

Morrow County Board of Commissioners Meeting Minutes
August 3, 2022
Bartholomew Building Upper Conference Room
Heppner, OR 97836

Present In-Person

Chair Jim Doherty
Commissioner Don Russell
Karen Wolff, Board of Commissioner Staff
Justin Nelson, County Counsel

Present by Zoom

Commissioner Melissa Lindsay

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

Justin Nelson, District Attorney and County Counsel introduced Zach Williams, Deputy District Attorney and County Counsel.

City and Citizen Comments:

Mike Gorman, Assessor

Mr. Gorman said he has received a lot of calls regarding letters that were sent out by the Department of Forestry to landowners. The letters are stating a wildfire risk level. From research that Mr. Gorman has done, it has something to do with potential legislation and rule changing. The implications of the letter are scary to him. According to the Department of Forestry map, everything east of the Cascades is almost all high fire danger. West of the Cascades is not. Building codes may be impacted. He thinks this is a collaboration between the Department of Forestry, State Fire Marshal and Building Codes Department. This could impact development, especially in rural areas.

Mr. Gorman encouraged the Commissioners to read the letter and maybe contact AOC (Association of Oregon Counties). Commissioners agreed.

Commissioner Lindsay said the letters went to landowners going north past North Lex elevator. This is the result of a defensible space bill that was passed last year. She said they received 40 of the letters. This has nothing to do with forests. We need to get AOC involved.

Bobbi Childers, County Clerk added by Zoom that they received over 50 of the letters for property in three different counties.

Chief Mike Hughes, Boardman Fire and Rescue District

Chief Hughes read a prepared statement. It is paraphrased as follows:

Chief Hughes asked to be on the agenda today to present an enhanced ASA Plan and was denied. A letter from the Morrow County Health District regarding the ASA was included, which he believes shows bias against the Fire District and the community of Boardman.

Chief Hughes said County Counsel is aware the ASA plan recently approved by OHA has not been adopted by the Commissioners. He also stated that Boardman Fire and Rescue District was not invited to be a part of developing the most recent plan.

Chief Hughes is asking for a modern, up to date ASA plan.

Chief Hughes stated the interest of Boardman Fire is patient care. We like to provide secondary transport service when the primary ambulance in Boardman is busy or unavailable.

Nichole Mahoney, COO Morrow County Health District

Ms. Mahoney asked what is Court's intention in regard to the letter listed as correspondence?

Mr. Nelson said that as correspondence it is simply listed. An agenda topic was not requested. There may be comments, but there will not be a back and forth discussion. That can be scheduled as a Business Item.

Commissioner Russell added that Correspondence does not make it an Agenda Item.

Ms. Mahoney asked for clarification of next steps. Chair Doherty said he does not want to get to far into it at this time. He can not say what the County will do. Commissioners will review it and may review with Counsel and then decide next steps.

Mr. Nelson asked for comments from Zoom. None.

Open Agenda:

Commissioner Russell explained he has a grant application from FAA that is time sensitive. For a number of reasons the application has been delayed. Chair Doherty and Commissioner Lindsay agreed to add as a Business Item.

Commissioner Lindsay has nothing to add.

Chair Doherty has nothing to add.

Consent Calendar:

Commissioner Russell asked to pull the Executive Session Minutes of July 27, 2022 for review.

Commissioner Lindsay asked to move the APs for review.

Balance of Consent Calendar:

- a. ~~Approve Accounts Payable and Payroll Payables~~
- b. Minutes: July 27, 2022 Board of Commissioners Meeting
- c. ~~Minutes: July 27, 2022 Executive Session~~
- d. Minutes: July 27, 2022 Board of Commissioners Work Session

- e. Wood Hill Homes Replat
- f. Fifth Amendment to Oregon Health Authority 2021-2023 IGA for the Financing of Public Health Services
- g. Discontinue additional distribution of Morrow County property taxes to the two County School Funds and Fair

Commissioner Lindsay moved to approve the balance of the Consent Calendar. Commissioner Russell seconded. Unanimous approval.

Business Items:

Executive Session Minutes.

Commissioner Russell requested to add “Commissioner Lindsay suggested Commissioner Russell recuse himself for conflict of interest.”

Commissioner Russell moved to approve the Executive Session Minutes of July 27, 2022 with the addition. Commissioner Lindsay seconded.

Chair Doherty explained that the Zoom link was not working so the Executive Session was suspended.

Unanimous approval.

APs

Commissioner Lindsay questioned in regard to the final payment to Kate Knop, has all of the Morrow County things, such as laptop, been returned. Commissioner Russell said he called Kate. She says she has not been contacted about returning items. Commissioner Russell believes she will return the computer. Commissioner Lindsay said that last week the Commissioners voted to not approve the payment. Chair Doherty asked Lindsay Grogan, Human Resources Director (Joining by Zoom) if she had emailed Kate and if so, could she please share those emails. Ms. Grogan said yes.

Commissioner Lindsay said she does not want to move forward.

Chair Doherty asked Ms. Grogan to forward the emails.

Commissioner Lindsay moved to approve the APs with removal of one payment to Kate Knop for further discussion. Commissioner Russell seconded. Unanimous approval.

FAA Grant

Mr. Nelson explained reason for short notice. This is not a new document to Morrow County. We signed similar agreements in the past. The person at the FAA was out of the office for a bit and then Morrow County staff were out of the office and now we are near the deadline. The request to the Board is to give authorization for Eric Imes, Public Works Director to sign the document on behalf of Morrow County.

Sandi Pointer, Management Assistant explained some background on the grant. \$166,000 is in the budget as revenue. Rehab and construct Taxiway D. This is in the approved budget.

Commissioner Russell moved to approve the FAA Airport Improvement Program (AIP) Grant Agreement for \$166,000 for taxiway improvements and authorize Eric Imes, Public Works Director to sign the document. Commissioner Lindsay seconded. Unanimous.

Department Report

Sheriff's Office Monthly Report

The Commissioner reviewed the report. No one from the Sheriff's Office was present. The Commissioners had no questions.

Assessor Department

Mike Gorman, Assessor

Mr. Gorman advised the Commissioners that they applied for a grant for soils mapping, and received the grant. Chair Doherty asked about the tool for field work that was discussed previously. Mr. Gorman said it has been ordered. No questions from Commissioner Russell or Commissioner Lindsay.

Commissioner Liaison Reports

Chair Doherty said he has met with his departments. Some will be very short staffed in August.

Commissioner Lindsay said she had nothing today.

Commissioner Russell said we need to swear in Kevin Ince, Finance Director. There is also a bonding requirement for the Treasurer, the Clerk, and the Finance Director. He will work with Bobbi Childers, County Clerk on this.

Correspondence

Commissioner Lindsay updated on working with Umatilla County Commissioner Dorran and Senator Merkley to obtain federal funds for the nitrate/water issue. The real question is in regard to testing. (Nitrate) Jim added that there will be an ask for \$4M. Expect the state to be a part of it, as well as the Feds. Commissioner Russell said "Good job Commissioner. Thanks for your efforts."

Chair Doherty added that information went out to all employees regarding picking up water sample bottles for testing for nitrates.

Chair Doherty mentioned letter from Morrow County Health District that was in the packet.

Commissioner Reports

Commissioner Russell

Commissioner Russell said he followed up with State Ethics regarding whether he should be recused from the Executive Session. Monica at the State Ethics Board said only he could decide if he should recuse. She also said she is glad we did not hold the Executive Session because it would be illegal. She said that if the company has not applied yet, can't talk about it in Executive Session. Discussion ensued. The name and phone number of Monica at State Ethics will be referred to Mr. Nelson who will contact her for clarification and information. Morrow County has always been very careful about Executive Session.

Chair Doherty asked Commissioner Russell if there is something more formal filed with the County by this company, would he recuse himself? Commissioner Russell said yes, depending on the situation. Discussion ensued. There were no improprieties because the Executive Session was suspended.

Chair Doherty asked Commissioner Lindsay to get something from the company so we have something more formal and will put Commissioner Russell more at ease. Commissioner Lindsay stated she will not continue to be put under pressure by Commissioner Russell.

Commissioner Russell reached out to Kate Knop and told her we need the computer back. Told her we will hold back payment until the computer is returned. She was surprise and said no one contacted her.

Commissioner Russell followed up on the decommissioning of the fuel tanks at the former gas station in lone. The tanks were removed in early 2000s. No reported leak at that time. As far as the State is concerned, the site is closed. No contamination reported when the tanks were removed. Can add that property to the tax foreclosed properties that we put up for sale.

Commissioner Lindsay

Commissioner Lindsay publicly denounced and expressed severe formal disapproval in regard to the letter that is in the packet today signed by Commissioner Russell.

Commissioner Russell asked if he could respond. Chair Doherty said that Commissioner Lindsay responded to Commissioner Russell's report on the ethics question, so Commissioner Russell will be allowed to respond.

Commissioner Russell said ASA agreement signed in April 2021. Listen to recording. The corrections that came back from OHA went to Morrow County Health District. Lots of redlines. We would not have approved any other district to approve the updates without bringing them to us. Much discussion ensued.

Chair Doherty said we need to move forward. Commissioner Russell said this dispute between Boardman Fire and the Health District has got to end. We are putting people's lives at risk. Discussion ensued.

Chair Doherty asked County Counsel for clarification. Either the most recent plan is in place, or we revert back to the previous plan. Mr. Nelson said he will have look into this further. Back in February he looked into it in regard to dispatching. He will look into the ASA. Dispatching still an open discussion, so he does not want to say much.

Break in recording.

New recorder turned on.

Chair Doherty stated that Commissioner Lindsay had to step away from the Zoom and is not present for further discussion.

Chair Doherty will share the email that he sent to Chief Hughes declining to add the ASA to the agenda. He did run Chief Hughes' agenda request and the Health District letter by Counsel before making decisions.

Chair Doherty said it is absolutely disgusting the notion that he would show bias against his home town.

Adjourn 10:01 a.m.