

Morrow County Board of Commissioner Meeting Minutes
March 24, 2021
Bartholomew Building Upper Conference Room
Heppner, Oregon

Present In-Person

Chair Don Russell, Commissioner Jim Doherty, Commissioner Melissa Lindsay, Darrell J. Green, Roberta Lutcher, Tamra Mabbott, Justin Nelson

Present Via Zoom

Staff: Bobbi Childers, Mike Gorman, Lindsay Grogan, Katie Imes, Robin Jones, Kate Knop, Jaylene Papineau, Sandi Pointer, Matt Scrivner, Linda Skendzel; Non-Staff: Sheryll Bates, Rusty Estes, Lisa Mittelsdorf, Glenn McIntire, John Murray, Karen Pettigrew, David Sykes

Call to Order, Pledge of Allegiance and Roll Call: 9:01 a.m.

City and 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. Minutes: January 27th*
- 3. Eighteenth Amendment to Oregon Health Authority Intergovernmental Agreement #159824 for the Financing of Public Health Services, and authorize Chair Russell to sign on behalf of the County*
- 4. Amended Ordinance No. ORD-2021-1: An Ordinance Amending Morrow County Zoning Ordinance, Article 9, Administrative Provisions*
- 5. Request to Extend COVID Paid Leave for employees through April 2021*
- 6. Oregon Department of Agriculture, Wolf Compensation & Financial Assistance 2021 Grant Agreement #ODA-4264-GR; \$14,260; and authorize Commissioner Doherty to sign on behalf of the County*
- 7. Resolution No. R-2021-7: In the Matter of Morrow County Ratifying the Appointment of Greg Sweek as Columbia River Enterprise Zone III Manager*

Commissioner Lindsay seconded. Unanimous approval.

9:04 a.m. Two Land Use Legislative Public Hearings: Adopt New Goal 10 Housing Chapter of the Comprehensive Plan; Adopt a New Rural Residential 10-Acre Zone
Adopt New Goal 10 Housing Chapter – AC-135-21 Comprehensive Plan Amendment
Chair Russell called for abstentions and objections to jurisdiction. Hearing none, he called for the Staff Report from Tamra Mabbott, Planning Director.

Ms. Mabbott reviewed the Staff Report and proposed several changes to the Planning Commission Findings. She also proposed additional changes to the Findings based on a letter received yesterday afternoon from 1000 Friends of Oregon. Ms. Mabbott responded to questions from the Commissioners.

Chair Russell heard no response to his calls for either opponents to speak or comments from public agencies. He then closed the Hearing at 9:25 a.m. The Board sought clarification on the correct language needed for the motion.

Commissioner Lindsay moved to adopt the new Goal 10 Housing Chapter of the Comprehensive Plan with amendments to page 7 of 66 to change the date from March 23rd to March 24th; and also on page 7 of 66 - remove a redundant sentence in the Findings section (“The application complies with this standard”); and amend page 16 of 66, Section 20, Subsection C to read as follows: “Prepare development code provisions for a 10-acre residential zone that could be applied in the future, as allowed in Oregon’s Statewide Planning Goals, Oregon Revised Statutes and Oregon Administrative Rules.” Commissioner Doherty seconded. Unanimous approval.

Adopt a New Rural Residential 10-Acre Zone – AZ-134-20 Zoning Ordinance Amendment

Chair Russell opened the Public Hearing at 9:30 a.m. He called for abstentions and objections to jurisdiction.

Commissioner Doherty said he might have a bias but was good to participate.

Commissioner Lindsay said she might own a resource ground. She said she listened to the Planning Commission meetings on this but it wouldn’t impact her ability to vote.

Chair Russell said he owned a Small Farm 40 but at this point in time, he had no plans to change that ground. He then called for the Staff Report.

Ms. Mabbott provided her report and explained that the new zoning ordinance this would create wouldn’t apply until someone actually wanted to rezone to a Rural Residential 10-Acre Zone (RR-10). At that point, it would be a standalone decision.

Chair Russell reiterated this doesn’t create any 10-acre zones, it creates the opportunity for someone to apply for a 10-acre zone. There would also be a process through the Planning Commission that would eventually come to the Board of Commissioners, he added. He then called for proponents to speak, no comment. He called for opponents to speak, no comment.

John Murray, Morrow County Health District Board Member, spoke in favor of the zone. He said it has been a challenge for MCHD employees to find housing in the County. Mr. Murray said if this opened up more opportunities for people to find housing, he firmly supported it.

Chair Russell called for any rebuttal to the comment offered. Hearing none, he closed the Public Hearing at 9:43 a.m. to deliberate.

During the deliberation, Commissioner Doherty expressed concern that there was no maximum placed on the number of parcels. It could be 100 10-acre parcels or 10 100-acre parcels he said. He brought up several items for discussion, including what happens if owners don’t build a house in a reasonable period of time; the lesser tax rate for land outside city limits; the distance some parcels might be from services, like fire service; and compatibility to adjacent land.

Ms. Mabbott agreed there was no maximum on the number of parcels. She said RR-10 zones don't qualify for farm deferral so that would be an incentive to build. Sprawl was a legitimate concern, but the County could keep a close eye on this. If there was a proliferation of RR-10 hobby farms, she said the County might reconsider the opportunity to have an RR-10 zone. Regarding compatibility to adjacent land, she said the "not to sue covenant" has been used for many years. Commissioner Lindsay further explained the Right to Farm and not to sue is a recorded document against the deed the buyer has to accept.

Commissioner Doherty also asked about the carrying capacity for cows on 10 acres and the answer was two cows per acre, or a total of 10.

Commissioner Lindsay moved to approve AZ-134-20 and to approve the Findings to amend Article 3 and adopt a new Rural Residential 10-Acre Zone of the Morrow County Zoning Ordinance. Commissioner Doherty seconded. Unanimous approval.

Break: 10:21-10:33 a.m.

Legislative Updates

Ms. Mabbott said the written comment for Senate Bill 391 was submitted and the Bill was moving its way through the process.

Business Items

Review Quotes to Provide Weather Data for Commercial Pilots at the Lexington Airport

Sandi Pointer, Public Works

Ms. Pointer explained the requested weather data system would be an interchange unit that reads information from the County's Automated Weather Observing System (AWOS) and makes it available on electronic devices, such as cell phones and tablets. She said she invited Mr. Murray because at a recent BOC meeting, he requested better weather information for Life Flight pilots.

Mr. Murray relayed his discussion with an emergency room doctor who brought up the need to upgrade weather information for pilots flying into Morrow County.

Chair Russell said the additional system would not provide better or faster weather information, just make the AWOS information available on electronic devices, and he would like to hear input from pilots as to its necessity. Discussion.

Commissioner Lindsay moved to accept the service with Remote Systems Integration with All Weather Inc., for the National Data Interchange Network hardware and provide service for web-based broadcasting; to be reviewed in one year to see if it's actually providing the expected service. Commissioner Doherty said Chair Russell could second the motion but he was comfortable looking at this again in two weeks. Chair Russell said he could obtain information from pilots by the next meeting. Discussion. Motion died for lack of a second.

Road Committee Appointment Requests

Sandi Pointer, Public Works

Ms. Pointer said there were three vacancies and two current appointees requested to be reappointed. There were two applicants for the third vacancy, she stated.

Commissioner Lindsay moved to reappoint Bob Gates to the Road Committee, representing Ione, term to be March 24, 2021 through March 24, 2024. Commissioner Doherty seconded. Unanimous approval.

Commissioner Lindsay moved to reappoint Brian Thompson to the Road Committee, representing Lexington; term to be March 24, 2021 through March 24, 2024. Commissioner Doherty seconded.

Commissioner Doherty moved to appoint Gerry Arnson to the Road Committee, representing Heppner – Alternate, term to be March 24, 2021 through March 24, 2024. Commissioner Lindsay seconded. Unanimous approval.

Airport Advisory Committee Appointment Request

Sandi Pointer, Public Works

Ms. Pointer said an application was received for one of the alternate position vacancies on the Airport Advisory Committee. The Commissioners noted the applicant was not a resident of Morrow County and expressed their preference to appoint County residents. No action was taken.

Intergovernmental Agreement for Sheriff's Services with the City of Heppner

Darrell Green, Administrator

Mr. Green said this was basically the same as last year's contract. Brief discussion.

Commissioner Doherty moved to approve the Intergovernmental Agreement for Sheriff's Services with the City of Heppner; effective July 1, 2021 to June 30, 2022; not-to-exceed amount \$183,150.28; 2021-2022 budget year to include the purchase of a patrol vehicle by the City of Heppner, to be turned over to the City at the end of the County's rotation schedule. Commissioner Lindsay seconded. Unanimous approval.

2021 Employee Handbook & Policies

Lindsay Grogan, Human Resources Manager

As the Board continued its review of the Handbook, additional revisions were requested. The item was continued to an April agenda.

Emergency Operations Center Update

- The Oregon Health Authority will be assisting at a vaccine event at the SAGE Center in Boardman this afternoon. The event will focus on agricultural workers.
- The County was allowed to start vaccinating the 45 and older group with underlying conditions.

Review Quotes to Provide Weather Data for Commercial Pilots at the Lexington Airport, continued

Sandi Pointer, Public Works

Ms. Pointer said she contacted pilot Wayne Seitz who was now available to provide input. Mr. Seitz said having the weather information readily available on electronic devices was beneficial, in his experience, and he definitely found value in it.

Commissioner Lindsay moved to accept the service with Remote Systems Integration with All Weather Inc., for the National Data Interchange Network hardware and provide service for web-based broadcasting; to be reviewed in one year to see if it's actually providing the expected service. Chair Russell seconded. Discussion: Chair Russell thanked Mr. Seitz for his feedback and said he liked to hear from someone who has flown. Commissioner Doherty said he preferred to err on the side of too much information rather than not enough. Unanimous approval.

Building Project Updates

- Irrigon building – metal structure to arrive Monday and it will take six-to-eight weeks to erect the parts of the building. Sewer lines were being installed along the foundation.
- Sheriff Station 2 Building – ground breaking ceremony to take place April 7th.

Department Reports

- The Road Department Monthly Report was provided by Matt Scrivner, Public Works Director

Correspondence – None

Miscellaneous – Letter for the City of Ione

Ms. Mabbott presented a letter for the Board to sign in support of the City of Ione's grant application to Travel Oregon for a trail there. Brief discussion.

Commissioner Doherty moved to approve signing the support letter. Commissioner Lindsay seconded. Unanimous approval.

Commissioner Reports

- Commissioner Doherty said he meant to add this as an agenda item and offered the following comments: Relative to the Columbia Development Authority (CDA) Board and updates, the director, staff and attorneys were meeting with folks in D.C., redrafting the Programmatic Agreement (PA) Amendment. It was disconcerting the County signed on to support what was in the PA and now CDA's two counsels were redrafting something the County is bound to. He said he didn't want to go down that path. He said he read the minutes from the CDA going back to its inception when it was known as the Local Reuse Authority. The County is always behind the curve in these discussions, even relative to our partners. He said he needed to see the draft the CDA was working with and Ms. Mabbott reached out for it but they said they were uncomfortable releasing it. Commissioner Doherty said he couldn't operate that way, as the County's CDA representative. He said he didn't necessarily need to be on these calls but in light of our Community Development Director vacancy, he'd formally ask that when calls happen, to get the County ahead of the curve a bit. Maybe the County's Planning Director, who has more institutional knowledge of the CDA and was involved since 2000, could be on these

calls. He offered to reach out to Greg Smith or Debbie Pedro to ask them to invite the Planning Director in the drafts or working documents pertinent to the future of Morrow County and that they be accessible to the Planning Director. He concluded by saying he didn't know why the County would be in the shadow of what was going on. Ms. Mabbott said she would be happy to do that, if that was the Board's desire.

Executive Session: Cancelled

Signing of documents

Adjourned: 12:20 p.m.