

**Morrow County Board of Commissioners Meeting Minutes**  
**July 22, 2020**  
**Bartholomew Building Upper Conference Room**  
**Heppner, Oregon**

**Present In-Person**

Chair Melissa Lindsay, Commissioner Don Russell; Staff: Darrell J. Green, Kate Knop, Roberta Lucher, Richard Tovey; Non-Staff: Dave Sykes

**Present Via Electronic Means**

Commissioner Jim Doherty; Staff: Stephanie Case, Bobbi Childers, Mike Gorman, Lindsay Grogan, Gayle Gutierrez, Christy Kenny, Diane Kilkenny, Matt Scrivner, Linda Skendzel, Vickie Turrell, LeAnn Wright, Gregg Zody; Non-Staff: Sheryll Bates, Torrie Griggs, Erica Lasater, Lisa Mittelsdorf, Karen Pettigrew, Lori Roach, Greg Sweek, Sandy Toms and two unidentified callers

**Call to Order & Pledge of Allegiance:** 9:03 a.m., followed by roll call

**City & Citizen Comments:** None

**Open Agenda:** Chair Lindsay requested that the Road Department Monthly Report be followed by an update on traffic control within the energy project areas.

**Consent Calendar**

The Amended Coronavirus Aid, Relief and Economic Security Act (CARES) – Coronavirus Relief Fund Grant Agreement was moved to Business Items for discussion.

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

1. *Accounts Payable, July 23<sup>rd</sup>, \$408,246.46*
2. *Minutes: May 6<sup>th</sup> & May 13<sup>th</sup>*
3. *Northeast Oregon Forests Resource Advisory Committee Nominee for the Resource Advisory Committee for Umatilla, Wallowa-Whitman and Malheur National Forests: Mike Gorman*

*Commissioner Doherty seconded. Unanimous approval.*

**Business Items**

Amended CARES Act – Coronavirus Relief Fund (CRF) Grant Agreement

Commissioner Russell explained some counties found fault with the State agreement because it placed most of the liability on the counties and not on the State. The Oregon County Counsel Association negotiated an amended version and the Association of Oregon Counties recommended counties now sign the amended agreement, he said.

Because the draft in the Agenda Packet was not ready for signature, County Counsel Richard Tovey said he would obtain the correct agreement for signature.

*Commissioner Russell moved to authorize Chair Lindsay to sign the Amended CARES Act – Coronavirus Relief Fund Grant Agreement #1025 on behalf of the County after County Counsel has reviewed, approved and provided the most current agreement for signature, given it is similar to what was reviewed today. Commissioner Doherty seconded. Unanimous approval.*

### Discuss Request by Boardman Rural Fire Protection District to Annex Property

Chief Mike Hughes

Captain Adam Cole

Chief Hughes and Capt. Cole requested the County annex properties as described in the letter and map they provided (referred to as Stahl Farms during the presentation). Chief Hughes said, in his attempts to “clean up” some things, BRFPD contacted this landowner to see if they had fire protection and the landowner wrote back asking that it be provided.

Discussion on the history of annexing properties into fire districts.

Chair Lindsay asked for input from Assessor Mike Gorman and County Counsel Richard Tovey.

Mr. Gorman noted there were other properties in the County not included in any fire districts. In referring to the map, he said the bulk of the 3,000 acres were owned by Stall Farms but some of the land was also owned by Alan Cleaver. The map provided by BRFPD showed only the properties requesting to be annexed at this time, he said.

Mr. Tovey discussed the Oregon Revised Statute for annexing properties by the county governing body (ORS 478.115).

After additional discussion, Chair Lindsay asked that a request be brought forward as a Business Item that would include the maps and letters of request from all the landowners. This would allow additional time for the County to review the statute and the process that will need to take place, she said.

### Morrow County Government Command Center Update

- Mr. Green reported the number of cases was now over 200. Interim Public Health Director Diane Kilkenny has been working closely with the school districts to ensure they have good information, but the information from the State seemed to change on a regular basis.
- Ms. Kilkenny said the majority of new cases were in the 20-40 age group where it's been community acquired. She said the Health Department has been trying to get people to wear masks but it's been a struggle to reach them with that message.
- Chair Lindsay said she had a call from the Governor who wanted to place Morrow County back to Phase I. Chair Lindsay said it was an interactive conversation with the Governor agreeing to reconsider it.
- Chair Lindsay commented on the behavior changes that will be needed to turn the statistics around, so the Command Team member from Community Counseling Solutions will take the lead to help with that effort.

### CARES Act Funding Discussion

Commissioner Doherty said the State was not going to send the funds down to the cities and counties, as they were intended, despite the hard work of the Association of Oregon Counties and others.

Chair Lindsay said this had been one cause that united practically everyone and she appreciated Commissioner Doherty's hard work on this as AOC President.

Commissioner Russell said he shared the same frustrations as Chair Lindsay and Commissioner Doherty. The funds were earmarked for local governments but our leaders at the State level had a different opinion, he said.

#### Occupational Safety & Health Administration (OSHA) Rule Making Letter

Commissioner Russell recommended the County support AOC's letter to OSHA expressing concern over OSHA's rules and programs being implemented in response to COVID-19 for agricultural and food processing workers. He said it appeared OSHA wanted to sidestep the normal rulemaking process even though the legislature declined to make the rules permanent when it met recently.

Chair Lindsay said the County preferred to partner with all businesses for good screening and testing rather than bring in regulatory agencies that would punish employers. She said Public Health Department staff created amazing success stories with employers and this OSHA rule making would hurt our abilities.

Ms. Kilkenny agreed and added the philosophy is to partner, not punish. She went on to describe some of the Morrow County Public Health Department's recommendations provided to employers that have been successful in Morrow County.

Chair Lindsay asked the chamber of commerce representatives attending electronically to see if other business partners would sign similar letters.

*Commissioner Russell moved to sign the letter from AOC regarding the OSHA rulemaking process. Commissioner Doherty seconded. Unanimous approval.*

**Break:** 9:56-10:04 a.m.

#### UEC Easement

Robert Echenrode, UEC General Manager

Mr. Echenrode asked the County to consider a transmission easement in the City of Boardman for a proposed transmission line between the UEC 730 switchyard and the planned, proposed Olson Road substation. He said he was here to answer any questions and share a Google Earth presentation, or tour, to help the Commissioners understand the process of a transmission line and utility routing.

Mr. Echenrode then discussed the status of easement negotiations – UEC secured easements from two landowners yesterday and they were still seeking to negotiate with two other impacted landowners. (Later in the meeting he said he had secured easements from the Yates' and the Hobbs' but not from Mr. Shook or Mr. Tallman.)

He then reviewed the easement's impact on County property – it allows the County to construct its proposed building and have a gravel pile, but it would need to be well coordinated with UEC.

Chair Lindsay asked if Mr. Echenrode had seen a commitment on the loop roads yet. He replied he had not and wasn't sure it had been accepted by the City of Boardman, but thought there was adequate room for them. The Port had an engineer go out to that area, he added.

After discussion about how long the various proposed routes will be under consideration by UEC, Mr. Echenrode clarified UEC was asking for the option to execute an easement, and if it was not needed, it wouldn't be executed. It's true for all the easements, he said, they're secured as options to exercise once a completed route has been found.

Discussion continued. The Board decided to bring this topic to an upcoming meeting agenda.

#### Economic Impact & Discussion of COVID-19

Kate Knop, Finance Director

Ms. Knop said major negative impacts to revenue were projected to be between 23-30%. Morrow County would be using its reserve to support the current year budget appropriations, which could potentially be done but next year there would be a greater cut, she said. She asked the Commissioners what information they would like presented in order to discuss this in greater depth during a Work Session. She explained that whenever budgets increase or decrease by 10% or more, the Budget Committee would be required to reconvene.

Chair Lindsay said it would be hard to only analyze certain parts of the budget, so she asked for a "big picture analysis" of the entire budget. She said department directors needed to be a part of the analysis and they should plan to reduce their budgets by some percentage. Commissioner Russell agreed, while Commissioner Doherty said he was still trying to absorb the information and would meet individually with Ms. Knop to gain a better understanding of the situation. He did say that the Grant to Cities program should be up for discussion, which was agreeable to the other two Commissioners.

Ms. Knop asked for direction regarding the disbursement of appropriations to non-profits, such as the Neighborhood Center of South Morrow County and the Irrigon-Boardman Emergency Assistance Center. The direction from the Commissioners was not to give any organization a lump sum distribution but to instead give a monthly proportional amount. A Work Session was tentatively scheduled for September.

#### Equity Fund & Resiliency Dollars

Darrell Green, Administrator

Mr. Green said during the 2020-2021 Budget Committee meetings, \$500,000 was set aside to help small businesses adversely impacted by COVID-19. He asked how the Board wanted to disburse the funds and then offered several options for consideration.

Commissioner Russell said he preferred a combination of grants and loans. Discussion.

The Board agreed by consensus to form a subcommittee consisting of Mr. Green, Ms. Knop, Commissioner Doherty and Gregg Zody, Community Development Director.

#### Irrigon Building Update

Darrell Green, Administrator

- The green energy requirement was discussed. Mr. Green said the County will have the most energy efficient building possible.
- After a few “hiccups” were encountered, the team has been working to get back on schedule.
- The team continues to work to refine the budget and the Guaranteed Maximum Price (GMP) should be presented to the Board in mid-August.
- Groundbreaking anticipated toward the end of September.

#### Video Recording of BOC Meetings – Update

Darrell Green, Administrator

Mr. Green said he hoped to put the Zoom link on the website but learned the Zoom meeting needed to be on YouTube. He said he started that process but hasn't received the necessary information back by mail from YouTube.

#### Emergency Relief Fund for Arts & Culture – Cultural Trust Coalition

Chair Lindsay said the intent was to help reimburse events that were cancelled due to COVID-19, and each County's Cultural Coalition Committee would act as the conduit. She said she wanted to make sure there was active membership on the County's committee and would report back.

#### CREZ III Update – Taxing Districts Meeting

The Board briefly reviewed the information for the August 6<sup>th</sup> joint meeting with the Port of Morrow for the purpose of gathering input from the taxing districts located within the boundary of the proposed Columbia River Enterprise Zone III.

#### Hutchison Property Tax Litigation – Joint Legal Defense Approval

Richard Tovey, County Counsel

Mr. Tovey provided the following summary – A group filed a class action suit against all counties in Oregon alleging counties were unlawfully able to make a profit off selling foreclosed properties that exceed the amount of delinquent property taxes owed. He said county counsels have been meeting regularly and decided to retain an outside law firm to represent all counties since this was outside the scope of local county counsels. He reviewed the payment plan that has each county paying an equal amount up to \$10,000 and if more is needed, a percentage would be paid based on population. Mr. Tovey asked for approval to move forward.

After a brief discussion about where the funding would come from, it was decided to schedule this again on the August 5<sup>th</sup> agenda to allow time to research funding options.

#### **Department Reports**

The following written reports were reviewed:

- Road Department Monthly Report submitted by Eric Imes, Assistant Road Master
- Weed Department Quarter Report submitted by Dave Pranger, Weed Inspector
- Clerk's Quarterly Report submitted by Bobbi Childers
- Human Resources Quarterly Report submitted by Lindsay Grogan, HR Manager
- Surveyor's Quarterly Report submitted by Stephen Haddock

- Public Health Department Quarterly Report submitted by Diane Kilkenny, Interim Director

#### Update on Traffic Control Within Energy Project Areas

Matt Scrivner, Public Works Director

- Large component deliveries into the County slowed down due to trying to get things loaded at the Port of Morrow.
- Wheatridge deliveries – should see about six loads go through Lexington on Monday and possibly Tuesday.
- The remaining loads for Wheatridge for the rest of their sites were anticipated by the end of next week or the first few days of August.
- Orchard Wind Project will start deliveries in the County on August 17<sup>th</sup>, with completion to be August 28<sup>th</sup>. Mr. Scrivner discussed the routes for deliveries.
- Orchard Wind's traffic control plan was submitted on Friday and approved by the Oregon Department of Transportation yesterday and was then sent to ODOT oversize with County approval today. An Orchard Wind representative also attended this week's meeting.

#### **Correspondence**

- Regional Solutions Weekly Report for Wednesday, July 15, 2020
- Update on Stripe Rust in the Pacific Northwest by Xianming Chen, U.S. Department of Agriculture, Agricultural Research Service, Pullman, Washington
- Notice of Public Comment Period – Engineering Evaluation/Cost Analysis on Proposed B Plant Complex Removal Action, Hanford Site
- Land Use Board of Appeals Final Opinion and Order – 1000 Friends of Oregon vs. Morrow County and Port of Morrow. Mr. Tovey said the LUBA opinion laid out places they thought the applicant (Port of Morrow) was lacking but there was nothing the County needed to work on. Commissioner Russell said he contacted Ryan Neal, Port Executive Director, and he planned to talk to the client to see if they were still going forward. Commissioner Doherty said the applicant will have to drive this process. He said the County had challenges as this moved through the process and several issues were brought to light that need to be cleaned up.
- Governor's Executive Order No. 20-32: Determination of a State of Drought Emergency in Morrow and Wheeler Counties Due to Unusually Low Water Supplies and Hot, Dry Conditions

#### **Commissioner Reports**

Reports were provided by each Commissioner.

#### **Signing of Documents**

**Adjourned:** 12:25 p.m.