

Morrow County Board of Commissioners Meeting Minutes
September 20, 2023
Off-Highway Vehicle Park Office
Morrow-Grant County OHV Park

Present In-Person

Chair David Sykes, Commissioner Jeff Wenzholz, Commissioner Roy Drago Jr., Matthew Jensen, Roberta Lutchter, Justin Nelson, Kevin Ince, Lindsay Grogan, Gina Wilson, John Bowles, Greg Close, Brian Snyder, Eric Imes

Present Via Zoom

Staff: Kirsti Cason, Sandi Pointer, SaBrina Bailey Cave, Robin Canaday, Rose Kylo, Stephen Wrecsics, Valerie Ballard. Non-Staff: Elaine Albrich, Kaleb Lay, Michael Mann, Nathaniel Brown

Call to Order & Pledge of Allegiance: 10:00 a.m.

City & Citizen Comments: Greg Close, Parks General Manager, thanked the Board for meeting at the OHV Park. He said it was important to him, as well as other Parks personnel. Chair Sykes said he'd heard "good things" about the way Mr. Close managed the Parks. We appreciate your efforts, he added.

Open Agenda: A request from the Umatilla County Board of Commissioners would be discussed during Commissioner Reports.

Consent Agenda: Commissioner Wenzholz requested to move two items to Business Items:

- Out-of-State Travel Request, Planning Department
- Resolution No. R-2023-22: Authorizing Treasurer as Back-Up Administrator for Credit Cards

He also noted the following item was removed from the agenda and might be rescheduled:

- Amendment to Health Officer Contract

Commissioner Wenzholz moved to approve the following items in the Consent Agenda:

1. *Minutes: July 19th Special Meeting; September 6th*
2. *Agreement for Personal Services with Alliance Management & Construction Solutions, LLC, Co. for Project Management Services to Construct a New Circuit Court Building*
3. *Application for Tax Refund – Alto Columbia LLC/Pacific Ethanol Columbia LLC*

Commissioner Drago seconded. Vote: Unanimous approval.

Business Items

Out-of-State Travel Request, Planning Department

Commissioner Wenzholz said there was a Zoom option to attend the meeting and that would be better for the County. No motion was made regarding the request.

Resolution No. R-2023-22: Authorizing Treasurer as Back-Up Administrator for Credit Cards

Commissioner Wenzholz proposed removing the name of the Treasurer in the Resolution and replacing it with "Morrow County Treasurer."

Commissioner Wenzholz moved to amend Resolution No. R-2023-22 to remove "Jaylene Papineau" and replace it with "Morrow County Treasurer." Commissioner Drago seconded. Vote: Unanimous approval.

Commissioner Wenholz moved to approve amended Resolution No. R-2023-22: In the Matter of Authorizing County Treasurer to be Added as an Additional Authorized Person to Administer County Credit Cards. Commissioner Drago seconded. Vote: Unanimous approval.

Intergovernmental Agreement (IGA) #6543, Department of Corrections

Sheriff John Bowles

Sheriff Bowles provided a brief overview of the two-year agreement that brings over \$1 million to Morrow County for the Parole & Probation Department.

Commissioner Wenholz moved to approve IGA #6543 with the Department of Corrections; effective July 1, 2023 until June 30, 2025. Commissioner Drago seconded. Vote: Unanimous approval.

Comment Letter to Oregon Department of Energy, Sunstone Solar Project, Preliminary Application for Site Certificate

Stephen Wrecsics, Associate Planner

Mr. Wrecsics said the Sunstone Project was a 1,200 megawatt facility on approximately 10,900 acres southeast of the Bombing Range. This is a large project with large impacts and Planning Director, Tamra Mabbott, and Administrator, Matthew Jensen, met with Sunstone representatives to discuss mitigations for the Goal 3 exception Sunstone is seeking. A work session with the Commissioners and Sunstone representatives is planned in order to discuss options for use of the mitigation funds, he said.

Commissioner Wenholz moved to approve the comment letter to the Oregon Department of Energy regarding the Preliminary Application for Site Certificate for the Sunstone Solar Project. Commissioner Drago seconded. Vote: Unanimous approval.

Resolution No. R-2023-23: Approving the Agreement for Long-Term Rural Enterprise Zone Abatement between the Columbia River Enterprise Zone (CREZ) III Board and Lamb Weston, Inc.

Justin Nelson, County Counsel

Commissioner Wenholz stated he would abstain from the discussion and voting.

Commissioner Drago moved to approve Resolution No. R-2023-23: In the Matter of Approving an Agreement between the Sponsors of the Columbia River Enterprise Zone III and Lamb Weston, Inc. Chair Sykes seconded. Discussion: In response to questions from Chair Sykes, Mr. Nelson explained how and when other entities, such as the City of Boardman, are included in enterprise zone agreements, based on the Areas of Influence in the CREZ III IGA. Vote: Aye: Chair Sykes, Commissioner Drago. Abstained: Commissioner Wenholz. Motion carried.

Job Description, Community Development Director

Matthew Jensen, Administrator

Mr. Jensen discussed the timeline of the Community Development Director position since 2019. After discussion, it was decided to hold a work session on this job description, as well as other personnel changes Mr. Jensen plans to propose.

Commissioner Drago moved to postpone this item to a work session on October 18th. Commissioner Wenholz seconded. Vote: Unanimous approval.

Eastern Oregon Counties Association (EOCA) Dues

Commissioner Wenholz said he received the invoice and asked that it be listed on the agenda. Discussion.

Chair Sykes moved to pay the EOCA membership invoice and invite Paul Anderes, EOCA Chair, to a BOC meeting to provide a report on EOCA's mission and plans. Commissioner Wenholz seconded. Vote: Unanimous approval.

Department Reports

The following reports were provided:

- Written Planning Department Monthly Report
- Written Treasurer's Monthly Report
- Written Accounts Payable Monthly Report

Correspondence: None

Commissioner Reports

Brief reports were provided by each Commissioner.

The Board discussed a request from Dan Dorrان, Umatilla County Commissioner. He asked Morrow County to do an amicus brief, or friend of the court, for its appeal of a court decision that struck down the two-mile rule when locating windmills near residential buildings. Umatilla County supports the two-mile limit. The Board agreed by consensus to ask Mr. Nelson to provide a report, at an upcoming meeting, on Umatilla County's request for an amicus brief.

Break: 11:01-11:09 a.m.

Chair Sykes read the Executive Session citation: Pursuant to ORS 192.660(2)(d) – To conduct deliberations with the persons designated by the governing body to carry on labor negotiations.

11:10 a.m. Entered into Executive Session

11:37 a.m. Closed Executive Session

11:42 a.m. Returned to Regular Session

Business Items, continued

Ratification of Sheriff's Office Association Collective Bargaining Agreement

Lindsay Grogan, Human Resources Director

Ms. Grogan said the Sheriff's Office Association voted to ratify the Collective Bargaining Agreement for July 1, 2023. The three-year agreement will be retroactive to July 1, 2023 and the contract will be scheduled for Board signature in the near future, she said.

Commissioner Wenholz moved to ratify the Collective Bargaining Agreement with the Morrow County Sheriff's Office Association, as affiliated with Teamsters Local Union No. 223, with the

authorization for the Board to sign the contract at a later date with the condition there will be no material changes on the bargained Articles. Commissioner Drago seconded. Vote: Unanimous approval.

Adopt Final Findings of Fact, Rowan Green Data Applications AC-145-23, ACM-146-23 & AZM-147-23; and Second Reading, Ordinance No. ORD-2023-6: Amending Comprehensive Plan to Change the Plan & Zone Designation of a 274-Acre Parcel from Exclusive Farm Use to General Industrial

Matthew Jensen, Administrator

Mr. Jensen explained Ms. Mabbott was at a training in Alaska but Rowan's Green's attorney, Elaine Albrich, was available online for questions, as was the County's attorney, Dan Kearns.

Mr. Kearns said he reviewed the Final Findings of Fact, which were prepared by the applicant. The applicant was entitled to prepare the Findings, he said, since they would defend the County's decision in the event an appeal is filed.

Ms. Albrich said she didn't have anything further unless there were questions.

Brief discussion.

Chair Sykes moved to adopt an Ordinance, with the Second Reading by title only, Amending the Morrow County Comprehensive Plan to Change the Plan and Zone Designation of a 274-Acre Parcel from Exclusive Farm Use to General Industrial, and Adopt a Limited Use Overlay Zone to Limit Use to a Data Center, and Adopt Exceptions to Statewide Planning Goals, 3, 11 & 14 to Allow the Establishment and Operation of a Data Center Use – County File Numbers AC-145-23, ACM-146-23 and AZM-147-23. Commissioner Wenholz seconded. Vote: Unanimous approval.

Signing of Documents

Adjourned: 12:00 p.m.