

Morrow County Board of Commissioners Meeting Minutes
August 24, 2022
Bartholomew Building Upper Conference Room
Heppner, OR 97836

Present In-Person

Chair Jim Doherty
Commissioner Melissa Lindsay
Commissioner Don Russell
Karen Wolff, Staff
Justin Nelson, County Counsel

Call to Order, Pledge of Allegiance & Roll Call: 9:02 a.m.

City and Citizen Comments:

None

Open Agenda:

Chair Doherty advised that the Executive Session scheduled for today will not happen today.

Consent Calendar:

Commissioner Russell moved to approve the Consent Calendar as presented consisting of Accounts Payables and Tax Refund Application from Lumen Technologies. Commissioner Lindsay seconded. Unanimous approval.

Emergency Operations Center Update

Not needed today.

Public Hearing 9:06 a.m.

Subdivision Ordinance Update and Article 9 Update, Ordinance No. ORD-2022-3

Tamra Mabbott, Planning Director
Stephanie Case, Planner II (on Zoom)

Chair Doherty asked for any abstentions or Conflict of Interest.

Chair Doherty none.

Commissioner Russell none.

Commissioner Lindsay none.

(Brief break while additional information for the hearing is prepared)

9:14 a.m. Continued the Public Hearing

Commissioner Doherty identified this Legislative Hearing is for:

- The Subdivision Ordinance Update and Article 9 Update Ordinance No. ORD-2022-3 and;
- The Update on Section 7 of the Port of Morrow Interchange Area Management Plan Ordinance No. ORD-2022-4

Chair Doherty read the following:

The Board of Commissioners will make a decision based on the record, the staff report and the testimony presented at the hearing. Testimony and evidence must be directed towards the applicable substantive criteria. Failure to raise an issue with sufficient specificity to afford the County Commissioners and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on the issue. Interested parties have the right to request continuance and the right to have the record remain open for seven days. Individuals testifying need to state their full name and address for the record as well as sign in.

Ms. Case explained that the update to the Subdivision Ordinance Update is of the Ordinance in its entirety. The Ordinance was last updated 10 (ten) years ago and is due for an update. They have been working with the current County Surveyor, prior County Surveyor, and County Assessor to draft an update.

Attached in the packet is a memorandum that Ms. Case prepared for the Planning Commission back in April that outlined a lot of the changes that are proposed. One of the changes requested by the Planning Commission was that simple Land Partitions to be processed administratively.

Ms. Case reviewed the Findings of Fact. Ms. Case clarified that there are no Zoning changes, nothing property specific. This does not change any transportation facilities. No know issues to public health or welfare.

Ms. Case reviewed each paragraph under Applicable Statewide Planning Goals.

The Planning Commission unanimously recommends adoption of this Ordinance.

Ms. Mabbott introduced Daniel Kearns, Morrow County Planning Land Use Attorney who is joining by Zoom. Mr. Kearns spoke about the benefit of providing the opportunity for more public process/review. He believes this is a good thing.

Commissioner Russell confirmed that this Ordinance was approved unanimously by the Planning Commission.

Commissioner Lindsay asked about page 7 of the updated Ordinance, item EE regarding roads. She questioned whether, as it is presently written, if this could apply to a driveway. She has a 100 ft driveway and does not want to have road standards applied to it. Mr. Kearns said this is in response to long driveways that serve multiple units and would require them to be built to a different standard than a single home private driveway.

Ms. Case reviewed the notes from the prior and present Surveyors and other collaborators and finds this was existing language that was moved within the Ordinance.

Ms. Mabbott said this could be struck. Mr. Kearns agreed.

Commissioner Lindsay asked about language throughout the Ordinance that refers to the County Surveyor. Ms. Case clarified that the intent was to refer to the Surveyor without specifically citing

Surveyor ORS (Oregon Revised Statute). This would avoid a need to update as the Surveyor ORS changes.

Chair Doherty called for any proponents to speak. None.

Chair Doherty called for any opponents to speak. None.

No need for cross examination or rebuttal.

Closed the Public Hearing on the Subdivision Ordinance Update and Article 9 Update Ordinance No. ORD-2022-3 at 9:37 a.m.

Deliberations

Commissioner Lindsay requested to remove the language on page 7 of the ordinance, paragraph EE that could make a driveway be treated as a street. Commissioner Russell agreed, and said he had questions about that paragraph too.

Commissioner Lindsay had questions about the references to the County Surveyor, but as long as they have been involved in the process, she is good with it.

*Commissioner Lindsay moved to remove from **Section 1.070 Definitions EE. Road or Street** the sentence "A private road or way exceeding 100-feet in length shall be defined as a street." and then adopt as amended Ordinance No. ORD-2022-3 An Ordinance Amending the Morrow County Subdivision Ordinance and the Morrow County Zoning Ordinance, Articles 1 and 9. Commissioner Russell seconded. Unanimous approval.*

Public Hearing continuation 9:41 a.m.

Ms. Mabbott explained that the Update to Section 7 of the Port of Morrow Interchange Area Management Plan is a joint application with the City of Boardman, the Port of Morrow, and Morrow County. What is being addressed today is the Laurel Lane interchange, north of the interchange and through the underpass. The parties jointly funded a consultant, Kittleson & Associates.

Ms. Mabbott introduced and deferred to Matt Hughart of Kittleson & Associates. Mr. Hughart shared his screen on Zoom of the Interchange Area Management Plan (IAMP) document and reviewed it as it had been reviewed with the Planning Commission. The Port has grown much faster than was anticipated in the original IAMP. The Port experiences a lot of traffic coming off of the freeway at this interchange in the early mornings. Sometimes the traffic backs up on the off ramp in relation to shift changes. The question has been what can be done to mitigate these issues. The result that is being brought forward is a roundabout feature. Mr. Hughart provided additional detail.

Chair Doherty asked for any questions.

Commissioner Russell stated the Port receives a lot of oversized loads. Will the roundabout accommodate these loads?

Mr. Hughart said yes. This plan was reviewed by the MAC (Mobility Advisory Committee) from ODOT (Oregon Department of Transportation), which protects the State's infrastructure for freight related activity. They have approved. Mr. Hughart said the Port has approved the design, and recognize that there may be some loads that can not be accommodated and there are other options for those loads.

Commissioner Russell said he is a proponent for roundabouts after hearing a presentation at an AOC (Association of Oregon Counties) conference. Mr. Hughart agreed.

Chair Doherty asked Ms. Mabbott if the power lines to the south of the interchange are included in the IAMP. Ms. Mabbott and Mr. Hughart both said yes.

Chair Doherty asked about Yates Lane. Ms. Mabbott pointed out that the discussion today is on the area north of the interchange and Yates Lane is south of the interchange.

Chair Doherty asked for proponents.

Carla McLane (by Zoom), representing the City of Boardman and the Port of Morrow.

Ms. McLane provided a brief history of this process. She said it should be noted that the primary driver of this process is safety. There are no changes proposed for the south side of the interchange. There is a proposed change to the east bound off ramp, but no changes outside of the actual interchange.

Ms. McLane stated the City of Boardman is a co-adoptee to this process. Morrow County and ODOT are the other to adoptees. Ms. McLane reviewed the ODOT process.

Chair Doherty asked for any other proponents.

Teresa Penniger (by Zoom), ODOT Planning Manager, Region 5

Ms. Penniger said that ODOT has been involved for some time. If adopted by Morrow County and the City of Boardman, the IAMP will go to the ODOT Director for adoption. This is considered a minor amendment.

No other proponents on Zoom or in person.

Chair Doherty asked for opponents. None.

Chair Doherty asked for any neutral statements. None.

No need for cross examination or rebuttal.

Closed the hearing at 10:10 a.m.

Commissioner Russell, no questions. Commissioner Lindsay, no questions. Chair Doherty, no questions.

Commissioner Russell moved to adopt as presented Ordinance No. ORD-2022-4 An Ordinance Amending the Port of Morrow Interchange Area Management Plan. Commissioner Lindsay seconded. Unanimous approval.

Business Items:

Broadband Action Team Update

Aaron Moss, Broadband Project Coordinator

Mr. Moss provided the status of the High-level engineering design. They received the first of four (4) designs yesterday. Tier 1 is fiber to every home in the county, including very remote locations. This is the most expensive option. Fiber To Most is the next level. The goal is to proceed incrementally. Reach the least expensive delivery options first.

Discussion ensued.

Commissioner Russell, no questions.

Commissioner Lindsay said that having Mr. Moss onboard has put us ahead of the game.

Chair Doherty, no questions.

Budget Line Item Adjustment for Land Purchase

Kevin Ince, Finance Director

Katie Imes, Transit Manager and Mr. Ince reviewed the project for the new Transit Bus Barn and found that this item was discussed at the Budget Hearings, but did not make it into the final product.

Mr. Ince recommends we move \$150,000 from Capital Improvement fund to the Transit Fund.

Commissioner Russell, no questions.

Commissioner Lindsay said she understood the whole project was coming from grant funds. Mr. Ince said construction of the facility is from grants. This is for purchase of the land.

Commissioner Russell moved to approve Resolution No. R-2022-16 In The Matter of an Interfund Transfer Between Capital Outlay Line Items For The Purchase Of Land, Year Beginning July 1, 2022. Chair Doherty seconded.

Commissioner Lindsay asked Mr. Ince to work with Ms. Imes on an overview of where we are headed on the whole project.

Unanimous approval.

Break 10:42 a.m.

Reconvene 10:47 a.m.

Purchase Sheriff Office Vehicles

Chair Doherty reviewed the written request to purchase six (6) Dodge Durango's. \$38,058.95 each for a total of \$228,353.70 from the Sheriff's approved budget. The vehicles will come in at different times, not all at once.

Commissioner Russell moved to authorize Undersheriff Bowles to order and purchase the above vehicles when they come in. Commissioner Lindsay seconded. Unanimous approval.

Purchase Community Corrections Vehicle

Chair Doherty reviewed the written request to purchase a Dodge Durango. \$39,526.11 from the Corrections approved budget.

County Counsel mentioned that this vehicle and the previous vehicles were purchased on the State contract. No competitive bidding.

Commissioner Lindsay moved to authorize Undersheriff Bowles to order and purchase the above vehicle when it comes in. Commissioner Russell seconded. Unanimous approval.

Department Report

Road Report

Eric Imes, Public Works Director

Mr. Imes advised the Commissioners that the approach on Laurel Lane to the coffee shop is on a one (1) year time limit. Commissioner Russell asked when that approval expired. Mr. Imes said it was approved last Spring.

Mr. Imes reviewed the written Road Report August 2022.

Commissioner Russell, no questions. Commissioner Lindsay, no questions. Chair Doherty said he will be going over one of the long driveways (discussed earlier in the meeting). West Glen Addition needs passable roads.

Commissioner Liaison Reports

Commissioner Lindsay said she is continuing the conversation around the 21 road. We also need to have a conversation about the county-owned survey equipment.

Commissioner Russell said he visits with Elected Officials when he is in town on Wednesdays.

Chair Doherty, nothing new to report.

Correspondence

None.

Commissioner Reports

Commissioner Russell

There was a bill passed that exempts Community Renewable Energy projects from ad valorem taxes, if for residential applications. There is a developer in Pendleton that wants this extended to commercial applications. Commissioner Russell would like to leave it up to local governments to decide, not the State.

Commissioner Lindsay

The Commissioners agreed to try out the Liaison arrangement for Commissioners and then revisit how it is working. She would like to have a Work Session for this revisit. Chair Doherty agreed.

Chair Doherty

The ask to the E-Board has been submitted.

Regarding the Boardman Public Health Office. We need to do something for a better building. If nothing else, cosmetic improvements. Commissioner Lindsay agreed. Commissioner Russell was asked to look around for potential properties again.

A wage study has been discussed for some time, and he would like to move forward with this. Commissioner Lindsay said she thought the Human Resources Director was working on this. Commissioner Russell agreed.

Adjourn 11:10 a.m.