

Morrow County Board of Commissioners Meeting Minutes
September 16, 2020
Bartholomew Building Upper Conference Room
Heppner, Oregon

Present In-Person

Chair Melissa Lindsay, Commissioner Don Russell, Commissioner Jim Doherty; Staff: Darrell J. Green, Roberta Lutchter, Richard Tovey; Non-Staff: J.R. Cook

Present via Zoom

Staff: SaBrina Bailey Cave, Bobbi Childers, Mike Gorman, Gayle Gutierrez, Ann Jones, Diane Kilkenny, Kate Knop, Justin Nelson, Sandi Pointer, Linda Skendzel, Vickie Turrell, Stephen Wrecsics, Gregg Zody; Non-Staff: Sheryll Bates, Torrie Griggs, Leah Harris, Lori Roach, David Sykes

Arrivals after Public Hearing

Staff: John A. Bowles. Via Zoom: Glen Diehl; Non-Staff: David Lawlor, Kathy Street, Keleigh Wright, unidentified caller

Call to Order & Pledge of Allegiance: 9:00 a.m., followed by roll call

City & Citizen Comments: None

Open Agenda: As part of Commissioner Reports, Chair Lindsay will discuss an update to the Oregon Department of Veterans Affairs (ODVA) application signed last week.

Consent Calendar

Chair Lindsay removed the Retirement Plan Services Award to Business Items.

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

1. *Accounts Payable, September 17th, \$213,229.27*
2. *Minutes: August 26th*

Commissioner Doherty seconded. Unanimous approval.

9:05 a.m. Public Hearing: To consider two requests for annexation into the Boardman Rural Fire Protection District; Order Number OR-2020-8: Ordering the Annexation of Territory to the Boardman Rural Fire Protection District

Chair Lindsay called for abstentions, conflicts of interest or ex parte contact.

Commissioner Russell said he has been on the Boardman Rural Fire Protection District (BRFPD) Board of Directors more than 25 years and been privy to the request but these were not conflicts of interest.

Chair Lindsay asked him to verify it was not a paid position, which he did, adding it doesn't materially affect the operations of BRFPD.

Commissioner Doherty said he tried, unsuccessfully, to visit with Alan Cleaver, but did visit with one of the Stahls but it would not affect his ability to address this in any way.

Chair Lindsay asked that everyone sign-in and explained how to offer testimony. She then called for the Staff Report.

County Counsel, Richard Tovey, said when BRFPD, as a special district, wants to annex property, there were several options but they required approval by the Board of Commissioners. In this case, the landowners' requests were first approved by BRFPD and then forwarded to the County for consideration at a Public Hearing. He said based on the documentation in the Agenda Packet request or anything the Commissioners will hear, a decision was anticipated today as to whether the properties should be annexed.

Planning Department GIS Planning Technician, Stephen Wrecsics, said the annexation was aligned with the current Community Wildfire Protection Plan (CWPP), which was updated in 2019 and available on the County website. He said one of the action items in the Plan was that lands around the Irrigon area be integrated into the BRFPD. He said BRFPD was a working member of the CWPP update and, as such, aware that people want the annexation to happen. He referred to the Rural Fire Protection Districts map in the Agenda Packet and said it was a fairly accurate representation that also showed areas not under a fire protection district. (As Mr. Wrecsics was attending via Zoom, he shared his screen and pointed out the specific areas not within a fire protection district, primarily farmland surrounding the Irrigon area.)

A brief discussion took place on the properties not within a fire protection district, but not included in this request. Commissioner Doherty said it would make sense for the fire protection district to reach out to those landowners to see if they want to be annexed.

Mr. Wrecsics described the land owned by the City of Irrigon not included in a fire protection district. He also mentioned areas within the County that are within fire districts out-of-county, such as South Gilliam County RFPD and Pilot Rock RFPD.

Tax rates and insurance ratings for the different fire protection districts were discussed.

Chair Lindsay called for proponents to speak; no response. She called for opponents to speak; no response. As there were no requests to continue the hearing, Chair Lindsay closed the hearing at 9:28 a.m. to deliberate.

Commissioner Doherty moved to allow the annexation of the property and sign the Order describing the boundaries of the land and declaring the land annexed to the district, Order No. OR-2020-8: In the Matter of Ordering the Annexation of Territory to the Boardman Rural Fire Protection District. Commissioner Russell seconded. Discussion: Commissioner Doherty suggested the Board's liaison to BRFPD, Commissioner Russell, reach out to the other adjoining landowners to see if they want to present the same request in an effort to "uncheckerboard" the map. Commissioner Russell said the request should come through the Irrigon RFPD. Mr. Wrecsics said in the last CWPP, BRFPD was willing to accept those lands and IRFPD never had a representative at the CWPP meetings. He reiterated the action item within the CWPP for Boardman to take on that land and said perhaps Boardman should be asked about this. Commissioner Russell said the land was now adjacent to BRFPD so they could do it. BRFPD and IRFPD have a good working relationship and he said he believed the two districts could

figure it out, however, it would take a willing landowner to be annexed into the district. Vote: Unanimous approval.

Business Items

Northeast Oregon Water Association (NOWA) Update

J.R. Cook, Director

Mr. Cook's update and PowerPoint presentation covered multiple topics, including a history of NOWA, NOWA's goals for the biennium, and a list of projects for which NOWA is soliciting donations. When the discussion turned to the NOWA invoice that will be taken up on next week's agenda, Mr. Cook said he planned to focus NOWA contributions on more regional efforts. The \$6,000 goes to water quality and permanent mitigation programs, rather than overhead, he explained. A brief question and answer session ensued.

NextEra/Wheatridge Strategic Investment Program (SIP) Agreement

Mike Gorman, Assessor/Tax Collector

David Lawlor, NextEra

Keleigh Wright, NextEra

Brian Faist, PGE

In the March 2019 Amended and Restated SIP Agreement signed by the County and Wheatridge Wind Energy, LLC/Wheatridge Solar Energy Center, LLC, Wheatridge Wind "shall cause to be installed and utilize an Aircraft Detection Lighting System (ADLS) on each wind tower..."

Mr. Lawlor's September 9th letter to the Assessor stated, "...The installation of the ADLS will be delayed beyond the Commercial Operation Date (COD)" which was estimated to occur in October 2020. The letter went on to say the installation of the ADLS was scheduled for the first quarter of 2021, but commissioning may go beyond the first quarter schedule. Mr. Lawlor asked in the letter for the County to confirm the SIP would not be impacted by the timing and installation of the ADLS.

Mr. Gorman said he consulted with County Counsel Justin Nelson and while the agreement contained no specific language or date as to when the ADLS had to be installed or operational, the intent was to have it operational at the time the project went online. He said NextEra/Wheatridge was having some issues with getting the system approved by the Federal Aviation Administration and it was his determination that as long as the ADLS was installed and operational by July 1, 2021, with FAA approval, then there would be no implications regarding the SIP exemption. He said he drafted a letter stating the same and asked for the Board's approval to send it. After discussion, the Board agreed to Mr. Gorman sending the letter.

Purchase Pre-Authorization Request, Sheriff's Office, Two All-Terrain Vehicles

Purchase Pre-Authorization Request, Sheriff's Office, Vehicle

Undersheriff John Bowles

Undersheriff Bowles said an Oregon State Parks grant was received for the purchase of the ATVs, which also require a 20% match by the County of \$1,860. He then reviewed the bids.

Commissioner Russell moved to approve the Purchase Pre-Authorization Request of two Polaris ATVs from Morrow County Grain Growers in the amount of \$9,300 (including trade-in of two 4-wheelers). Commissioner Doherty seconded. Unanimous approval.

Undersheriff Bowles requested to lock-in the pricing for a pickup to be paid for by the City of Heppner as part of its contract for law enforcement services.

Commissioner Doherty moved to approve the Purchase Pre-Authorization Request for a 2021 Ram 1500 SSV Crew Cab 4x4, \$28,886.57 (not including cost of outfitting) and authorize Undersheriff Bowles to lock-in pricing and order the vehicle. Commissioner Russell seconded. Unanimous approval.

Morrow County Government Command Center Update

Undersheriff Bowles provided the latest COVID statistics and noted the fifth death occurred in the County. Discussion also took place on the fires on the west side of the state and Undersheriff Bowles briefly reviewed some of the evacuation plans for this area.

Letter to the Governor Requesting Phase II Opening

Chair Lindsay said after multiple conversations with leadership at the Oregon Health Authority, she drafted a letter to the Governor for the Board's consideration.

Commissioner Russell moved to formally request, by letter, to be placed back into Phase II. Commissioner Doherty seconded. Discussion: Commissioner Doherty: It's been suggested we've acted in a partisan fashion over the last while with our State administration and I take exception to that. If it was a Republican administration taking our COVID/CARES funds and changing the goal posts and not being consistent, I would call them out as well. We're a non-partisan commission looking out for our constituents. If they were completely and 100% consistent all the time, I'd be okay with it, but when they start being inconsistent, we've got to push back. I know Umatilla County pushed back really hard and we tried to be genial, but with Umatilla County it was a "squeaky wheel gets the grease" situation and I was truly discouraged but happy for them. You've got to be consistent in whatever you're doing, I don't care who the administration is, state, federal, county, whatever. Chair Lindsay said Commissioner Doherty's points were valid. She said she pointed the inconsistencies out during last Friday's conversation with the State. She said she's told her fellow commissioners that our conversations with the State were productive and we're working together and she and the whole team, felt nothing short of a slap in the face when Friday rolled out the way it did with the efforts we had put in. The trends that we were showing...and then someone yelled a lot louder than we did and got a change. I think we continue to fight as a commission and I think our constituents expect us to. Public Health is pointing out that we are in a downward trend and people are working harder. We need to give our people hope, yes, keep it up, you're doing a great job and here's the reward. Vote: Unanimous approval.

Chair Lindsay said if the Governor denies the request to return to Phase II, a second letter, drafted by Commissioner Doherty, could be sent requesting additional funding. She also said by the State's data, Morrow County was in the top three, but when calculated by population,

Morrow County received the lowest money, the things don't come together. She added Morrow County has the lowest unemployment rate because we have the most essential workers.

Commissioner Doherty said our neighbors to the east got \$7.5 million when they had some challenges and then pushed the administration and got another \$4.5 million. Morrow County leads the way, in some respects, because we feed Oregon, and we're getting beat up because a lot of people are working. We lead the State in essential workers per capita, which is hugely important to the discussion.

Commissioner Russell said we have large employers for the size and population of the County. We have large farms in the middle of harvest season and it's tough to get those essential jobs done without people being in close proximity to one another. He said he wasn't saying our industries weren't working hard to avoid the problems because he knew they were. The nature of our economy makes it ripe for us to be in the position we're in, he concluded.

Commissioner Doherty said even if the County gets some relief, we should still ask for more funds in a separate ask of some type.

Commissioner Doherty moved to approve the second letter but have it held until an answer is received and it doesn't go out until Friday. Commissioner Russell seconded. Unanimous approval.

Award Retirement Plan Services Request for Quotes

Last week, Chair Lindsay requested additional time to review the materials from the four vendors. She said she reviewed the presentations and then asked a few questions of Finance Director Kate Knop.

Commissioner Doherty moved to approve the Retirement Plan Service Vendor for the Defined Contribution Plan – Edward Jones, Cassandra Williams. Commissioner Russell seconded. Vote: Aye: Commissioner Russell and Commissioner Doherty. Nay: Chair Lindsay. Motion carried.

Fair Board Appointment Request

Ann Jones, Fair Secretary

Ms. Jones said there were three vacancies on the Fair Board and then explained the recruitment efforts undertaken.

Commissioner Russell moved to appoint Braxton Adams to the vacant position that has a current term end date of December 31, 2020 but have his term be effective upon approval through December 31, 2023. Commissioner Doherty seconded. Unanimous approval.

Juvenile Department Contract with Made to Thrive

The contract ensures Made to Thrive will use the funds for wrap-around and mentoring services. The funds come from the Oregon Department of Education, Youth Development Division, for Juvenile Crime Prevention.

Commissioner Doherty moved to approve the contract between the Morrow County Juvenile Department and Made to Thrive. Term to be July 1, 2019 through June 30, 2021, contingent upon availability of State funding. Amount to be up to \$26,000 for each fiscal year, 2019-2020 and 2020-2021; and authorize Chair Lindsay to sign on behalf of the County. Commissioner Russell seconded. Unanimous approval.

Award Bid and Contract for Janitorial Services

Sandi Pointer, Public Works

Ms. Pointer explained one bid was submitted after a Request for Proposals was issued and a panel of six County employees subsequently reviewed the bid. The proposal was over the budgeted amount for the year, but Ms. Pointer said she planned to present the difference to the Budget Committee.

Commissioner Russell moved to award the bid to Patriot Building & Grounds Maintenance and sign the contract in the amount of \$98,935.20. Effective date when signed by all parties (September 16, 2020) for a one-year period beginning September 9, 2020 ending September 9, 2021, with an option for renewal at that time. Contractor and County agree to a performance review at six months. Commissioner Doherty seconded. Unanimous approval.

Irrigon Building Update

Mr. Green said the team was preparing to look at subcontractors for furniture and furnishings, drywall, painting, etc. They also have been wrapping up the audio/visual items for the building, he said.

Commissioner Russell said the City of Irrigon will be signing-off on the 20' wide alleyway parcel that will be deeded back to the County.

Correspondence

- Email to Chair Lindsay from Nadine McCrindle, Executive Director of the Central & Eastern Oregon Chapter of the American Red Cross, in which she outlines how to make a financial contribution to help Oregonians displaced by the wildfires, and how to become a volunteer.
- PowerPoint presentation: Oregon Department of Veterans Affairs Agency Overview, Association of Oregon Counties Retreat, September 10, 2020.

Commissioner Reports

- Commissioner Doherty said he and Umatilla County Commissioner Bill Elfering went to the Hermiston Armory yesterday as National Guard soldiers gathered there prior to being sent out to assist with the fires in the western part of the State. He said soldiers arrived from all over the Pacific Northwest, including quite a few from Morrow County. He said it was a very special day and each soldier he spoke to said they had been waiting, and wanted, to help.
- Commissioner Russell said PGE requested a meeting with the County, City of Boardman and the Port of Morrow. The Board committed to a virtual meeting date of October 12th at 5:30 p.m.

- Chair Lindsay said last week's County Application for ODVA Funds form was revised to include \$26,159 in the County Funds line. Commissioner Russell and Commissioner Doherty agreed with Chair Lindsay signing and submitting the revised form.

Cancelled:

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

Signing of documents

Adjourned: 12:15 p.m.