

**Morrow County Board of Commissioners Meeting Minutes**  
**May 11, 2022**  
**Bartholomew Building Upper Conference Room**  
**Heppner, Oregon**

**Present In-Person**

Chair Jim Doherty, Commissioner Melissa Lindsay, Commissioner Don Russell, Darrell Green, Roberta Lutchter, Jeff Wenholz

**Present Via Zoom**

Sandi Pointer, Ronda Fox, Aaron Moss, Jaylene Papineau, Justin Nelson Cheri Rhinhart

**Call to Order, Pledge of Allegiance & Roll Call:** 8:15 a.m.

**City & Citizen Comments:** None

**Open Agenda:** None

**Consent Calendar:**

Commissioner Russell requested a discussion on the Agreement for Columbia River Enterprise Zone (CREZ) Counsel.

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

- 1. Accounts Payable & Payroll Payables*

*Commissioner Lindsay seconded. Unanimous approval.*

**Business Items**

Personal/Professional Services Agreement for CREZ Counsel

Commissioner Russell said hiring an attorney for Enterprise Zone (EZ) Agreement should be up to the CREZ Committee and not up to each entity to hire its own, as it's supposed to be a partnership.

Chair Doherty said he appreciated that and didn't want to take away from the EZ attorney, but he saw a Port of Morrow agenda yesterday and he didn't know if it delved into that. It talked about potentially going into executive session for being in competition with others, but he'd be surprised, frankly, if the Port attorney hadn't already looked at the EZ document, or had his eyes on it. A year ago, Lisa Mittelsdorf with the Port reached out to the EZ attorney and he rendered a decision for the EZ. We reached out to County Counsel, Justin Nelson, and he had a completely different thought...and when it went to the State, they said Mr. Nelson was correct. Chair Doherty said it balanced things out and had that not been done, frankly it wouldn't have been good. He said he wasn't looking to undermine anything they're doing but normally the County has Mr. Nelson review these and he's not in a position to do so. He added he assumed the City of Boardman's and the Port's attorneys looked at it but he wanted a level playing field.

Commissioner Lindsay said Mr. Nelson didn't have the time right now. She said she thought this was specialized work and the more eyes, the better so we don't make a misstep. She said she didn't see it as arguing against the partners, but as complementary.

*Chair Doherty moved to forward the Personal/Professional Services Agreement with Alan Rappleyea for as-needed local government legal services; effective May 11, 2022 to January 1, 2023; \$250 per hour and \$50 per hour for travel time; not-to-exceed \$10,000; and authorize Chair Doherty to sign on behalf of the County. Commissioner Lindsay seconded. Vote: Aye: Chair Doherty and Commissioner Lindsay. Nay: Commissioner Russell. Motion carried.*

### **Department Reports**

- The written Planning Department Monthly Report submitted by Director Tamra Mabbott, was reviewed.

### **Commissioner Reports**

Brief reports of activity were provided.

### **Signing of Documents**

**Adjourned:** 8:28 a.m.