

**Morrow County Board of Commissioners Meeting Minutes**  
**May 19, 2021**  
**Bartholomew Building Upper Conference Room**  
**Heppner, Oregon**

**Present In-Person**

Chair Don Russell, Commissioner Jim Doherty, Commissioner Melissa Lindsay, Darrell J. Green, Bill Canaday, Dan Chase, Anthony Clement, Roberta Lutcher, Tamra Mabbott, Richard Tovey; Non-Staff: Robin Canaday, Larry Lutcher, Jamie McCormack

**Present Via Zoom**

Staff: Stephanie Case, Bobbi Childers, Lindsay Grogan, Crystal Jaeger, Kate Knop, Ian Murray, Justin Nelson, Jaylene Papineau, Matt Scrivner, Heidi Turrell; Non-Staff: Sheryll Bates, Torrie Griggs, Erika Lasater, Jordan Maley, David Sykes

**Call to Order, Pledge of Allegiance & Roll Call:** 9:00 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: April 21<sup>st</sup>*

*Commissioner Lindsay seconded. Unanimous approval.*

**Legislative Updates**

Commissioner Lindsay said during this morning's conference call with Senator Bill Hansell and Representative Bobby Levy, the following was discussed:

- According to the Governor's Office, Oregon Health Authority supersedes the Occupational Health and Safety Administration regarding mask mandates and the permanent rules OSHA put in place during the pandemic.
- Restaurant and bar owners can ask about a vaccine card but that is the only question they can ask.
- Corporate Activity Tax – there will be an amendment that eliminates agriculture completely. She said that was the original intent, or promise, but it didn't happen that way.

Commissioner Doherty commented that employers can ask an employee to be vaccinated, as a prerequisite for employment. However, if an employee has an adverse reaction, it would be based on the employer requiring it, so they are "pumping the brakes on the whole situation now."

**Business Items**

Bill Canaday and Dan Chase – Employee Recognition

Anthony Clement, General Maintenance Supervisor

Mr. Clement presented certificates to Mr. Canaday and Mr. Chase to acknowledge their outstanding service to the County and its citizens during the pandemic. Mr. Clement noted they:

- Were instrumental in developing and constructing barriers and screens to protect employees and the public
- Worked weekend shifts at the Transfer Stations to protect employees in high-risk groups

- Supported the Public Health Department in a variety of ways, including the set-up and tear-down of multiple vaccine events

Commissioner Doherty said during the pandemic, the County's team-building efforts fell by the wayside. He said he'd like to revisit the idea of picnics or other types of activities that would involve all employees.

#### Update on Mormon Cricket Situation

Jordan Maley, Gilliam County/Oregon State University (OSU) Extension

Larry Lutcher, Morrow County/OSU Extension

Mr. Maley began by providing a brief biology lesson:

- Mormon crickets, which are actually shield-backed katydids, go through seven growth stages. They stay in the hatch area until the fifth stage when they begin moving as a group from west to east.
- When mature, the female injects about 100 eggs one-inch below the surface of the soil. The eggs hatch over a seven-year period, which complicates control issues.
- This area appears to be in a large outbreak phase, which can last three to 21 years, according to the Oregon Department of Agriculture.
- They are native to parts of Oregon and are cannibalistic.

Mr. Maley then went on to recount Gilliam County's experiences since 2016 in dealing with the infestation. When the group discussed options for Morrow County, several complicating factors were brought up – the organic crops grown near the border of both counties; tracts of land owned by the federal government and a private conservation group that will most likely not be open to the spraying of an insecticide or bait programs. It was decided that Mr. Maley and Dr. Lutcher will work together to plan a meeting this fall for landowners in Morrow County, and Commissioner Doherty was assigned as the liaison to Dr. Lutcher.

#### Award Bid, Liquid Emulsion

Matt Scrivner, Public Works Director

Mr. Scrivner reviewed the quotes and recommended Blue Line Transportation Co. Inc.

*Commissioner Doherty moved to award and contract with Blue Line Transportation Co. Inc., for the supply, delivery and application of liquid asphalt emulsion. Commissioner Lindsay seconded. Unanimous approval.*

#### Award Bid, Lexington Airport Seal Coat and Runway End Identifier Lights Project

Matt Scrivner, Public Works Director

Mr. Scrivner said he would work with the County's contracted engineering firm for airport-related matters, Century West Engineering, on the intent to award process with the Federal Aviation Administration. The project should be completed in the July-September timeframe, he said.

*Commissioner Lindsay moved to award the lowest bid of the project to C.R. Contracting, LLC, in the amount of \$575,337.10 and authorize Matt Scrivner to sign contracts, hereafter, for the project. Discussion: Commissioner Lindsay asked what kind of contracts besides this one. Mr.*

*Scrivner said he was the signer on Century West contracts, just like with Anderson Perry & Associates on the Amazon project or the Kilkenny thin lift project. Commissioner Doherty asked if the motion should be rephrased to sign this contract only. Commissioner Lindsay said “and give the Public Works Director, Matt Scrivner, authority to sign the contract presented for the project. Commissioner Doherty seconded. Commissioner Doherty said he and Commissioner Lindsay had trouble with the verbiage, “to sign contracts, hereafter, for the project” because they don’t know what that amounts to. Unanimous approval.*

Commissioner Doherty asked Administrator Darrell Green if the motion made sense. Mr. Green said yes, Mr. Scrivner can sign the C.R. contract but anything else comes back to the Board of Commissioners. Commissioner Doherty replied, “Yes.”

Budget Resolution N. R-2021-13: Interfund Loan Request, General Fund to 504 FTA Fund  
Kate Knop, Finance Director

Ms. Knop explained a cost reimbursement grant from the Oregon Department of Transportation was received in the amount of \$142,956 but the 5310-FTA Grant Fund requires an interfund loan until the funds are received for fiscal year 2020-2021. The loan will be repaid with the grant revenue, she added.

*Commissioner Doherty moved to approve the General Fund interfund loan to the 5310-FTA Grant Fund in the amount of \$142,956, per Resolution No. R-2021-13: In the Matter of General Fund Making a Loan to 5310-FTA Grant Fund, Pursuant to ORS 294.468. Commissioner Lindsay seconded. Unanimous approval.*

First Reading: ORD-2021-4 Code Enforcement Ordinance Update

Stephanie Case, Planner II

Tamra Mabbott, Planning Director

Ms. Case provided the First Reading by title: “An Ordinance Adopting an Update to the Morrow County Code Enforcement Ordinance, Adding Compliance with Zoning and Subdivision Ordinances and Addressing Vehicle Nuisance Storage. This Action Repeals and Replaces Ordinance ORD-2019-4.”

Ms. Mabbott asked the Commissioners about adopting the emergency clause, which was her recommendation. She said this update was vetted carefully and was basically a housekeeping item to clean-up the 2019 update. In addition, she said there were about six code complaints the Planning Department can’t move forward on, so she would like this sooner rather than later.

Chair Russell agreed it was just housekeeping and said he preferred implementing the emergency clause.

Commissioner Doherty said even though he and Commissioner Lindsay spent the last four years resisting the tendency to automatically approve the emergency clause, he was open to it in this case because this has been a long time coming. He added that he heard action would be taken regarding junk vehicles but he wanted to go after the people producing chemicals at the Boardman Airport that aren’t airport related. That activity should be in an industrial park, he said. “I don’t want my neighbors with junk vehicles beat up on before those guys are,” he stated.

Chair Russell commented the process to look into possible code violations is largely driven by complaints.

Commissioner Doherty said this situation should have been dealt with 10 years ago and now people are trying to “un-mess” it. He said he’d be open to “un-messing” it sooner rather than later.

Commissioner Lindsay said she was comfortable implementing the emergency clause as it was housekeeping, making it a different scenario than the others.

### Sheriff Compensation History

Lindsay Grogan, Human Resources Manager

Ms. Lindsay reviewed the Oregon Revised Statute (ORS) that requires a sheriff’s salary to be the highest salary in a sheriff’s department. She then outlined the instances since 2016 in which Sheriff Ken Matlack’s salary was increased to meet the statutory requirement (\$4,668 increase in 2016 and another \$3,208 increase in 2020).

In recent years, the Compensation Board, which evaluates the compensation of elected officials, decided the sheriff’s salary should be revisited if the employee with the next highest salary were to retire. Commissioner Doherty said that is what brought about today’s discussion.

The Commissioners discussed several options but tabled the conversation because they were lacking enough information for a decision.

### Upcoming Tentative BOC Meetings

The Commissioners agreed to move forward with the joint meeting with the Umatilla County Board of Commissioners on June 3<sup>rd</sup> and the meeting at the OHV Park on June 16<sup>th</sup>.

### Emergency Operations Center Update

- Commissioner Lindsay said the County could possibly receive around \$160,000 in incentive funds if a Vaccine Equity Plan is submitted to the State. She said the EOC Team talked about offering a cash award to encourage people to get vaccinated, or holding a raffle for \$10,000 to include eligibility for people already vaccinated. She asked the Commissioners if this was something worth pursuing; there were no objections.

### Building Project Updates

North Morrow Government Center:

- Mr. Green provided the Add Alternates List for review and noted the items that will require a decision by the Board in the near future.
- There may be supply chain delays due to COVID. The building team is anticipated these and is working to mitigate them.

### **Correspondence**

- Letter from Morrow County Counsel to Umatilla Electric Cooperative regarding Morrow County’s Land Use Decision, LUD-N-26-20.

### **Commissioner Reports**

- The Commissioners talked about an email from a constituent requesting a discussion with the Board relative to the UEC line (referenced above in Correspondence). Commissioner Doherty proposed that Commissioner Lindsay contact the involved parties but allow the item to come forward organically to the Board.
- The Commissioners provided reports of activity.
- Commissioner Lindsay asked that there be a course on public meeting law and executive session criteria offered in-county each year.

### **Signing of documents**

**Adjourned:** 11:10 a.m.