

Morrow County Board of Commissioners Meeting Minutes
October 18, 2023
Bartholomew Building Upper Conference Room
Heppner, Oregon

Present in-Person

Chair David Sykes, Commissioner Jeff Wenzholz, Commissioner Roy Drago Jr., Matthew Jensen, Valerie Ballard, Justin Nelson, Robin Canaday, Tamra Mabbott; Non-staff: Mike McArthur, Richard Rockwell

Present via Zoom

Staff: Sandi Pointer, Deona Siex, SaBrina Bailey-Cave, Jaylene Papineau, Lindsay Grogan, Stephanie Case, Kevin Ince, Eric Imes, Bobbi Childers, Mike Gorman; Non-Staff: Todd Lindsay, J. Foster, Emily Collins, Emily Roberts, Nathaniel Brown, Rashad Masri, Jeff Fox, Debbie Pedro, Whitney Maher, Kaleb Lay, Nella Mae Parks, Lisa Pratt, Erika Lasater, Chris Clark, Elaine Albrich, Julie Jensen, Doug Shifflett, Jessica Keys, Suzanne Green, Logan Stephenson, Nikki Olofson, Olivier Jamin, Gibb Evans, Rick Stoke, Sam Tucker, Bob Blackmore, Kathy Street

Call to Order and Pledge of Allegiance: 9:00 a.m.

Public Comment:

- Richard Rockwell, Boardman, read a letter to the Board regarding concerns of conduct within government entities.
- Nella Mae Parks, Oregon Rural Action, addressed concerns regarding the Water Briefing Papers being presented by the Water Advisory Committee on October 18, 2023.

Open Agenda: No Items

Consent Agenda:

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

1. *Second Amendment to Oregon Health Authority Intergovernmental Agreement #180024 for the Financing of Public Health Services; effective July 1, 2023*
2. *Rock Pit Agreement with JJMC, LLC; effective October 18, 2023*
3. *Rock Pit Agreement with Cliff Dougherty/Dougherty Ranch; effective October 18, 2023*
4. *Rock Crushing Extension with 4R Equipment LLC; effective November 15, 2023 to March 29, 2024*
5. *Intent to Award Request for Proposals, Architectural Design Services, with DLR Group for the new Circuit Court Building; effective November 1, 2023*
6. *Intergovernmental Agreement Between Morrow County and Gilliam County for Board of Property Tax Appeals, effective October 1, 2023 to April 30, 2025*

Commissioner Drago seconded. Vote: Unanimous approval.

Business Items

Columbia Development Authority (CDA) Update

Debbie Pedro, Director of Economic Development Coordinator

Ms. Pedro gave an update on the CDA. There is a Memorandum of Understanding (MOU) between CDA and Confederate Tribes of the Umatilla Indian Reservation (CTUIR) for wildlife conservation. There is an MOU and grant with Oregon Department of Transportation to develop a road. CDA is addressing solar opportunities and has a Request for Proposals for audit services.

Oregon Department of Transportation (ODOT) Presentation

Ken Patterson, ODOT Region 5 Manager

Rich Lani, District 12 Manager of Operations

Mr. Patterson went over the current budget and sources for funding from federal sources, state programs, legislation, grants, and fund exchange. Funds for maintenance can only be sourced from state taxes which makes maintenance difficult. Mr. Patterson reviewed projects being worked on within Morrow County and nearby areas, as well as addressing wants within the County. Chair Sykes inquired about the impact electric vehicles have on funding, to which Mr. Patterson stated less revenue from gas taxes due to the increase in electric vehicles on the road was expected, and they have been talking to the Legislature to find a sustainable source for increasing funding.

Community Renewable Energy Association (CREA) Update

Mike McArthur, CREA, Executive Director

Mr. McArthur provided an overview of the history of CREA, the benefits of renewable energy, projects CREA has worked on, and benefits of Strategic Investment Program Agreements (SIP) for developers and the County.

Break: 10:48-10:53 a.m.

Grant Update from South Morrow County Seniors Matter

Jerry Conklin, South Morrow County Seniors Matter (SMCSM) Co-Founder

Mr. Conklin reviewed the progress of SMCSM since the first meals were served on July 11, 2023. SMCSM has been providing meals weekly to seniors in Morrow County. They received a grant providing \$35,000 from the County for operational costs and have averaged 55 meals a week. With donations averaging \$125 each week, there is an additional need for funding to provide customer service and outreach. In addition to providing weekly meals, SMCSM has scheduled presentations and speakers and recently held a flu vaccination clinic at the regularly scheduled lunch with 90 attendees for the meal and 64 individuals vaccinated.

Mr. Conklin mentioned difficulties with scheduling transportation to the meals, to which Commissioner Wenholtz suggested reaching out to The Loop/Public Transit to better schedule rides for seniors to the lunch.

Request for Annexation from Boardman Fire Rescue District (BFRD)

Mike Hughes, BFRD, Chief

Chief Hughes described to the Board that the CDA acquired property in both Umatilla and Morrow Counties, and BFRD has an MOU with the CDA to provide fire protection to the property in question. BFRD also has an intergovernmental agreement with Oregon Military Department, which has a full-time fire station, with both agencies working toward having a jointly run fire station.

Mr. Jensen explained that to annex property to the fire district, a public hearing will be needed, along with a staff review of the request. Confirming no action is planned for today.

Commissioner Wenholz moved to entertain discussion to annex land to the Boardman Fire Rescue District. Commissioner Drago seconded. Vote: Unanimous approval.

Request for Funds, Irrigon Stokes Landing Senior Center

Matthew Jensen, County Administrator

Mr. Jensen requested the Irrigon Stokes Landing Senior Center funding request be moved to the end of the meeting and was addressed after the Department Reports.

Policy Update: Classification and Reclassification Process

Lindsay Grogan, Human Resources Director

Ms. Grogan went over changes to the Employee Classification and Reclassification policy. She explained why changes were needed and how the changes make the policy more flexible, timing wise.

Commissioner Wenholz moved to approve the policy update to classify and reclassify staff. Commissioner Drago seconded. Vote: Unanimous approval.

2023 Second Season Youth Elk Spike Hunt at the Off-Highway Vehicle Park

Greg Close, Parks General Manager

Mr. Close presented the request to open the Youth Spike Hunt for a second time this year to nine youth applicants, allowing local youth the opportunity to safely experience hunting while being monitored by Park staff.

Commissioner Drago moved to approve the nine applicants for the Youth Spike Hunt. Commissioner Wenholz seconded. Vote: Unanimous approval.

Acceptance of Grant from the Environmental Protection Agency (EPA)

Tamra Mabbott, Morrow County, Planning Director

Morrow and Umatilla Counties were granted \$1.7 million dollars to combat the water nitrate crisis. A Request for Proposals will go out and will include analysis of wells and structural analysis.

Commissioner Wenholz moved to accept the grant award and proceed. Commissioner Drago seconded. Vote: Unanimous approval.

Pine Gate Renewables LLC Application for Sunstone Solar Project Mitigation Program

Tamra Mabbott, Planning Department Director

Commissioner Wenholz recused himself for the potential this could become involved with Umatilla Electric and would like to be recused from the discussion.

Ms. Mabbott and County staff are looking for direction from the Board on how to proceed with Pine Gate Renewables. Pine Gate Renewables is proposing providing mitigation money to offset the cost of losing dryland wheat farming land to renewable energy endeavors.

Commissioner Drago moved to schedule a work session meeting for the second week of November 2023. Chair Sykes seconded. Vote: Unanimous approval.

Update to State Filing, Notice of Intent to Appeal County Approved Rezone for Percheron Application

Tamra Mabbott, Planning Department Director

Ms. Mabbott asked if County employees should get involved in the possible appeal by the State of Oregon regarding the Percheron Data Center. Percheron Data Center is requesting Morrow County to intervene, similar to an amicus. The State of Oregon has filed to appeal and would go before the Land Conservation and Development Commission (LCDC) and ask for permission to appeal as their next step. There is no current policy in place and this Business Item is to see if the County should get involved, she added.

Commissioner Wenholz moved to direct County staff to participate, as needed, at the LCDC meeting. Commissioner Drago seconded. Vote: Unanimous approval.

Presentation and Possible Action of Proposed Briefing Papers on Water

Tamra Mabbott, Planning Department Director

Ms. Mabbott explained that Morrow County has a contract with GSI Water Solutions to understand water issues. The water briefing papers addressed water quality, water quantity, domestic wells, and projects in the region to address water concerns. Commissioner Drago was involved in water advisory meetings and confirmed that the briefing papers are living documents to be continuously updated. Mr. Jensen clarified the need for the papers to be watermarked with “draft” and to update the papers as needed.

No motion needed.

Discussion and Possible Action, Appointment Process to Fill Vacant Board Position at the Port of Morrow

Chair Sykes reviewed recent changes to the Port of Morrow Port Commission. After a resignation within the Commission, the position was narrowed to two applicants with a 2-2 vote after two rounds of interviews. Port Commission Chairman, Joe Taylor, made a motion to declare an impasse and send the decision to the County. After discussion, Commissioner Drago proposed if no decision was made by the Port Commission by October 26, 2023 the Board can then declare an impasse and to hold a special meeting on Friday, October 27th.

Commissioner Drago moved to notify Port Commissioners that if no decision is made by October 26th, then a special meeting will be scheduled for October 27th. Commissioner Wenholz seconded. Vote: Unanimous approval.

Amendment to Health Officer Contract

Justin Nelson, County Counsel

Mr. Nelson explained the current Health Officer raised questions regarding the new contract, siting conflicts with appointments etc. An agreement has not yet been reached and no action is needed at present.

Resolution No. R-2023-24: Approving Morrow County Investment Policy

Jaylene Papineau, Treasurer

The investment policy was last updated in 2019 and should be updated annually. Ms. Papineau explained that verbiage needed to be updated and the policy had contradictory statements which needed to be corrected.

Commissioner Wenholz moved to approve Resolution No. R-2023-24: In the Matter of Approving Morrow County Investment Policy. Commissioner Drago seconded. Vote: Unanimous approval.

Miscellaneous: Tax Distributions

County Administrator Matthew Jensen wanted to notify Commissioners of tax district distributions which are essentially pass-through payments. The tax distributions have been set and approved and do not require board approval. Mr. Jensen wanted to address the tax distributions for full transparency.

Department Reports

- The Treasurer's Monthly Report was provided by Ms. Papineau
- The Planning Department Monthly Report was presented by Ms. Mabbott
- The verbal Loop/Public Transit Quarterly Report was presented by Benjamin Tucker
- The District Attorney Report was postponed
- The Juvenile Department Quarterly Report was postponed
- The Justice Court Quarterly Report was postponed

Request for Funds, Irrigon Stokes Landing Senior Center, continued

Mr. Jensen circled back to the request for funds for the Irrigon Stokes Landing Senior Center. The senior center requested a grant from the County to fund lunches and outreach over two years. Luncheons have not been held since March 2023 due to lack of money and volunteers and they are requesting funding of \$37,454 per year for the next two years to restart the program.

Commissioner Wenholz moved to conditionally approve the request for funds contingent on the availability of using American Rescue Plan Act (ARPA) funds. Commissioner Drago seconded. Vote: Unanimous approval.

Correspondence

- Letter from Nancy J. Binder, Portland, regarding electronic voting concerns

Commissioner Reports

Brief reports of activity were provided.

Signing of Documents

Adjourned: 3:00 p.m.