## MORROW COUNTY BOARD OF COMMISSIONERS SPECIAL MEETING AGENDA

Friday, February 26, 2021 at 9:00 a.m.
Bartholomew Building Upper Conference Room
110 N. Court St., Heppner, Oregon
Zoom Meeting Information Below

- 1. Call to Order and Pledge of Allegiance 9:00 a.m.
- 2. Business Items
  - a. Resolution No. R-2021-4: A Resolution in Support of Columbia Development Authority and Commitment to Preserve and Maintain South Trail (Justin Nelson, County Counsel)
- 3. Signing of documents
- 4. Adjournment

Agendas are available every Friday on our website (<u>www.co.morrow.or.us/boc</u> under "Upcoming Events"). Meeting Packets can also be found the following Monday.

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to Roberta Lutcher at (541) 676-5613.

Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the meeting; however, the Board may consider additional subjects as well. This meeting is open to the public and interested citizens are invited to attend. Executive sessions are closed to the public; however, with few exceptions and under specific guidelines, are open to the media. The Board may recess for lunch depending on the anticipated length of the meeting and the topics on the agenda. If you have anything that needs to be on the agenda, please notify the Board office before noon of the preceding Friday. If something urgent comes up after this publication deadline, please notify the office as soon as possible. If you have any questions about items listed on the agenda, please contact Darrell J. Green, County Administrator at (541) 676-2529.

## **Zoom Meeting Information**

Join Zoom Meeting:

Zoom Call-In Numbers for Audio Only Using Meeting ID 541-676-2546#:

• 1-346-248-7799

• 1-929-436-2866

• 1-669-900-6833

• 1-253-215-8782

• 1-312-626-6799

1-301-715-8592

## BEFORE THE BOARD OF COMMISSIONERS FOR MORROW COUNTY, OREGON

A Resolution in Support of Columbia Development Authority and Commitment to Preserve and Maintain South Trail	) ) )	RESOLUTION NO. R-2021-2
to Preserve and Manhath South Train	,	

WHEREAS, The Columbia Development Authority ("CDA"), the Board of Directors of which is comprised of representatives of Morrow County, Port of Morrow, Umatilla County, Port of Umatilla, and the Confederated Tribes of Umatilla Indian Reservation, intends to acquire certain real property (the "CDA Acquisition") commonly known as the Umatilla Chemical Depot (the "UMCD") from the United States Department of the Army (the "Army"), a portion of which is located in Morrow County, Oregon (such portion, the "Morrow Property"); and

WHEREAS, the CDA is a party to that certain Programmatic Agreement (the "Programmatic Agreement") dated December 2013, by and among the CDA, Army, the Oregon State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP); and

WHEREAS, as a condition to the CDA Acquisition, the CDA, Army, SHPO and ACHP shall enter into an Amendment to the Programmatic Agreement (the "PA Amendment") to which the CTUIR shall be a signatory to the same; and

WHEREAS, under Section (B)2 of the PA Amendment, a portion of the trail located within Morrow County, commonly referred to in the PA Amendment as the "South Trail" is required to be maintained, protected and preserved, in perpetuity, from and after the CDA Acquisition; and

WHEREAS, the CDA Acquisition and the subsequent development of the property located in Morrow County, together with the preservation of the South, will benefit Morrow County economically and culturally; and

WHEREAS, in order to satisfy the conditions precedent to the CDA Acquisition, and to facilitate the development of the Property located in Morrow County by CDA and other third parties following the CDA Acquisition, and to maintain the South Trail as a site of historical and cultural significance, Morrow County agrees to assume responsibility for the perpetual maintenance, protection and preservation of the South Trail, in accordance with Section (B)2 of the PA Amendment once the CDA complies with the affirmative obligations of Section (B)(2) and once the property has been transferred to Morrow County as owner of the South Trail property. These affirmative obligations under Section (B)(2) include the required survey, coordination with SHPO for enclosure of interpretive segment, aerial photographs and video of South Trail, building of ADA compliance parking and public amenities and providing the Next Exit History app for the South Trail; and

WHEREAS, Morrow County's obligations for the perpetual maintenance, protection and preservation of the South Trail only occur once the property transfer to Morrow County occurs.

**NOW THEREFORE BE IT RESOLVED** that Morrow County will maintain, protect and preserve the South Trail, in accordance with the terms and provisions of Section (B)2 of the PA Amendment after the conditions listed above have occurred.

Dated this 24th day of February 2021

MORROW COUNTY BOARD OF COMMISSIONERS MORROW COUNTY, OREGON

Don Russell, Chair

Jim Doherty, Commissioner

Melissa Lindsay, Commissioner

## BEFORE THE BOARD OF COMMISSIONERS FOR MORROW COUNTY, OREGON

A Resolution in Support of Columbia	)	
Development Authority and commitment	)	RESOLUTION NO. R-2021- 42
To Preserve and Maintain South Trail	)	

WHEREAS, The Columbia Development Authority ("CDA"), the Board of Directors of which is comprised of representatives of Morrow County, Port of Morrow, Umatilla County, Port of Umatilla, and the Confederated Tribes of Umatilla Indian Reservation, intends to acquire certain real property (the "CDA Acquisition") commonly known as the Umatilla Chemical Depot (the "UMCD") from the United States Department of the Army (the "Army"), a portion of which is located in Morrow County, Oregon, (such portion, the "Morrow Property"); and

WHEREAS, the CDA is a party to that certain Programmatic Agreement (the "Programmatic Agreement") dated December 2013, by and among the CDA, Army, the Oregon State Historic Preservation Office (SHPO), the Advisory Council on Historic Preservation (ACHP); and

WHEREAS, as a condition to the CDA Acquisition, the CDA, Army, SHPO and ACHP, shall enter into an Amendment to the Programmatic Agreement (the "PA Amendment") to which the CTUIR shall be a signatory to the same; and

WHEREAS, under Section (B)2 of the PA Amendment, a portion of the trail Morrow property located within Morrow County, commonly referred to in the PA Amendment as the "South Trail" is required to be maintained, protected and preserved, in perpetuity, from and after the date of the CDA Acquisition; and

**WHEREAS**, the CDA Acquisition and the subsequent development of the Morrow property located in Morrow County, together with the preservation of the South Trail, will benefit Morrow County economically and culturally; and

WHEREAS, in order to satisfy the conditions precedent to the CDA Acquisition, and to facilitate the development of the Morrow Property located in Morrow County by CDA and other third parties following the CDA Acquisition, and to maintain the South Trail as a site of historical and cultural significance, Morrow County desires to assume responsibility for the South Trail, its perpetual oversight, semi-annual monitoring, and enforcement, if necessary, perpetual maintenance, protection and preservation of the South Trail, in accordance with Section (B)2 of the PA Amendment. Upon completion of the Army's and CDA's obligations with respect to the South Trail as specified in Section (B)2 of the PA Amendment, the CDA and Morrow County shall enter into an agreement for the sale and purchase of the South Trail on a

date agreeable to both parties...once the CDA complies with the affirmative obligations of Section (B)(2) and once the property has been transferred to Morrow County as owner of the South Trail property. These affirmative obligations under Section (B)(2) include the required survey, coordination with SHPO for enclosure of interpretive segment, aerial photographs and video of South Trail, building of ADA compliance parking and public amenities and providing the Next Exit History app for the South Trail; and

WHEREAS, Morrow County's obligations for the perpetual maintenance, protection and preservation of the South Trail CDA's transfer of that portion of the property, only occurs once the property transfer to Morrow County occurs.

NOW THEREFORE BE IT RESOLVED that Morrow County-will shall assume perpetual responsibility to maintain, protect and preserve the South Trail, including parking area, ADA platform, tables and associated signage, in accordance with the terms and provisions of Section (B)2 of the PA Amendment and this Resolution. after the conditions listed above have occurred.

NOW THEREFORE, Resolution R-2021-2 is repealed by the passing of this superseding Resolution.

Dated this 264th day of February 2021

MORROW COUNTY BOARD OF COMMISSIONERS MORROW COUNTY, OREGON

Don Russell, Chair	
Jim Doherty, Commissioner	
Melissa Lindsay, Commissioner	