

**Morrow County Board of Commissioners Meeting Minutes**  
**May 12, 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 Lutchter, Richard Tovey; Non-Staff: Larry Lutchter

**Present Via Zoom**

Staff: Erin Anderson, Stephanie Case, SaBrina Bailey Cave, Ronda Fox, Mike Gorman, Lindsay Grogan, Deanne Irving, Matt Kenny, Ian Murray, Jaylene Papineau, Matt Scrivner, Heidi Turrell; Non-Staff: Sheryll Bates, Torrie Griggs, Chris Kowitz, Erika Lasater, Debbie Pedro, Greg Silberangel, David Sykes, Ken Thiemann

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

**City & Citizen Comments:** None

**Open Agenda:** No items

**Consent Calendar**

Commissioner Doherty removed Permit Application #ORR to Business Items.

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

- 1. Accounts Payable and Payroll Payables*

*Commissioner Doherty seconded. Unanimous approval.*

**Business Items**

Application #ORR, Necessity to Build on Right-of-Way, Windwave Communications

Commissioner Doherty said the permit should be removed from the Consent Calendar so the Chair had the opportunity to sideline himself. Also, he said Windwave wants to run the line but it's a little redundant, they have a line in there and they're putting this in, is it going to an end-user of just speculative. We've had discussions in the last three or four years about filling the right-of-way to capacity and should a speculative waterline be put all around the county in the rights-of-way in case we should get water sometime. The last question, a portion will go down the blacktop, is that different than going in the right-of-way ditch, relative to a road agreement.

Mr. Scrivner said this permit is part of the same package to expand Windwave's service and it starts on Olson Road, crosses Bombing Range Road, goes across Homestead Lane and continues into Umatilla County. He said he wasn't sure where the line goes from the County Line Road east, but the Umatilla County Public Works Director said it's going quite a distance and will tie back in the Hermiston area. Mr. Scrivner said the narrative portion of the permit should have been rewritten because he had Windwave revise the plans to be within two feet of the right-of-way boundary. He added that nothing will be in the pavement.

*Commissioner Doherty moved to approve Permit Application #ORR from Windwave Communications to Build on the Right-of-Way; Homestead Lane and Bombing Range Road intersection for a communications line. Commissioner Lindsay seconded. Chair Russell stated*

*he would abstain from the vote because he has a financial interest in the applicant. Aye: Commissioner Doherty and Commissioner Lindsay; Abstained: Chair Russell. Motion carried.*

#### Update from Oregon Water Resources Department

Chris Kowitz, North Central Regional Manager

Greg Silbernagel, Watermaster, District 5

Ken Thiemann, Watermaster, District 21

The three OWRD representatives provided an update on work performed in Morrow County. Morrow County is split between two OWRD Districts, five and 21. According to their slide presentation, the key responsibilities of their department are:

1. Collecting, analyzing and providing data
2. Protecting public safety
3. Distributing water under the system of prior appropriation
4. Providing planning, technical assistance and funding to address water supply needs
5. Processing water rights transactions

Discussions took place on several topics, including the funding OWRD receives annually from the County (approximately \$12,000). Mr. Kowitz said the citizens of Morrow County have benefited from the County's contribution, which has been directed at Butter Creek and the management of that system. At the end of the update, the Commissioners agreed to designate a liaison to OWRD at an upcoming BOC meeting.

#### **Public Hearing:** Code Enforcement Ordinance Update (Continued from May 5, 2021)

Stephanie Case, Planner II

Chair Russell called for conflicts of interest or reasons to abstain. Hearing none, he explained how to offer testimony and called for the Staff Report.

Ms. Case said the draft today included the changes requested during the May 5<sup>th</sup> Public Hearing. She then reviewed the changes proposed in the Code Enforcement Ordinance.

Chair Russell called for proponents to speak; no response. He called for opponents to speak; no response. He closed the Public Hearing at 9:39 a.m.

*Commissioner Lindsay moved to adopt, as presented in the May 12<sup>th</sup> Agenda Packet. Commissioner Doherty seconded. Discussion: Commissioner Doherty asked when issues arise, does the County work closely with other agencies, such as the Oregon Department of Environmental Quality. He cited an example: If someone is dumping chemicals, does County Code supersede State Code. Ms. Case said the County can be more restrict than State Code, but cannot be less restrict than State Code. The Commissioners discussed the question of the emergency clause and opted to take it up at next week's First Reading. Unanimous approval.*

#### **Business Items, continued**

##### Update on Mormon Cricket Situation

Larry Lutchter, Oregon State University/Morrow County Extension, Agronomist

Dr. Lutchter made the following points during his discussion with the Board:

- The Mormon crickets appear to be spreading beyond Gilliam County into Morrow County and have been seen at the intersection of the Fourmile and Eightmile canyons.
- Gilliam County has been dealing with the infestation of Mormon crickets for the past three to four years. Gilliam County has been funding the aerial application of an insecticide, Dimilin, at about \$100,000/year on 10,000 acres/year.
- Dimilin is not effective against adult crickets but does kill juveniles. The eggs laid by the Mormon cricket stay in the soil and hatch over a seven-year period.
- The crickets will eat most everything in their path and move at the rate of 1-1.5 miles per day. They are within two miles of the Morrow/Gilliam County line.
- Dr. Lutchter said his counterpart in Gilliam County, Jordan Maley, is the expert on the subject and will be addressing the Board next week. He asked the Commissioners to decide if spraying is important and, if so, should it be done when the crickets are in the County or should both counties work together to spray the area just west of the Morrow County line. He also said due to COVID related supply chain issues, Dimilin might be harder to source next year as opposed to this year.

Commissioner Doherty asked where things stood with the stress on the wheat from the lack of precipitation.

Dr. Lutchter said if things don't change, the yields will be 10-20 bushels per acre. The Sand Hollow, Blackhorse and Condon corridor areas will be better, but things are beyond the point where they can be brought back and the plants are in survival mode. An inch of rain would help but not a lot, he added.

#### Columbia Development Authority Invoice

This invoice was withheld from last week's Accounts Payable pending further information for the Board.

Commissioner Doherty requested the quarterly invoice payments to CDA have more prominence during the annual Budget Committee Meeting process.

Chair Russell mentioned the budget, which he and Commissioner Doherty received, shows the federal grant's 10% match split between the five partners, Morrow and Umatilla Counties, the Ports of Morrow and Umatilla and the Confederated Tribes of the Umatilla Indian Reservation.

Commissioner Lindsay agreed with the notion of the CDA invoices being part of the Budget Committee meetings. Having never seen CDA's budget, she said it would be good to see their budget, just like what other entities do during the budget process.

*Commissioner Doherty moved to accept the invoice from the Columbia Development Authority (fourth quarter, \$2,531.80). Commissioner Lindsay seconded. Unanimous approval.*

#### Follow-up Discussion: Grants to Cities – Transferred to Resiliency Fund

Kate Knop, Finance Director

The Budget Committee approved \$500,000 in the Resiliency Fund for fiscal year 2021-2022. Commissioner Doherty said his understanding was the Commissioners would discuss project-

based ideas with the cities instead of the outright giving of funds through the Grants to Cities program. He said the cities have seen a sizeable influx of funds this year because of COVID and he'd rather see the County funds be allocated on a needs-basis.

Chair Russell said he preferred to stay away from the "needs and issues" of the past that his predecessors complained about.

Commissioner Lindsay discussed allocating a portion of the funds and holding some in reserve because of the unknown nature of COVID. She said Boardman receives a large share of Enterprise Zone money and the County is making a huge investment in Irrigon with the siting of the new building. She said she'd like to give the other communities "seed" funds for their projects. She went on to discuss the funds potentially becoming a match for federal projects.

Commissioner Doherty proposed holding onto all of the funds. He said the cities would see a windfall this year relative to this program, while the County continues to talk about the General Fund not keeping up with personnel costs in the near future, as well as other financial challenges. He continued, Morrow County Extension Agronomist Larry Lucher suggested the County set aside \$100,000 for a spray program for the Mormon crickets and the Board is still discussing \$12,000 for the Oregon Water Resources Department. The cities each received a minimum of \$200,000 from the Columbia River Enterprise Zone (CREZ) and will get another windfall from COVID funds and the County isn't even doing a needs assessment for the funds it grants, he said.

The Board decided to take no action.

#### Purchase Pre-Authorization Request – Two Ford F-250 Pickups

Eric Imes, Assistant Road Master

Mr. Imes reviewed the quotes.

*Commissioner Doherty moved to approve the Purchase Pre-Authorization Request for two 2022 Ford F-250s in the amount of \$88,566 plus \$7,600 to outfit the pickups, for a total of \$96,166. Commissioner Lindsay seconded. Unanimous approval.*

#### Out-of-State Travel Request – Public Works

Eric Imes, Assistant Road Master

Mr. Imes explained the newly purchased Kenworth T-370 needs to be transported to Wickenburg, Arizona for a distributor build. After comparing different options, it will be less expensive for a Road Department employee to drive the truck to Arizona and fly back, and then return when the work is completed.

*Commissioner Lindsay moved to approve the out-of-state travel to deliver and pick up the newly purchased Kenworth T-370 to Wickenburg, Arizona for a distributor build. Commissioner Doherty seconded. Unanimous approval.*

#### Working Out-of-Class Request – Sheriff's Office

Lindsay Grogan, Human Resources Manager

Ms. Grogan and County Counsels Justin Nelson and Richard Tovey followed up with answers to questions posed by the Commissioners at the April 21<sup>st</sup> meeting. For example, whether the Undersheriff, as an unelected position, can actually perform some of the duties of Sheriff.

*Commissioner Doherty moved to classify the Undersheriff (John A. Bowles) as working out-of-class, effective April 1, 2021 and for temporary pay to be added to the Undersheriff's base wage during the time served in the absence of the department head. Commissioner Lindsay seconded. Unanimous approval.*

The Board requested upcoming agenda items on two topics:

1. Re-evaluating the Sheriff's salary now that the person retired whose salary was just below the Sheriff's. (Oregon Revised Statute requires a sheriff's salary to be an amount not less than that for any member of the sheriff's department. In other words, the sheriff must receive the highest salary in that department.)
2. A discussion on the Morrow County Employee Handbook & Policies and how it differs from Sheriff's Office policies.

**Break:** 10:48-10:55 a.m.

Review & Approve – Boardman's Bailey Park, Phase I Subdivision Plat  
Matt Kenny, Surveyor

*Commissioner Lindsay moved to approve the plat of Boardman's Bailey Park, Phase I, and sign and date all copies of sheet two of the plat, as provided. Commissioner Doherty seconded. Unanimous approval.*

#### Building Project Updates

- Morrow County Government Center Building in Irrigon: metal roof completed; plumbing starts next week; some interior framing has been installed. Add Alternates list will be reviewed by the Board next week. The Commissioners opted to list the name of the building on the exterior monument sign at the corner of Third and Main, not all the departments.
- Sheriff Station 2 Building: still scheduled to be completed by the third week of July, which gives staff time to move the items being stored at the Fairgrounds before the start of the County Fair.

#### **Legislative Updates**

- Chair Russell said a bill supported by the Community Renewable Energy Association (CREA) to speed up the timeline for being 100% renewable energy will probably not go anywhere.

#### **Department Reports**

- Written Planning Department Monthly Report, submitted by Tamra Mabbott, Planning Director
- Treasurer's Monthly Report, provided by Jaylene Papineau

## **Correspondence**

- May 2021 edition of the Morrow County 4-H Newsletter.
- Letter from the 4-Corners Snowmobile Club to Morrow County Parks, Public Works and Commissioners stating the club was unsuccessful in securing all of the grants needed to complete the snow groomer/EMS building at Cutsforth Park.
- Notice from the U.S.D.A. Forest Service, Heppner Ranger District, regarding the Black Mountain powerline upgrade and fiber installation.

## **Commissioner Reports**

Reports of activity were provided by the Commissioners.

**11: 18 a.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

**11:36 a.m. Closed Executive Session**

**Signing of documents**

**Adjourned:** 11:45 a.m.