

Morrow County Board of Commissioners Meeting Minutes
January 20, 2021
Bartholomew Building Upper Conference Room
Heppner, Oregon

Present In-Person

Chair Don Russell, Commissioner Jim Doherty, Commissioner Melissa Lindsay, Darrell J. Green, Katie Imes, Roberta Lutcher, Tamra Mabbott, Richard Tovey

Present Via Zoom

Staff: Stephanie Case, Mike Gorman, Lindsay Grogan, Christy Kenny, Kate Knop, Jaylene Papineau, Linda Skendzel, Heidi Turrell, Gregg Zody; Non-Staff: Chris Bozzini, Torrie Griggs, Carrie Konkol, Erika Lasater, David Lawlor, Lisa Mittelsdorf, Debbie Pedro, Karen Pettigrew, Chris Powers, Brittany Reese, Jessica Rose, Anneke Solsby, David Sykes

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

City & Citizen Comments: None

Open Agenda: No items

Consent Calendar

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

1. *Accounts Payable and Payroll Payables*
2. *Sign the title for vehicle declared as a loss due to fire: 1991 GMC Dump Truck, Vehicle Identification Number 4V2SCBCF3MU508387, Oregon plate number #177131; and authorize Administrator Darrell Green to sign on behalf of the County*
3. *Letter to the Eastern Oregon Jobs Council and the Eastern Oregon Workforce Board recommending Commissioner representative appointments: Chair Russell as the EOJC and EOWB Representative; Commissioner Lindsay as Alternate to Chair Russell on both boards*
4. *Appointment of the Finance Director, Kate Knop, as the Budget Officer for the 2021-2022 Fiscal Year*

Business Items

Acknowledge Retirement of Operations Lieutenant Terry Harper

Chair Russell said Lt. Harper will retire after 32 years with the County. He noted the family members and numerous colleagues in attendance to honor and thank Lt. Harper for his many years of dedicated service. Sheriff Ken Matlack presented Lt. Harper with a plaque and spoke about his interactions with him over the years. Undersheriff John Bowles said a separate presentation would be made at the Sheriff's Office where he was sure more stories would be told about Lt. Harper.

Statewide Transportation Improvement Fund (STIF) Plan Application, Fiscal Years 2021-2023

Katie Imes, Coordinator, The Loop

Ms. Imes presented her Executive Summary of Projects related to the County's STIF Plan that will be submitted to the Oregon Department of Transportation. She said the Commissioners could place a different priority on the items in the plan or remove anything on the list. Ms. Imes responded to several questions from the Board and Commissioner Doherty suggested she and

Community Development Director, Gregg Zody, become actively involved in the North East Area Commission on Transportation (NEACT).

Commissioner Lindsay moved to approve the Statewide Transportation Improvement Fund Plan Application for Fiscal Years 2021-2023 to the Oregon Department of Transportation; and authorize Chair Russell to sign on behalf of the County. Commissioner Doherty seconded. Unanimous approval.

PGE Update on Decommissioning of the Boardman Coal Fire Plant

Chris Bozzini, Decommissioning Project Manager, PGE

Mr. Bozzini reviewed his slide presentation on the decommissioning of the Boardman Coal Fire Plant which shut down October 15, 2020. It will be a two-year process, slated to begin January 2022. First, a Request for Proposals will be issued and then in June 2021, the selection of the company to do the work will take place. The roles of the Oregon Department of Environmental Quality and the federal Environmental Protection Agency were explained by Mr. Bozzino. Discussion.

Comment Letter to the Oregon Department of Energy (ODOE) Regarding the Notice of Intent for the Wheatridge Wagon Trail Solar Project

Tamra Mabbott, Planning Director

Ms. Mabbott reviewed the draft letter and responded to questions from the Board. Representatives of NextEra Energy and its consulting firm, Tetra Tech, also answered questions from the Board (David Lawlor, Carrie Konkol and Anneke Solsby).

Commissioner Lindsay moved to approve and sign the letter to Chris McVeigh Walker with the Oregon Department of Energy. Commissioner Doherty seconded. Unanimous approval.

Comment Letter to the Land Conservation and Development Commission (LCDC) Regarding its Draft Report to the Legislature – Regional Housing Needs Assessment

Tamra Mabbott, Planning Director

Ms. Mabbott said the overall theme of the letter was to “memorialize rural” and underscore the unique challenges rural communities have with housing. Discussion.

Commissioner Doherty moved to approve the letter to the Land Conservation and Development Commission, as presented, and have Ms. Mabbott and Commissioner Lindsay also present it at tomorrow’s LCDC meeting. Commissioner Lindsay seconded. Unanimous approval.

Order No. OR-2021-1: Authorizing the Treasurer to Invest Funds

Jaylene Papineau, Treasurer

Ms. Papineau requested the Board approve the Order with an expiration date through the fiscal year, June 30, 2021.

Commissioner Lindsay moved to approve Order No. OR-2021-1: In the Matter of Authorizing the County Treasurer to Invest Funds. Commissioner Doherty seconded. Discussion: The Commissioners said the Investment Policy needed to be discussed with the new Treasurer, as well as, the Finley Buttes Fund. Unanimous approval.

Break: 10:28-10:40 a.m.

Order No. OR-2021-2: Appointing Commissioner Representative and Alternate to the Columbia Development Authority (CDA) Board

Darrell Green, Administrator

Mr. Green said at last week's meeting he was asked to prepare an Order for appointments to the CDA. He said he worked with County Counsel, Richard Tovey, on the Order but the names of appointees were left blank. Brief discussion.

Commissioner Doherty moved to retain the same two people on the CDA Board with himself as the primary representative and Chair Russell as the alternate; terms to be January 1, 2021 through December 31, 2024. Commissioner Lindsay seconded. Vote: Aye: Commissioner Doherty and Commissioner Lindsay; Nay: Chair Russell. Motion carried.

Review Columbia River Enterprise Zone (CREZ) III Draft Intergovernmental Agreements

Chair Russell said the draft was sent to the Port of Morrow for feedback but he was unsure if the Port Commission acted on it. Later in the discussion it was clarified the Port Commission approved both IGAs as presented, with changes in red by Morrow County Counsel, Justin Nelson. Discussion continued.

Commissioner Doherty moved to leave it the way it currently sits. Chair Russell seconded. Discussion: Commissioner Lindsay sought clarification – was it the version currently in front of them? Commissioner Doherty said, no, it was with the CREZ II language. Chair Russell said that meant the funds to be disbursed sit there until a decision is made on how to spend them. Commissioner Doherty said in 20 years he hadn't seen that lose any money - to have it sit there. He went on to say his default was over concerns that a representative on the CREZ III Board could "gum up the works" so that funds stay locally, or conversely, go to the entire taxing districts. Chair Russell said the County would get the bulk of that money. Commissioner Doherty agreed, adding if the money sits there and we decide where it goes, nothing precludes us from saying it needs to go to the Lexington sewer project, for instance. Chair Russell stated there was a motion and a second. Commissioner Doherty said, "To change the blue to black." Chair Russell said we'd leave the disbursement of funds, if we can't come to conclusion, as it is in the Enterprise Zone II language, or it just sits there. "Correct," replied Commissioner Doherty. Commissioner Lindsay asked County Counsel, Richard Tovey, to clean up the IGA so it could be better understood. Mr. Tovey said it would be removing that paragraph and putting the paragraph from CREZ II in that spot. Commissioner Doherty said the vote could be taken or it could be revisited next week for signature and if something was incorrect after the final review, then it would be discussed further. Chair Russell asked if the Board concluded its discussion. Commissioner Doherty said he was happy to vote on that section. Commissioner Lindsay asked if the vote was just for that section, to which Chair Russell said, yes. Vote: Aye: Chair Russell and Commissioner Doherty. Nay: Commissioner Lindsay. Motion carried.

Commissioner Doherty asked if Commissioner Lindsay's preference would still be the entire taxing districts. Commissioner Lindsay said her first choice was the entire taxing districts, her second choice was the local taxing districts and her last choice was the CREZ II language. She

said there had to be a way to stop someone from walking in the room and saying, “If I don’t get my million dollars, then you all don’t get yours.” That can’t happen again but she said she didn’t know how to get there without having another way that really makes someone think twice about making that decision. Commissioner Doherty said he would have to rethink this now.

Commissioner Lindsay said she liked something that “holds feet to the fire that doesn’t allow me to hold the entire system hostage.” Chair Russell said he wanted to move forward with this and, “We’re worrying about something that hasn’t happened in 20 years and the likelihood of it...” Commissioner Lindsay said it did happen at the last meeting. Chair Russell said he didn’t think so, necessarily. Commissioner Lindsay urged him to go back and listen to the recording. Chair Russell said the comment was made but that wasn’t how the vote turned out. Commissioner Lindsay disagreed. Commissioner Doherty asked Commissioner Lindsay if she needed time to think about the motion. She said yes, to revisit the CREZ II language and the numbers from Assessor/Tax Collector Mike Gorman.

Discussion turned to past disbursements from the Enterprise Zone Board. Chair Russell explained the dollars were originally to offset the impacts to local taxing districts.

Commissioner Lindsay asked if that was written down anywhere because it isn’t part of the goals of the Enterprise Zone. She went on to cite the objectives of the Enterprise Zone Board, as taken from the IGAs:

1. Provide more jobs in new and existing industries for all of our residents.
2. Increase the diversity of the economy, reducing the effect of economic fluctuations in single industries.
3. Increase diversification of job opportunities, to provide workers greater choice for advancement.
4. Raise the general level of income of residents.
5. Expand the tax base to share the costs of providing schools, public improvements and other local government services.

She said Chair Russell’s explanation was an interpretation a lot of people want to bring to the table but it’s not what the IGA says.

Chair Russell asked Lisa Mittelsdorf, Port of Morrow Economic Development Director, if that intent was written in State rules or if it was from litigation to offset affected taxing districts.

Ms. Mittelsdorf said that was the way she understood the program but she couldn’t verify if State statute or ORS referenced either “impacted” or “affected” but definitely those districts were the ones giving up the tax dollars, so those were the ones impacted. She said she would be happy to do some research.

Commissioner Lindsay said if that was the case, then Morrow County, the Morrow County Health District, Blue Mountain Community College, Boardman Fire, and the Morrow County Unified Recreation District would be getting most of the money because that’s who lost by the GASB 77 analysis (Governmental Accounting Standards Board). She said it’s nowhere near where we’ve gone, that’s not what the focus has been or the dollars would have gone out a lot differently.

Chair Russell said that has been the focus. We've talked to the taxing districts that we thought were affected since Enterprise Zone II was first born. He said he had a hard time seeing how a cemetery district was negatively impacted by a data center either in or around Boardman.

Commissioner Lindsay said the Morrow County Health District was the third highest impacted in tax abatement and didn't get an ambulance, so that's not in the analysis.

Chair Russell said it has been in the analysis, their tax rate is a little less than Boardman Fire District's.

Commissioner Lindsay said, "The total dollar amount the Health District gave up through last year was \$4,700,000 and they've gotten about \$150,000, versus, I could go on forever but we can't say we're trying to take care of the impacted because that's not been the analysis or this GASB 77 would be at every single meeting."

Chair Russell said the difference to him in emergency service districts was when police or fire respond to an emergency, they don't charge for services, as they should not, but medical districts do charge for services when they come.

Commissioner Lindsay said, "That was a fine analysis but don't say we're talking about tax abated dollars and then make a different analysis."

Chair Russell said we've tried to take care of those taxing districts negatively impacted by a data center being within a district.

Commissioner Lindsay said she wasn't arguing how the money was split or what your analysis was. She reiterated it wasn't about abating dollars, it was a larger analysis and a decision to choose winners and losers, that's how it worked, it wasn't about abating dollars.

Emergency Operations Center Update

Mr. Green provided numbers for recent vaccine events and compared them to events in other counties. He said the Health Department was working on a spreadsheet for signing people up for the COVID vaccine when their appropriate Phase is reached. Mr. Green explained the County spent all its COVID funds and asked if expenses such as cleaning products and the temporary office trailer should be covered by department budgets or by the County. The Commissioners said to centralize the expenses.

As more people become vaccinated, Commissioner Doherty asked at what point do things start to return to normal? Mr. Green said there was no direction from the State but indications were some restrictions might be lifted in the late fall or early winter.

Building Projects Updates

Chair Russell said the building permit still had not been issued for the Irrigon building but it was expected soon. The hope was for underground digging of water, sewer and electrical pipes to begin next week, he said.

Department Reports

- Juvenile Department Director Christy Kenny provided her quarterly report.
- Katie Imes, Coordinator of The Loop, provided her quarterly report.
- The written Emergency Management quarterly report submitted by Undersheriff Bowles was reviewed in his absence.

Correspondence

- Executive Summary: Final Environmental Analysis and Decision for Forest Management Direction for Large Diameter Trees in Eastern Oregon and Southwestern Washington
- Development Finance Review Weekly – January 14, 2021
- Sample Resolution proposed by the Columbia Development Authority on monitoring a section of the Oregon Trail. Chair Russell said the request came in late yesterday and he would schedule it for next week's agenda.

Commissioner Reports

Reports were provided by the Commissioners.

Signing of documents

Adjourned: 12:45 p.m.