

Morrow County Board of Commissioners Meeting Minutes
April 21, 2021
Bartholomew Building Upper Conference Room
Heppner, Oregon

Present In-Person

Chair Don Russell, Commissioner Jim Doherty, Commissioner Melissa Lindsay, Darrell J. Green, John A. Bowles, Roberta Lutcher, Tamra Mabbott, Richard Tovey; Non-Staff: Connie Green, Chris Brown, John Fields, Anne Morter

Present Via Zoom

Staff: Stephanie Case, Mike Gorman, Lindsay Grogan, Katie Imes, Deanne Irving, Crystal Jaeger, Kate Knop, Ian Murray, Jaylene Papineau, Matt Scrivner, Heidi Turrell; Non-Staff: Sheryll Bates, Torrie Griggs, Debbie Pedro, David Sykes

Call to Order, Pledge of Allegiance & Roll Call: 9:04 a.m.

City & Citizen Comments: No comments

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: March 10th, 17th & 24th*
3. *Nineteenth 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. *Eastern Oregon Coordinated Care Organization, Community Benefit Initiative Reinvestment Program Agreement, \$54,160, effective March 16, 2021-March 15, 2022; and authorize Chair Russell to sign on behalf of the County*
5. *Resolution No. R-2021-11: Applying for a County Assessment Function Funding Assistance (CAFFA) Grant*

Commissioner Lindsay seconded. Unanimous approval.

9:07 a.m. Public Hearing: Supplemental Budget Resolution No. R-2021-8, Special Transportation Fund, STF Vehicle Reserve Fund and 5310 FTA Grant Fund

Kate Knop, Finance Director

Ms. Knop said the Resolution would reallocate appropriations within the Special Transportation Fund (\$39,630); increase appropriations in the STF Vehicle Reserve Fund (\$15,804); and increase appropriations in the 5310 FTA Grant Fund (\$180,282).

Chair Russell asked if there was any public input on the Resolution – no response.

Commissioner Lindsay moved to approve Supplemental Budget Resolution No. R-2021-8. Commissioner Doherty seconded. Unanimous approval.

Business Items

Meeting with Blue Mountain Community College Representatives

Connie Green, Interim BMCC President; Chris Brown, Board of Education; John Fields, Vice President of Instruction & Student Services; Anne Morter, Director, Boardman Workforce Training Center

Dr. Green discussed the challenges faced by rural community colleges, in general, and the particular challenges faced by BMCC. Her PowerPoint presentation covered BMCC's strategies going forward in dealing with declining enrollment and budget shortfalls. The BMCC representatives responded to questions and discussed ways in which the Commissioners could engage with BMCC and provide assistance. Dr. Green thanked the Commissioners for their willingness to help and Mr. Brown said he would provide periodic updates to Morrow County.

Award Bid – Asphalt Suppliers

Eric Imes, Assistant Road Master

Mr. Imes explained two asphalt suppliers responded to the Request for Proposals (RFP) and he would like to award a contract to both suppliers. This would allow for a secondary supplier in the event the preferred supplier cannot supply the material. He said American Rock Products was the preferred provider, while Granite Construction was the secondary supplier. Discussion. Chair Russell said if there was a significant difference in the rate for smaller tonnage amounts, he wanted it to come back to the Board, but he would leave it to the discretion of Public Works.

Commissioner Doherty moved to award both American Rock and Granite Construction a contract to supply this year's hot mix asphalt, with American Rock being the preferred supplier. Commissioner Lindsay seconded. Unanimous approval.

Review Updated Hourly Fee Schedule from Anderson Perry & Associates, Inc.

Matt Scrivner, Public Works Director

Mr. Scrivner said Anderson Perry & Associates revises its hourly fee schedule every April, however, the last revision from AP arrived in September 2020 instead of April 2020. This latest revision, received this month, will be effective May 1st, he said. Brief discussion.

Commissioner Doherty moved to accept the new hourly fee schedule from Anderson Perry & Associates, Inc., effective May 1, 2021. Commissioner Lindsay seconded. Unanimous approval.

Second Reading & Adoption, Ordinance No. ORD-2021-2 – New Goal 10 Housing Chapter of the Comprehensive Plan

Tamra Mabbott, Planning Director

Ms. Mabbott provided the Second Reading by title: "An Ordinance Amending the Morrow County Comprehensive Plan to Adopt a New Chapter, Goal 10 Housing."

Commissioner Lindsay moved to adopt Ordinance No. ORD-2021-2: An Ordinance Amending the Morrow County Comprehensive Plan to Adopt a New Chapter, Goal 10 Housing; and amend the Comprehensive Plan to create a new Goal 10 Housing Chapter. Commissioner Doherty seconded. Unanimous approval.

Second Reading & Adoption, Ordinance No. ORD-2021-3 – Adopt New Rural Residential 10-Acre Zone

Tamra Mabbott, Planning Director

Ms. Mabbott provided the Second Reading by title: “An Ordinance Amending the Morrow County Zoning Ordinance to Adopt a New Rural Residential 10-Acre Zone.”

Commissioner Lindsay moved to adopt Ordinance No. ORD-2021-3: An Ordinance Amending the Morrow County Zoning Ordinance to Adopt a New Rural Residential 10-Acre Zone; and amend the Morrow County Zoning Ordinance. Commissioner Doherty seconded. Unanimous approval.

Appoint Commissioner Representative to the Lower Umatilla Basin Groundwater Management Area (LUBGWMA) Subcommittee

Tamra Mabbott, Planning Director

A new LUBGWMA subcommittee is forming to oversee research done by an Oregon State University post-doctoral scientist, explained Ms. Mabbott. The research will focus on the nitrate contamination in the aquifer, she added.

Commissioner Doherty moved to appoint Commissioner Lindsay to serve on the LUBGWMA subcommittee as co-chair. Chair Russell seconded. Unanimous approval.

Break: 10:26-10:40 a.m.

Public Transportation Division Agreement #34843

Katie Imes, Coordinator, The Loop

Ms. Imes explained the budget resolution earlier in the meeting will allow for the receipt of these funds (5310 FTA Grant). They are to mitigate COVID-19 related impacts experienced by The Loop (\$66,000 for Operating Assistance and \$76,956 for Miscellaneous Equipment).

Commissioner Doherty moved to approve and sign the Public Transportation Division, Oregon Department of Transportation, Agreement No. 34843, Capital/Operating 5311; effective March 1, 2021 or when fully executed, expiring on or before June 30, 2023; no grant match required. Commissioner Lindsay seconded. Unanimous approval.

2021 Employee Handbook & Policies

Lindsay Grogan, Human Resources Manager

Ms. Grogan reviewed the most recent revisions requested by the Board that were now incorporated in the handbook. Discussion.

Commissioner Doherty moved to approve the 2021 Employee Handbook and Policies, noting it was a living document. Commissioner Lindsay seconded. Discussion: Commissioner Lindsay said Ms. Grogan will come back with an acknowledgement for Elected Officials as a separate document for approval. Unanimous approval.

Working Out-of-Class Request, Sheriff's Office

Lindsay Grogan, HR Manager

Ms. Grogan reviewed the request to approve a working out-of-class request for Undersheriff John Bowles while Sheriff Ken Matlack is out on medical leave, as of March 31st.

Commissioner Doherty expressed two areas of concern:

1. The Sheriff is an elected, constitutional position and, as such, can the Undersheriff actually be performing the Sheriff's duties, and
2. Policy states the working out-of-class takes effect after 30 days. Should the request be considered after the 30-day mark?

Commissioner Lindsay moved to classify the Undersheriff as working out-of-class effective May 1, 2021 and for the 5% temporary pay to be added to the Undersheriff's base wage during the time served in the absence of the Department Head, retroactive to April 1, 2021; per advice of Human Resources and County Counsel. Chair Russell seconded. Discussion: Commissioner Doherty said he wanted this to be vetted more thoroughly as he didn't think it qualified as a working out-of-class request. Commissioner Lindsay said there was some time before the final decision since it doesn't go into place until May 1st. Commissioner Doherty restated his concerns. Vote: Aye: Commissioner Lindsay; Nay: Chair Russell and Commissioner Doherty. Motion failed.

Chair Russell said Commissioner Doherty's points made him want to think about this and revisit it when the Sheriff returned to work.

Commissioner Lindsay said she deferred to County Counsel in her vote but she understood Chair Russell's and Commissioner Doherty's votes. She asked if it should be revisited later, to which Commissioner Doherty replied there was nothing that precluded Ms. Grogan from bringing it back.

Resolution No. R-2021-10: PERS Retirement Plan Amendment

Lindsay Grogan, HR Manager

Ms. Grogan said this Resolution will correct an error in Resolution No. R-2020-5, which stated the type of employee contribution made to the Oregon Public Employees Retirement System (OPERS) was an *employer* paid pre-tax contribution when it should have stated it was a *member* paid pre-tax contribution.

Commissioner Doherty moved to approve Resolution No. R-2021-10: In the Matter of a Resolution to Change the Type of Employee Contributions made to the Oregon Public Employees Retirement System from Employer Paid Pre-Tax contributions to Member Paid Pre-Tax contributions. Commissioner Lindsay seconded. Unanimous approval.

Resolution No. R-2021-9: Amendment to the Morrow County Retirement Trust, Defined Benefit Plan Closure

Kate Knop, Finance Director

The Resolution amends the 2015 Restatement of the Retirement Plan. Ms. Knop then reviewed the changes in detail for the Board. It will also "tie up the loose ends after the approval of the Defined Contribution Plan," she said.

Commissioner Doherty moved to approve Resolution No. R-2021-9: In the Matter of Amending the Morrow County Retirement Plan. Commissioner Lindsay seconded. Unanimous approval.

2021 Oregon Health Authority Intergovernmental Agreement #166052 for the Financing of Community Mental Health, Addiction Treatment, Recovery & Prevention, and Problem Gambling Services

Kate Knop, Finance Director

This is a one-year agreement with the State for the provision of Mental Health Services (effective dates January 1, 2021- December 31, 2021). The County contracts the services and provider requirements with Community Counseling Solutions (CCS). Ms. Knop said the County will also need to sign a new contract with CCS so they can continue to act as the County's service provider. Discussion.

Commissioner Doherty moved to approve OHA IGA #166052 and authorize Chair Russell to sign on behalf of the County. Commissioner Lindsay seconded. Unanimous approval.

Designate Alternates to Columbia River Enterprise Zone (CREZ) III Board

Chair Russell said he had a conversation yesterday with representatives from a renewable energy company and they will be in contact with Enterprise Zone Manager Greg Sweek about a potential enterprise zone agreement. The County needs to appoint an alternate, or perhaps two, to the CREZ III Board, so meetings can take place, he said. Discussion.

Chair Russell moved to appoint the County Assessor/Tax Collector as the alternate to the CREZ III Board. Commissioner Doherty seconded. Discussion: Chair Russell said he liked Commissioner Lindsay's idea to appoint a second alternate, in the event one was needed. Commissioner Doherty suggested it was a political position and should be an elected official but he was happy to move forward with one alternate and consider others later. Unanimous approval.

Commissioner Lindsay asked if the renewable energy project Chair Russell mentioned will come in as an enterprise zone agreement.

Chair Russell replied, yes, the property for the 170 megawatt project off of Tower Road, between the airport and the freeway, is already in an enterprise zone, so the company representatives said it didn't qualify as a rural renewable energy development (RRED) zone and they weren't interested in the longer solar pilot program at this time.

Commissioner Lindsay asked if it would fit as a strategic investment program (SIP) agreement.

Chair Russell said it was not a large enough project for a SIP agreement. If the company applies, it would be the Port of Morrow and Morrow County making the decision and it would qualify for a three-year agreement. Regarding the option for a five-year agreement, he said he let the company know the first three years would probably qualify but years four and five would be negotiated and they'd have to meet some requirements.

Planning Director Tamra Mabbott asked if it didn't qualify for a SIP agreement because it wasn't a \$50 million project.

Chair Russell said he didn't think the project was large enough to fall within the guidelines of a SIP agreement. He added the company was Avangrid Renewables, which has been active in the area. They've done an RRED zone project in Crook County and are working on another in Gilliam County but they said they didn't think this one qualified since it was already in a designated enterprise zone area. He said it would qualify for the solar pilot program but they didn't want to do it because of the length of time, adding it was not their preferred method.

Emergency Operations Center Update

- Undersheriff Bowles said the current case count was 1,083 with 15 deaths. The County completed two mass vaccine event pilot projects – one with the Oregon Health Authority and one with the Federal Emergency Management Agency. He said they were both successful projects and will help other counties function better for their events. Beginning in May, the Emergency Operations Team will switch from meeting weekly to once a month, or as-needed.
- Commissioner Lindsay reviewed statistics for recent weeks and said the County was trending in the wrong direction. She said we have the power to shut down or not and urged citizens to get vaccinated, wear masks and hold parties outside.
- Darrell Green, Administrator, said the EOC Team would continue to pursue opportunities to vaccinate sizeable groups of people at once, but there has been vaccine hesitancy.

Building Project Updates – Add Alternates List

Darrell Green, Administrator

Mr. Green reviewed the list of items that could be brought back for consideration for the new building in Irrigon. He asked the Commissioners to think about the options and be prepared to make a decision in about a month.

Legislative Updates – None

Department Reports

The following reports were provided:

1. Juvenile Department Quarterly Report presented by Christy Kenny, Director
2. The Loop Quarterly Report presented by Katie Imes, Coordinator
3. Emergency Management Quarterly Report presented by John Bowles, Undersheriff

Commissioner Reports

Reports of activity were provided by the Commissioners.

12:22 p.m. Executive Session: Pursuant to ORS 192.660(2)(d) – To conduct deliberations with persons designated by the governing body to carry on labor negotiations

12:52 p.m. Closed Executive Session: No decisions

Signing of documents

Adjourned: 1:00 p.m.