citizen Comments: Chief Mike Hughes, Boardman Rural Fire Protection District, said he wanted to address the Board regarding the Columbia River Enterprise Zone. He said the following: “The Boardman Fire District is the only full-time fire district in Morrow County. We provide emergency medical care and fire protection to our community, businesses and visitors within 330 square miles. Given the current staffing and our target hazards we’re responsible for protecting, we’re grossly under staffed. Therefore, I humbly come before you to ask you to maintain the CREZ as it stands and continue to support and invite new business so we can close that gap. It’s very important to the Fire District and I know I’m the new kid on the block and I’m single-focused in regards to this issue, but public safety and health is what I do for a living and have done for the last 33 years. So again, without the CREZ being in place, it will dramatically affect the Fire District and my protection area. It’s why I came before you, to ask you consider closing your differences and continue on in the process that’s been in place.”

Open Agenda: Commissioner Russell requested to add a discussion on a letter he just received from Commissioner Melissa Cribbins, Coos County, regarding support for the Jordan Cove LNG (liquified natural gas) Project.

Consent Calendar

- Commissioner Russell requested to postpone approval of the April 1st minutes and to move Resolution No. R-2020-8 to a Business Item.
- Chair Lindsay asked to move the Permit Applications to Business Items.

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

1. *Accounts Payable, May 21st, \$140,013.55; Payroll Payables, April 28th, \$197,840.90*
2. *Minutes: March 25th*
3. *Request to approve using Prothman to recruit for a Planning Manager*
4. *City of Irrigon Annex Replat, North County Government Building: A Replat of Lots 7, 8, 9, 10, 28, 29, 30 and a Portion of Lots 6 and 27 of Block 35 and also a portion of the Alley Vacated by the City of Irrigon Ordinance No. 147, Creating Lot 31 of Block 35*

Commissioner Russell seconded. Unanimous approval.

Business Items

Permit Applications #OPU-OPX from Gas Transmission Northwest LLC

Matt Scrivner, Public Works Director

Mr. Scrivner provided additional details on the permits and said he had no concerns. He said he mentioned to GTN the possibility of the Boardman to Hemingway (B2H) Transmission Line going through very near the gas line and what might have to happen for monitoring.

Commissioner Russell moved to approve the following Permit Applications from Gas Transmission Northwest LLC, to locate within the County road right-of-way or cross a County road; and authorize the Public Works Director to sign on behalf of the County:

- 1. #OPU – Permission to locate a solid state decoupler and zinc cable; Bombing Range Road, 1.79 miles from the nearest intersection with Wilson Lane*
- 2. #OPV – Permission to locate a zinc cable; Bombing Range Road, 1.06 miles from the nearest intersection with Wilson Lane*
- 3. #OPW – Permission to locate a solid state decoupler, test station, and zinc cable; Bombing Range Road, 10.31 miles from the nearest intersection with Wilson Lane*
- 4. #OPX – Permission to locate a test station over existing pipeline; Bombing Range Road, 12.84 miles from the nearest intersection with Wilson Lane*

Commissioner Doherty seconded. Unanimous approval.

Resolution No. R-2020-8: Amending Resolution No. R-2020-7

Commissioner Russell said he wanted to point out he had a financial interest in the company that has done business with Amazon Web Services (AWS) in the past, adding he had not had any conversation with AWS on this project. Commissioner Russell said he checked again on Monday, reiterating there had been no conversation at all with Amazon on this project. It's a potential conflict of interest, he said, and after consultation with the State Ethics Commission, they think he's allowed to continue with the conversation and that was what he intended to do.

Chair Lindsay asked if it was a conflict of interest specific to this agenda, or in general.

Commissioner Russell replied, in general.

Commissioner Doherty moved to approve Resolution No. R-2020-8: In the Matter of Approving an Agreement Between the Sponsors of the Columbia River Enterprise Zone and Amazon Data Services, Inc.; amending Resolution No. R-2020-7 to correct the references from Standard Enterprise Zone to Long-Term Rural Enterprise Zone. Commissioner Russell seconded.

Discussion: Commissioner Doherty questioned the placement of items that have the potential for a conflict of interest in the Consent Calendar. County Counsel Justin Nelson said it was appropriate to place items in the Consent Calendar because a Commissioner has the opportunity to remove any item to a Business Item. Vote: Unanimous approval.

City of Boardman Request to Include the City's Urban Growth Boundary in its Enterprise Zone Application

Karen Pettigrew, Boardman City Manager

Ms. Pettigrew asked that Boardman's UGB be allowed to be included in its application for an enterprise zone.

Chair Lindsay expressed concern over the UGB land outside the City limits that belongs to all the citizens of the County, which translates to 28.9% of Morrow County tax dollars to be abated or negotiated. She asked Ms. Pettigrew if the City had any intent to include the County in the UGB decision-making table, similar to the City's and Port's requests on the other enterprise zone.

Ms. Pettigrew said, "I guess I hadn't thought about it, it's our urban growth boundary and I was assuming I could decide what we do out there."

Commissioner Doherty said this looked like the map and motion made by the County a week or so ago and he wasn't sure what changed. He said he was uncomfortable working on this as an agenda item and that the Port of Morrow and the City each had the ability to move forward with enterprise zone applications.

Commissioner Russell said the area at issue was the land that will potentially be further developed for industry east of the Port's office where the chip reload facility for Dodge Logging and the Port's gantry crane were located. He said he would hate to see that not have an enterprise zone if the County and Port couldn't come to an agreement.

Commissioner Doherty asked if that area had an enterprise zone overlay on it.

Commissioner Russell replied it did. He later asked Ms. Pettigrew if the County and Port were to come to agreement, would the City continue forward with an enterprise zone application or not.

Ms. Pettigrew said she'd let it go away. Additional discussion.

Chair Lindsay moved to table the UGB request until the last minor item can be figured out, which brings this property and the City to the table and a strong application and scenario to start marketing properties. Commissioner Doherty seconded. Discussion.

Commissioner Russell said if he had confidence the Port and County would come to resolution of this, he'd agree, but both sides were dug in and he wasn't sure there would be movement, but he hoped there would be. He said he'd like to see the City have an enterprise zone to market the best industrial property in the State, with the understanding if the County and Port come together, it dies. On the off-chance they can't come together, he said he'd like to see an enterprise zone include that property.

Chair Lindsay said there was still a lot of detail missing in what that looked like. She said she came to this decision because she was told the County was missing detail and needed to honor the cities and what they needed to see. She said there was detail missing in order to understand how these dollars will be negotiated, especially when the County citizens have a big piece of skin in the game. We need to work through it.

Vote: Aye: Chair Lindsay, Commissioner Doherty. Nay: Commissioner Russell. Motion carried.

Morrow County Government Command Center Update

Administrator Darrell Green said discussions centered on following the Governor's Executive Order; continuing the Phase I processes; what Phase II might look like; and what steps or precautions will be needed for staff and the public.

Chair Lindsay said the Umatilla County Commission requested a joint meeting, which she said was a good idea because the Governor "very heavily connected us to Umatilla County in her decision making." After a brief discussion, the Board agreed to Thursday, May 28th, 1:30 p.m. at the Stafford Hansell Government Center in Hermiston.

Chair Lindsay said Pioneer Memorial Hospital received two ventilators but it was after a great deal of work by the Association of Oregon Counties and Morrow County's Emergency Operations Center. In addition, Columbia River Health received another Abbott quick testing machine, she said.

Reopening Plan Benchmarks

Chair Lindsay explained this item remained on the agenda in the event it was needed, but it was not needed today.

Parks Opening

Matt Scrivner, Public Works Director

Greg Close, Parks

Mr. Scrivner explained they approached the Board earlier about opening County Parks on May 28th, but it was dependent on the opening day for State Parks, as well as a follow-up report back to the Board on May 20th. It was noted State Parks opening day was still slated to be May 25th. After various discussions about the restrictions that will be in place at County Parks, it was agreed to continue down the path to open Parks on May 28th.

Discussion Regarding Grant Funding for the Local Public Safety Coordinating Council (LPSCC) Coordinator Position

Jessica Rose, Former Morrow County LPSCC Coordinator

Ian Davidson, Justice Reinvestment Program Manager, Criminal Justice Commission

Chair Lindsay explained the history of funding for LPSCC Coordinator positions, saying it was now the responsibility of counties but "our dollars ended last September." She said Ms. Rose has proposed she find grant funds to allow her to return as the LPSCC Coordinator.

Ms. Rose discussed the funding available through the Criminal Justice Commission. Discussion.

Commissioner Doherty moved to accept the Criminal Justice Commission, Maximizing LPSCC Capacity Program, Grant #JRIF-20-04; effective April 1, 2020, or when fully executed, ending September 30, 2020; grant amount \$24,000; and authorize Chair Lindsay to sign on behalf of the County. Commissioner Russell seconded. Unanimous approval.

Break: 10:14-10:25 a.m.

Emergency Manager Position Discussion

Darrell Green, Administrator

Mr. Green said the Emergency Manager position is currently part-time and housed in the Sheriff's Office. He outlined some of the duties of the Emergency Manager and said there have been discussions as to whether this position should be part-time or full-time, and if it should remain in the Sheriff's Office. He said he was bringing it back for discussion and guidance.

- Chair Lindsay asked to know the cost of the position and whether it could be grant funded.
- Commissioner Russell said the Emergency Manager position can sometimes be more than full-time and less than part-time. He said justification is needed for the time when it's less than full-time. He added it was worth a look at whether or not it should still be placed in the Sheriff's Office.
- Commissioner Doherty said not all counties place the position within the law enforcement division and that sometimes these things need to be looked at by someone not coming from law enforcement, or a "more holistic approach." That would be something he'd like fleshed out a little more, he said.

Irrigon Building Update

Darrell Green, Administrator

- Presentations by furniture vendors will take place June 24th.
- Fortis and CIDA presented a rough budget for the whole project at the last weekly meeting. He said they were asked to go back and do some value engineering.
- Tentative timeframe for a ribbon cutting would be August or September, possibly, then 12 months to construct the building.

Future BOC Meeting Schedules

- Joint Meeting with Umatilla County Commissioners – May 28th
- Joint Meeting with the Grant County Court at the OHV Park – June 17th

Jordan Cove LNG Project

Commissioner Russell said he received the request from Coos County Commissioner Melissa Cribbins, who asked for support for the liquified natural gas terminal for an ad in *The Oregonian*. He said the project is viewed as economic development in a depressed part of the State by those in favor of it, and those opposed to it are against fossil fuels and exporting them.

Commissioner Doherty said he generally supported other counties but he hadn't had time to review this and would prefer the option of signing individually, rather than as a Board; Chair Lindsay and Commissioner Russell agreed.

Correspondence

- Letter to each county commissioner from the Jackson County Board of Commissioners informing them of the State's draft plan for distribution of a portion of the Coronavirus Aid, Relief and Economic Security (CARES) Act. The letter posed the question: "What were the specific policy considerations contemplated when Governor Brown, Speaker Kotek and Senate President Courtney decided that two-thirds of the population of Oregon in the remaining 34 counties, outside of Multnomah and Washington, should specifically be excluded from using the CARES Act funding for small business relief

grants or economic recovery programs? This use and purpose is specifically authorized and intended by Congress for these funds.”

- Oregon Department of Energy Public Notice, Wheatridge Wind Energy Facility, Notice of Proposed Order on Request for Amendment 5.

Commissioner Reports

- Commissioner Doherty said he heard from a few constituents that the County was standing between the Port of Morrow and economic development. He said it was important for people to know that 100% of the Port’s ability to do everything it’s done in the past is there, just maybe not 100% of the ability to decide how funds are paid out. Commissioner Doherty also talked about hearing from constituents who were frustrated with the process to make comment on UEC’s route for a transmission line, whether that’s with the State or the City of Boardman. He said the County had asked about the City of Boardman’s land use process on this, but to date, had not received an answer. Discussion continued.

Commissioner Doherty read a letter from the Association of Oregon Counties to members of the State Legislature regarding the distribution of Oregon’s share of the Coronavirus Relief Fund (CRF). The letter urged them to ensure the distribution of the funds matched federal guidelines.

- Commissioner Russell said he met with Sheriff Ken Matlack and Undersheriff John Bowles at Sheriff’s Station 2 because he wanted their perspective on what was needed in a replacement structure. Commissioner Russell said he understood the idea of economic development at the former mill site and jobs promised if the building was sold, but the Board was not being realistic in the replacement value. He said it would be close to \$500,000 for a similar building.

Commissioner Russell participated in a conference call with Senators Lynn Findley and Bill Hansell, numerous other State Representatives and eastern Oregon Commissioners. Each Commissioner was allowed to comment on the State’s reopening and

Commissioner Russell said he commented the Governor put Morrow County through an emotional rollercoaster ride we probably didn’t need to take when she let 28 counties open up, threw two out and put three in the penalty box. He said it caused a lot of stress in the County. Umatilla County Commissioner George Murdock echoed those same comments for Umatilla County, he said.

Commissioner Russell said he had the opportunity yesterday to help with the election because one of the employees in the Clerk’s Office was running for an office, and the usual volunteers weren’t available to help because they were in the age group at-risk for COVID. He said he and Treasurer Gayle Gutierrez assisted since neither one of them was up for office and added he learned a lot about our County’s voting process.

- Chair Lindsay said a great deal of her time was spent on the COVID process. She relayed the following events on Thursday, May 14th: As the Government Command Center Team and Emergency Operations Center Team anticipated positive news to enter into Phase I reopening, they planned to meet to prepare a press release. However, after she received a 6:30 a.m. email from the Governor’s Office asking for a conference call at 8:20 a.m. to also include Umatilla County, she became concerned. Adding to her concern was the fact other counties announced reopening plans on social media. On the 8:20 a.m. call, both counties were informed they would not be reopening and instead, would be put

in “pending” status. She said Morrow County’s team struggled to understand as the Morrow County Reopening Plan was sound and met all the criteria. When Morrow County pointed out errors in the State’s data, the State agreed to call back in an hour so Morrow County could further argue its case. The team put together an excellent response and countered each of the inaccurate criteria the State sited against Morrow County. The State wanted to know how the County would engage with Latinx contact tracing and the team informed the State it was already a focus in Morrow County. Later that day, the Governor agreed with the County’s analysis. Undersheriff Bowles said it required additional persistence to be allowed to reopen on May 15th, as the Governor’s Office wanted to push it back a week.

Miscellaneous

Chair Lindsay asked Greg Sweek, Enterprise Zone Manager, to verify the requirements for an enterprise zone application to the State.

Mr. Sweek said if an agreement was reached on the sponsors and zone boundaries, a meeting would be scheduled with the affected taxing districts located within the zone boundaries. Resolutions from each of the sponsoring entities would be needed and the application could then be forwarded to the State for its determination on meeting the criteria to create an enterprise zone.

Signing of documents

Adjourned: 11:50 a.m.