

MORROW COUNTY BOARD OF COMMISSIONERS MEETING AGENDA

Wednesday, October 26, 2022 at 9:00 a.m.

Bartholomew Building Upper Conference Room

110 N. Court St., Heppner, Oregon

Zoom Meeting Information on Page 2

AMENDED

1. **Call to Order and Pledge of Allegiance - 9:00 a.m.**
2. **City/Citizen Comments:** Individuals may address the Board on topics not on the agenda
3. **Open Agenda:** The Board may introduce subjects not on the agenda
4. **Consent Calendar**
 - a. Approve Accounts Payable and Payroll Payables
 - b. Minutes: October 19th
 - c. Property Tax Refund Application – Lumen Technologies Inc.
5. **Business Items**
 - a. Vehicle Purchase Request (Christy Kenny, Juvenile Department Director)
 - b. **Request to Sign: 2nd B.M.C.C. Replat**
6. **Retirement Recognition – Sheriff Kenneth Matlack**
7. **Business Items, continued**
 - b. Local Assistance and Tribal Consistency Fund – Federal Allocation (Kevin Ince, Finance Director)
 - c. Department of Land Conservation and Development Intergovernmental Agreement #21104, Rural Transportation Equity Project (Tamra Mabbott, Planning Director)
 - d. Request to Sign Comment Letter to Oregon Broadband Office (Aaron Moss, Broadband Action Team)
8. **Department Reports**
 - a. Road Department Monthly Report (Mike Haugen, Assistant Roadmaster)
 - b. Human Resources Quarterly Report (Lindsay Grogan, Director)
 - c. ~~Surveyor Quarterly Report (Matt Kenny, Contracted Surveyor)~~
 - d. Public Health Quarterly Report (Robin Canaday, Director)
 - e. Weed Department Written Report
9. **Commissioner Liaison Reports**
10. **Correspondence**
11. **Commissioner Reports**
12. **Signing of documents**
13. **Adjournment**

Agendas are available every Friday on our website (www.co.morrow.or.us/boc 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 Lutchter 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 Chair Jim Doherty at (541) 571-0584.

Zoom Meeting Information

<https://zoom.us/j/5416762546>

Password: 97836

Meeting ID: 541-676-2546

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

- 1-346-248-7799
- 1-669-900-6833
- 1-312-626-6799
- 1-929-436-2866
- 1-253-215-8782
- 1-301-715-8592

Morrow County Board of Commissioners Meeting Minutes
October 19, 2022
Bartholomew Building Upper Conference Room
Heppner, Oregon

Present In-Person

Chair Jim Doherty, Commissioner Melissa Lindsay, Commissioner Don Russell, Roberta Lutchter, Kevin Ince, Jaylene Papineau, Mike Haugen, Greg Close, Tamra Mabbott, Ramzi Sulieman

Present Via Zoom

David Sykes, Emily Roberts, Eric Imes, Greg Sweek, Heidi Turrell, Katie Imes, Jeff Wenzholz, Joe Taylor, Kirsti Cason, Linda Skendzel, Robin Canaday, Todd Lindsay, Torrie Griggs, Sandi Pointer, Aaron Moss, Rick Stokoe, Ronda Fox, Christy Kenny, SaBrina Bailey-Cave, Greg Smith, Kelsey Crocker, Mike Johnson, Mark Pratt, Wendy Neal, Ana Laura, Marie (last name not provided), Patrick Collins, Willow Creek (no additional information)

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

City & Citizen Comments:

Ramzi Sulieman, Chief Operating Officer, True Organic Products, Inc., asked the Board for a letter of support for a federal grant application. True Organics produces organic fertilizer and employs 170 people at its facilities in Boardman and California. Chair Doherty asked Planning Director, Tamra Mabbott, if signing a letter could create issues if True Organic's conditional land use permit were to come before the Board on appeal. Ms. Mabbott explained the Commissioners would not have to recuse themselves as a tribunal on an appeal. The letter of support could be contingent upon compliance with the necessary land use permits, she said. Commissioner Russell suggested the letter be added to next week's agenda for consideration, and Commissioner Lindsay requested more details be provided on the federal grant. Ms. Mabbott said she would look into the correct verbiage for the letter.

Open Agenda: No items

Consent Calendar:

Commissioner Lindsay moved to approve the following items in the Consent Calendar:

1. *Accounts Payable and Payroll Payables*
2. *Minutes: October 12th*
3. *Service Agreement with Greater Oregon Behavioral Health, Inc. (GOBHI). GOBHI will pay Morrow County \$70 per one-way trip used with The Loop for GOBHI's Medicaid - authorized passengers; effective October 19, 2022 and shall expire June 30, 2023.*
4. *Eagle Crest Estates Subdivision Plat; owners Double T Farming (Rod Taylor and Joe & Cheryl Taylor, and Craig Coleman, Stiffler LLC)*

Commissioner Russell seconded. Unanimous approval.

Business Items

Review Permit Application #OTN – To Build in County Right-of-Way, Windwave Communications

Mike Haugen, Assistant Roadmaster

Commissioner Russell stated he had an actual conflict of interest due to his financial interest in Windwave Communications and would not participate.

Mr. Haugen reviewed the application and since it was over 250', it needed to be brought before the Board. He said application #OTN was tied to #OTL and this new application made sense. Commissioner Lindsay said it appeared, primarily, to be a relocation of vaults, to which Mr. Haugen agreed.

Chair Doherty moved to approve Permit Application #OTN from Windwave Communications for work on Bombing Range Road at the intersection with Wilson Lane; and authorize the Public Works Director to sign. Commissioner Lindsay seconded. Unanimous approval (Commissioner Russell recused).

Resolution No. R-2022-20 – Authorizing Public Works to Apply for an All-Terrain Vehicle Grant from Oregon Parks and Recreation Department

Greg Close, Parks General Manager

Mr. Close said the Parks Department applies for this grant every two years. The funds go toward operation and maintenance of the Morrow-Grant County Off-Highway Vehicle Park. The grant request of \$1,133,763 requires a County match of \$226,763. The match comes from the revenue from grazing leases and camping fees, as well as in-kind volunteer labor at the Park from several volunteer organizations.

Commissioner Russell moved to apply for the ATV Grant in the amount of \$1,133,763 and to approve Resolution No. R-2022-20: In the Matter of Authorizing Morrow County Public Works Department to Apply for an All-Terrain Vehicle Grant from the Oregon Parks and Recreation Department for Operations and Maintenance at the Morrow-Grant County Off-Highway Vehicle Park. Commissioner Lindsay seconded. Unanimous approval.

OHV Park Youth Elk Hunt

Greg Close, Parks General Manager

Mr. Close said six applications were received and he recommended accepting all of them. Brief discussion.

Commissioner Russell moved to approve all six applications for the Youth Hunt:

1. Riley Gregg, John Day
2. Darby Spivey, Ione
3. Kassadie Griffin, Irrigon
4. Katie Spivey, Ione
5. Memphis Jones, Irrigon
6. Preslie Bowes, Irrigon

Commissioner Lindsay seconded. Unanimous approval.

Appointments to the Review Committee for the Water Coordinator Request for Proposals

Tamra Mabbott, Planning Director

Ms. Mabbott said the proposals were due November 7th and she planned to present the intent to award on November 23rd. She suggested several people for the review committee: Jacob Cain, Port of Morrow; J.R. Cook, Northeast Oregon Water Association; Randy Jones, Department of Environmental Quality; and a farmer from the Willow Creek drainage and the Buttercreek drainage. Commissioner Russell suggested Commissioner Lindsay be on the team and she

agreed to take this on with the committee filling in any missing slots. The Board agreed by consensus and that agencies be called out, such as DEQ or the Soil and Water Conservation District.

Adopt Two Findings of Fact: Amending the Subdivision Ordinance & Updating the Port of Morrow Interchange Area Management Plan

Tamra Mabbott, Planning Director

Ms. Mabbott said the Board approved Ordinance No. ORD-2022-3 and Ordinance No. ORD-2022-4 on August 24th but the Findings had not yet been signed.

Chair Doherty moved to adopt and sign the following Findings:

1. *Amending and updating the Morrow County Subdivision Ordinance and relevant sections of Articles 1 and 9 of the Morrow County Zoning Ordinance (ORD-2022-3)*
2. *Amending the 2012 Port of Morrow Interchange Area Management Plan, focusing on the interchange north of Interstate 84 to allow a roundabout (ORD-2022-4)*

Commissioner Russell seconded. Unanimous approval.

Resolution No. R-2022-21 – Approving the Coordinated Human Services Transportation Plan

Katie Imes, Transit Manager

Ms. Imes said the update to the Plan included extensive stakeholder involvement. She then requested formal adoption of the Plan.

Commissioner Russell moved to approve Resolution No. R-2022-21: A Resolution Approving the Morrow County Coordinated Human Services Transportation Plan. Commissioner Lindsay seconded. Discussion: The process for public input was reviewed, as referenced on page two of the Plan. Unanimous approval.

Old Business

Interim Chief of Staff Discussion

Lindsay Grogan, Human Resources Director

Ms. Grogan informed the Board no applications were received for the interim position, however, several applications were submitted for the permanent position. The permanent position's closing date is October 28th and she planned to be back before the Board in the near future regarding appointing members for the interview panel.

Department Reports

- The quarterly report for The Loop – Morrow County Public Transit was provided by Ms. Imes
- The quarterly report for the Juvenile Department was provided by Director Christy Kenny
- The quarterly report for Emergency Management was provided by Paul Gray, Emergency Manager

Commissioner Liaison Reports

- The Commissioners had no reports this week.

Correspondence

- Letter from Matthew D. Chase, Chief Executive Officer/Executive Director of the National Association of Counties asking state associations to contribute to the new National Center for Public Lands Counties

Commissioner Reports

- Commissioner Russell said he and Commissioner Lindsay had conflicting information regarding the County-owned service station in Ione. He said he was unaware there were two service stations on Main Street in Ione and he had obtained information on the incorrect one. The one that is owned by the County does have underground storage tanks but there are grants available for local governments in these situations. He said it might be a slow process but perhaps some initial work could be done to pursue them. Commissioner Russell also provided updates on meetings he attended and then asked that the County follow-through with the mediator the County hired to mediate the disagreements between Boardman Fire Rescue District and the Morrow County Health District. He said he didn't think a Commissioner needed to attend the meetings because there was adequate representation through the Sheriff's Office. Commissioner Russell and Commissioner Lindsay agreed that requesting a written plan from the mediator would be a good idea. Chair Doherty said he would take it into consideration.

Signing of documents

Adjourned: 10:20 a.m.



AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 1 of 2)

(For BOC Use)
Item #
40

Please complete for each agenda item submitted for consideration by the Board of Commissioners
(See notations at bottom of form)

Presenter at BOC: Mike Gorman
Department: Assessment & Tax
Short Title of Agenda Item:
(No acronyms please)

Date submitted to reviewers:
Requested Agenda Date: 10/26/2022

Property Tax Refund for Lumen Technologies Inc, (Formerly Century Link)

This Item Involves: (Check all that apply for this meeting.)

- Order or Resolution
Ordinance/Public Hearing:
1st Reading 2nd Reading
Public Comment Anticipated:
Estimated Time:
Document Recording Required
Contract/Agreement
Appointments
Update on Project/Committee
Consent Agenda Eligible
Discussion & Action
Estimated Time:
Purchase Pre-Authorization
Other

N/A

Purchase Pre-Authorizations, Contracts & Agreements

Contractor/Entity:
Contractor/Entity Address:
Effective Dates - From: Through:
Total Contract Amount: Budget Line:
Does the contract amount exceed \$5,000? Yes No

Reviewed By:

Mike Gorman 10/20/2022 Department Director Required for all BOC meetings
Liaison Commissioner Required for all BOC meetings
County Counsel *Required for all legal documents
Finance Office *Required for all contracts; other items as appropriate.
Human Resources *If appropriate

*Allow 1 week for review (submit to all simultaneously). When each office has notified the submitting department of approval, then submit the request to the BOC for placement on the agenda.

Note: All other entities must sign contracts/agreements before they are presented to the Board of Commissioners (originals preferred). Agendas are published each Friday afternoon, so requests must be received in the BOC Office by 1:00 p.m. on the Friday prior to the Board's Wednesday meeting. Once this form is completed, including County Counsel, Finance and HR review/sign-off (if appropriate), then submit it to the Board of Commissioners Office.

AGENDA ITEM COVER SHEET

Morrow County Board of Commissioners

(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

Lumen Technologies Inc, (formerly Century Link) is a Utility Company with multiple tax accounts and valued by the Oregon Dept. of Revenue, Utility Section. I was notified on June 16, 2022 by the Department of a roll correction for the 2018-19, 2019-20, 2020-21 and 2021-22 tax years due to a Stipulated Judgment by the Magistrate Division of Oregon Tax Court. This roll correction resulted in a tax refund for all years. All refunds are to be paid out of current year taxes collected. This refund of \$18,423.14 is for the 2021-22 tax year and is the final of the four years of correction. We refunded the 2018-19 year in June, the 2019-20 year in July and the 2020-21 year in August.

2. FISCAL IMPACT:

3. SUGGESTED ACTION(S)/MOTION(S):

Sign refund.

Attach additional background documentation as needed.



Oregon

Kate Brown, Governor

Department of Revenue

955 Center St NE
Salem, OR 97301-2555
www.oregon.gov/dor

LUMEN TECHNOLOGIES INC (F.K.A. CENTURYLINK)
BWEMBYA CHIKOLWA, SR. TAX MANAGER
1025 ELDORADO BLVD
BROOMFIELD, CO 80021

CENTRALLY ASSESSED PROPERTIES
CENTRAL ASSESSMENT ROLL CORRECTION
FOR THE 2021-22 ASSESSMENT YEAR
ORDER PTU # 2022-007

The Oregon Department of Revenue assessed the property of Lumen Technologies Inc. pursuant to ORS 308.505 et. seq. A correction to that value is now required due to a settlement agreement on the value of Lumen's Oregon property for the 2021-22 tax year.

Authority for making this change is provided by ORS 308.624(3)(b).

Therefore, it is ordered that the counties listed in Exhibit A make the corrections as shown and correct all totals to the utility assessment roll (UAR), and county certificates of the Department of Revenue for the 2021-22 tax year.

If you have any questions, please contact Mike Hillstrom, Valuation Section, at (503) 318-8949.

Done in Salem, Oregon, this 14th day of June 2022.

DEPARTMENT OF REVENUE

Michael Saladino

Michael Saladino, Valuation Section Manager
Property Tax Division

cc: Assessors for Baker, Benton, Clackamas, Clatsop,
Columbia, Coos, Crook, Deschutes, Douglas,
Gilliam, Grant, Harney, Hood River, Jackson,
Jefferson, Josephine, Klamath, Lake, Lane,
Lincoln, Linn, Malheur, Marion, Morrow,
Multnomah, Polk, Sherman, Tillamook,
Umatilla, Union, Wasco, Washington,
Wheeler, and Yamhill Counties

Enclosure: Exhibit A



MEMO

To: Assessors for: Baker, Benton, Clackamas, Clatsop, Columbia, Coos, Crook, Deschutes, Douglas, Gilliam, Grant, Harney, Hood River, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, Malheur, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Union, Wasco, Washington, Wheeler, and Yamhill Counties.

From: Mike Hillstrom, Valuation Section, (503) 318-8949;
Mike.Shane.Hillstrom@dor.oregon.gov

cc: Utility Contacts for Baker, Benton, Clackamas, Clatsop, Columbia, Coos, Crook, Deschutes, Douglas, Gilliam, Grant, Harney, Hood River, Jackson, Jefferson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, Malheur, Marion, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Union, Wasco, Washington, Wheeler, and Yamhill Counties.

Date: June 14, 2022

Re: Central Assessment Roll Correction PTU 2022-007, Lumen Technologies Inc. (F.K.A. Centurylink)

The following Central Assessment Roll Correction was sent to Lumen Technologies Inc. (F.K.A. Centurylink) on June 14, 2022.

The Oregon Department of Revenue assessed the property of Lumen pursuant to ORS 308.505 et. seq. A correction to that value is now required due to a settlement agreement on the value of Lumen's Oregon property for the 2021-22 tax year. A signed Stipulated General Judgement from the Oregon Tax Court documenting the agreement is enclosed.

If you have any questions, please contact me.

APPLICATION FOR REFUND
MORROW COUNTY, OREGON

No. 22-37
Tax Year 2021-22
Acct. # 80524

Property Owner & Refund to :

Lumen Technologies Inc
Attn: Property Tax Dept.
1025 Eldorado Blvd
Broomfield, CO 80021

Tax Payer:

CenturyLink
100 Centurylink Dr
Monroe, LA 71203

Receipt # 269383

Date paid 11/8/2021

Int. date 11/15/2022

Original Tax	Tax Credit	Disc/Int. Pd	Actual Paid	Revised Tax	Rev Dis/Int	Net Revised	Tax Diff.	Int/Dis Diff	Tax Refund	Ref. Int.	Total Refund	
46772.31	46772.31	-1230.78	45,541.53	44436.89	-1333.11	43,103.78	2,335.42	102.33	2,437.75	271.84	2,709.59	0101-80524
7096.23	7096.23	-212.89	6,883.34	6742.02	-202.26	6,539.76	354.21	-10.63	343.58	41.23	384.81	0102-80525
792.79	792.79	-23.78	769.01	754.45	-22.63	731.82	38.34	-1.15	37.19	4.46	41.65	0104-80526
8383.58	8383.58	-251.51	8,132.07	7957.08	-238.71	7,718.37	426.50	-12.80	413.70	49.64	463.34	0105-80527
958.78	958.78	-28.76	930.02	906.95	-27.21	879.74	51.83	-1.55	50.28	6.03	56.31	0108-80529
10960.14	10960.14	-328.8	10,631.34	10406.72	-312.2	10,094.52	553.42	-16.60	536.82	64.42	601.24	0109-80530
12332.41	12332.41	-369.97	11,962.44	11715.79	-351.47	11,364.32	616.62	-18.50	598.12	71.77	669.89	0501-80014
1638.19	1638.19	-49.15	1,589.04	1550.63	-46.52	1,504.11	87.56	-2.63	84.93	10.19	95.12	0504-80018
640.74	640.74	-19.22	621.52	604.49	-18.13	586.36	36.25	-1.09	35.16	4.22	39.38	1002-80039
21927.59	21927.59	-657.83	21,269.76	20834.46	-625.03	20,209.43	1,093.13	-32.80	1,060.33	127.24	1,187.57	1004-80059
35888.08	35888.08	-1076.64	34,811.44	34088.87	-1022.67	33,066.20	1,799.21	-53.97	1,745.24	209.43	1,954.67	1201-80532
1511.16	1511.16	-45.33	1,465.83	1433	-42.99	1,390.01	78.16	-2.34	75.82	9.10	84.92	1203-80533
46427.37	46427.37	-1392.82	45,034.55	44103.62	-1323.11	42,780.51	2,323.75	-69.71	2,254.04	270.48	2,524.52	2501-80092
956.77	956.77	-28.7	928.07	907.05	-27.21	879.84	49.72	-1.49	48.23	5.79	54.02	2503-80118
31704.84	31704.84	-951.15	30,753.69	30116.25	-903.49	29,212.76	1,588.59	-47.66	1,540.93	184.91	1,725.84	2504-80138
293.57	293.57	-8.81	284.76	282.29	-8.47	273.82	11.28	-0.34	10.94	1.31	12.25	2506-10497
9028.68	9028.68	-270.86	8,757.82	8566	-256.98	8,309.02	462.68	-13.88	448.80	53.86	502.66	2511-80144
41167.36	41167.36	-1235.02	39,932.34	39092.89	-1172.79	37,920.10	2,074.47	-62.23	2,012.24	241.47	2,253.71	2512-10913
5738.22	5738.22	-172.15	5,566.07	5451.01	-163.53	5,287.48	287.21	-8.62	278.59	33.43	312.02	2513-11887
3783.77	3783.77	-113.51	3,670.26	3601.85	-108.06	3,493.79	181.92	-5.45	176.47	21.18	197.65	3501-80534
1620.59	1620.59	-48.62	1,571.97	1538.98	-46.17	1,492.81	81.61	-2.45	79.16	9.50	88.66	3503-80160
41026.09	41026.09	-1230.78	39,795.31	38977.12	-1169.31	37,807.81	2,048.97	-61.47	1,987.50	238.50	2,226.00	3512-80535
2425.98	2425.98	-72.78	2,353.20	2300.93	-69.03	2,231.90	125.05	-3.75	121.30	14.56	135.86	3905-80166
1785.9	1785.9	-53.58	1,732.32	1692.51	-50.78	1,641.73	93.39	-2.80	90.59	10.87	101.46	4004-80536
Total Refund											18,423.14	

Reason: MAGISTRATE OREGON COURT DECISION 311.205(1)(D)

Approved: _____ 2022

Commissioner

699-699-5-70-7075


Michael Gorman, Tax Collector

Commissioner

Date

10-20-22

Commissioner



AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 1 of 2)

(For BOC Use)
Item #
5a

Please complete for each agenda item submitted for consideration by the Board of Commissioners
(See notations at bottom of form)

Presenter at BOC: Christy Kenny
Department: Juvenile Department
Short Title of Agenda Item: Vehicle Purchase Request
(No acronyms please)

Date submitted to reviewers: 10/18/2022
Requested Agenda Date: 10/26/2022

This Item Involves: (Check all that apply for this meeting.)
Order or Resolution
Ordinance/Public Hearing:
1st Reading 2nd Reading
Public Comment Anticipated:
Estimated Time:
Document Recording Required
Contract/Agreement
Appointments
Update on Project/Committee
Consent Agenda Eligible
Discussion & Action
Estimated Time: 10 Minutes
Purchase Pre-Authorization
Other

N/A
Purchase Pre-Authorizations, Contracts & Agreements
Contractor/Entity:
Contractor/Entity Address:
Effective Dates - From: One time purchase Through:
Total Contract Amount: Budget Line:
Does the contract amount exceed \$5,000? Yes No

Reviewed By: [Signature] 10/18/22 Department Director Required for all BOC meetings
Comm. Lindsay via email 10-24-22 Liaison Commissioner Required for all BOC meetings
County Counsel *Required for all legal documents
Kevin Ince via email 10/24/22 Finance Office *Required for all contracts; other items as appropriate.
Human Resources *If appropriate
*Allow 1 week for review (submit to all simultaneously). When each office has notified the submitting department of approval, then submit the request to the BOC for placement on the agenda.

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AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

The Juvenile Department seeks to purchase a new vehicle to replace our 2012 Dodge Charger. In September the Dodge Charger broke down and after having an estimate completed by Hermiston Dodge, the price to repair the vehicle was very significant and it would be more cost effective to purchase a new vehicle than to replace the current one.

Quote #1: Harley Swain Subaru, Hermiston, OR - 2023 Subaru Crosstrek - \$32,064.00 (+ taxes & fees and - \$275 government discount) = \$32,589 Approximate total.

Quote #2: Tonkin Subaru, The Dalles, OR - 2023 Subaru Crosstrek - \$32,124.61

Quote #3: Subaru of Portland, Portland, OR - 2023 Subaru Crosstrek - \$28,360.00 (+ taxes & fees) = \$29,160.00 Approximate total.

The Subaru Crosstrek gets 28/33 MPG and is All-Wheel Drive. It meets the needs of our department and after comparing this vehicle to a Dodge Durango, Jeep Cherokee and Ford Escape, it is also more cost effective.

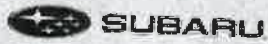
2. FISCAL IMPACT:

These funds will be moved from fund 204 into the general fund and into the juvenile department budget.

3. SUGGESTED ACTION(S)/MOTION(S):

Motion to approve purchase pre-authorization of 2023 Subaru Crosstrek in the amount not to exceed purchase price of \$35,000. This allows for discretion in case these current quoted vehicles are no longer available.

Attach additional background documentation as needed.



Price Sheet

Page 1 of 1

10/18/2022

Bill To Retailer Harley Swain Subaru (140189)
Phone 541-567-9696

Ship To Retailer Harley Swain Subaru (140189)
Phone 541-567-9696

Summary

Name	Price
Factory Order MSRP (Vehicle, 1 Package, 3 Accessories)	\$32,064.00
Order Sheet Total	\$32,064.00

This is NOT the final price of the vehicle. It does not include taxes, registration, additional installation labor, or any additional fees/discounts/adjustments agreed upon between retailer and customer.

Factory Order MSRP

Item	Item Type	MSRP
(PRE 22 C CGL) 2023 Crosstrek Sport	Vehicle	\$29,595.00
(CS2) (0KO 0H2) EXTERIOR AND INTERIOR AUTO DIMMING HL MIRRORS	Package	\$681.00
(0KO) Auto-Dimming Exterior Mirror with Approach Light	Accessory	
(0H2) Auto-Dimming Mirror with Compass and HomeLink	Accessory	
(0J6) Rear Bumper Cover	Accessory	\$152.00
(0JJ) Crossbar Set - Aero	Accessory	\$252.00
(0JY) Rear Seatback Protector	Accessory	\$159.00
Destination and Delivery fee for MSRP		\$1,225.00
Factory SubTotal		\$32,064.00

Cool Khaki Gray

+ taxes & fees
(\$700-800)

-\$275 Discount

Quote #1

Christy Kenny

From: Deseray Hendrix <DeserayHendrix@dealerdelivery.net>
Sent: Tuesday, October 18, 2022 4:00 PM
To: Christy Kenny
Subject: RE: RE: RE: Subaru Crosstrek #DS6080 Price Quote!

STOP and VERIFY This message came from outside of Morrow County Gov

Quote #2



Hi Christy,

I have some unfortunate news; the Subaru Crosstrek we quoted you has been sold and is no longer available. We do have another suitable option in-bound and expected to arrive by November. Here's a look at how it's equipped and our associated price;

New 2023 Subaru Crosstrek Premium - Sport Utility Vehicle (CS2)

Exterior: Ice Silver Metallic
Interior: Black premium cloth upholstery
Odometer: N/A
Fuel: Gas
Equipped Features:



VON: 117539861

Options Package 14, power moonroof, blind spot detection with rear cross traffic alert and lane change assist, EyeSight adaptive cruise control, raised roof rails, crossbar set - aero, exterior and interior auto dimming mirrors, 2.0L engine, 16.6 gal. fuel tank, raised roof rails, fog lights, heated front seats, leather wrapped steering wheel, rear cargo tray, retractable/removable cargo area cover, 6-speaker audio system, 4G LTE WiFi hotspot capable, daytime running lights, rear vision camera, keyless entry with push button start and a 6-way power driver seat.

Sales Price:

\$31,298 + tax, title and licensing (offer valid through November)

MSRP:	\$30,298
Sales Price:	\$31,298
Tax:	\$274.11

DMV Fee's:	\$552.50
OTD:	\$32,124.61

Let me know if you're interested in swapping this unit for our originally quoted Subaru Crosstrek and we can proceed as priory intended.

Deseray Hendrix
BDC Internet Manager
Tonkin of the Gorge
2222 W. 6th St. The Dalles OR.
Dealership: (541)296-2166

----- In Response To -----

From: "Christy"
To: "Deseray Hendrix"
Sent: Tuesday October 18, 2022 3:03:56 PM
Subject: RE: RE: RE: Subaru Crosstrek #DS6080 Price Quote!

[ACCESS YOUR PROFILE](#)
You may reply to this email directly or access it through online.
MessageID:45301FF9-D5EA-8A90-52F5-F52322A30169

Christy Kenny

From: kamronsafari@subaruofportland.com
Sent: Monday, October 17, 2022 4:12 PM
To: Christy Kenny
Subject: Vehicle Pricing Proposal
Attachments: img-0.png

STOP and VERIFY This message came from outside of Morrow County Gov

Hello Christy,

I've attached the vehicle proposal. This is in your name so before you submit it, I suggest we change it to the county's name or whoever is the "buyer". This price includes the vehicle's price with its accessories and a 697\$ discount as you folks are a government municipality. This does not include the price of the taxes and fees as they cannot be calculated at this time (roughly an additional 700-800\$ on top of this is my guess).

Let me know what you think,

-Kamron

Quote #3

Quote #3

BUYER		CO-BUYER		Deal #: 139230
CHRISTY KENNY				Deal Type: Retail
OR				Deal Date: 10/17/2022
Home #:		Home #:		Print Time: 04:01pm
Work #:		Work #:		Salesperson: KAMRON SAFARI

VEHICLE				
New <input checked="" type="checkbox"/>	Stock #:	Description:	VIN:	Mileage:
Used <input type="checkbox"/>	PH256584			
Demo <input type="checkbox"/>				

TRADE	

AFTERMARKETS			
PULSE REAR COLLISION DETERENT	\$ 699.00	MSRP:	\$ 27,370.00
ANTI-THEFT PROTECTION	\$ 299.00	Discount:	\$ 697.00
DOOR EDGE AND CUP GUARDS	\$ 574.00	Sale Price:	\$ 26,673.00
		Total Financed Aftermarkets:	\$ 1,572.00
		Total Trade Allowance:	\$ 0.00
		Trade Difference:	\$ 28,245.00
		Documentary Fee:	\$ 115.00
		State & Local Taxes:	\$ 0.00
		Total License and Fees:	\$ 0.00
		Total Cash Price:	\$ 28,360.00
		Total Trade Payoff:	\$ 0.00
Total Aftermarkets:	\$ 1,572.00	Delivered Price:	\$ 28,360.00
		Cash Down Payment + Deposit:	\$ 0.00
		Unpaid Balance:	\$ 28,360.00
		Service Agreement:	\$ 0.00
		Maintenance Agreement:	\$ 0.00
		GAP Insurance:	\$ 0.00
		Credit Life, Accident & Health:	\$ 0.00
		Other:	\$ 0.00
		Amount Financed:	\$ 28,360.00

A documentary service fee in an amount up to one hundred and fifty dollars may be added to the sale price of the capitalized cost. The interest rate on the payment presented to you here is based on this dealerships manufacturers rating pertaining to your credit worthiness and selected loan term. Actual contract rate may vary based on rating of other available lenders and the loan term selected by you. All contract terms are negotiable including rate, term and documentary service fee. Contract terms are not agreed upon until execution of contract documents.

X _____ X _____
 Buyer Dealer

SUBARU CROSSTREK / CROSSTREK HYBRID MODEL INFORMATION 2023MY

CROSSTREK PREMIUM (PRC) STANDARD OPTION 11
MODEL UPGRADE FROM CROSSTREK BASE STANDARD OPTION 01

- All-Weather Package:
 - Heated Power Exterior Mirrors
 - Heated Front Seats
 - Windshield Wiper De-Icer
- Audio System: SUBARU STARLINK® 6.5-Inch Multimedia Plus System
 - 6 Speakers

Refer to: SUBARU STARLINK® Audio - Navigation - Connected Services Specifications for Content
- SUBARU STARLINK® Connected Services
 - Refer to: SUBARU STARLINK® Audio - Navigation - Connected Services Specifications for Content**
- Cargo Area Cover
- Cargo Area Tray
- Combination Meter Visor: Black w/ Silver Metallic Finish Trim
- Exterior Power Mirrors: Body Color / Manual-Folding
- Fog Lights: Halogen
- Headlights: Auto-On / Off: Automatic Mode Position
- Headlights: Auto-On / Off: Windshield Wiper Operation
- Illuminated Glove Box
- Illuminated Ignition Switch Ring
- Illuminated Power Window Switches: All Doors
- Manual Transmission Shift Lever Handle:
 - Leather-Wrapped
- Steering Wheel: Leather-Wrapped w/ Orange Stitching
- Upholstery: Cloth w/ Orange Stitching
- Visor Vanity Mirror: Dual-Illuminated
- Sound Insulation Windshield
- Welcome Lighting

CROSSTREK PREMIUM (PRD) STANDARD OPTION PACKAGE 13 ADDS
--

- Lineartronic® CVT (Continuously Variable Transmission)
- Steering Wheel Paddle-Shift Control Switches
- 8-Speed Manual Shift Mode
- X-MODE
 - Hill Descent Control (HDC)
- SI-DRIVE: Engine Performance Management: I & S Mode
- Automatic Transmission Shift Lever Handle:
 - Leather-Wrapped
- Driver Assist Technology:
 - EyeSight System
 - Advanced Adaptive Cruise Control w/ Lane Centering
- Front Center Console: Illuminated Storage Tray
- Fuel Economy Improvement Technology:
 - Auto Start-Stop
- High Grade Combination Meter w/ Color LCD Display
- Overhead Console Shower Light
- Tire Pressure Monitoring System (TPMS) w/ Automatic Individual Wheel ID Registration
- Tire Pressure Monitoring System (TPMS) w/ Individual Wheel Pressure Display
- Rear Seat Reminder



AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
 (Page 1 of 2)

(For BOC Use)
 Item #

7b

Please complete for each agenda item submitted for consideration by the Board of Commissioners
 (See notations at bottom of form)

Presenter at BOC: Kevin Ince, Finance Director
 Department: Finance
 Short Title of Agenda Item:

Date submitted to reviewers: October 14, 2022
 Requested Agenda Date: October 19, 2022

(No acronyms please) Local Assistance and Tribal Consistency Fund (LATCF) -Federal Allocation

This Item Involves: (Check all that apply for this meeting.)

<input type="checkbox"/> Order or Resolution	<input type="checkbox"/> Appointments
<input type="checkbox"/> Ordinance/Public Hearing:	<input type="checkbox"/> Update on Project/Committee
<input type="checkbox"/> 1st Reading <input type="checkbox"/> 2nd Reading	<input type="checkbox"/> Consent Agenda Eligible
<input type="checkbox"/> Public Comment Anticipated:	<input checked="" type="checkbox"/> Discussion & Action
Estimated Time:	Estimated Time: 10 minutes
<input type="checkbox"/> Document Recording Required	<input type="checkbox"/> Purchase Pre-Authorization
<input checked="" type="checkbox"/> Contract/Agreement	<input type="checkbox"/> Other

N/A Purchase Pre-Authorizations, Contracts & Agreements

Contractor/Entity: US Department of the Treasury

Contractor/Entity Address:

Effective Dates – From: March 15, 2021 Through: until funds expended

Total Contract Amount: \$731,052.26 Budget Line: 540-Resiliency Fund

Does the contract amount exceed \$5,000? Yes No

Reviewed By:

<u>Kevin C. Ince</u>	<u>October 14, 2022</u>	Department Director	Required for all BOC meetings
	<small>DATE</small>		
		Liaison Commissioner	Required for all BOC meetings
	<small>DATE</small>		
		County Counsel	*Required for all legal documents
	<small>DATE</small>		
<u>Kevin C. Ince</u>	<u>October 14, 2022</u>	Finance Office	*Required for all contracts; other items as appropriate.
	<small>DATE</small>		
		Human Resources	*If appropriate
	<small>DATE</small>		

*Allow 1 week for review (submit to all simultaneously). When each office has notified the submitting department of approval, then submit the request to the BOC for placement on the agenda.

Note: All other entities must sign contracts/agreements before they are presented to the Board of Commissioners (originals preferred). Agendas are published each Friday afternoon, so requests must be received in the BOC Office by 1:00 p.m. on the Friday prior to the Board's Wednesday meeting. Once this form is completed, including County Counsel, Finance and HR review/sign-off (if appropriate), then submit it to the Board of Commissioners Office.

AGENDA ITEM COVER SHEET

Morrow County Board of Commissioners

(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

On September 29, the U.S. Department of the Treasury announced the release of Local Assistance and Tribal Consistency Fund (LATCF) payments to counties. The LATCF provides \$1.5 billion in two equal payments of \$750 million for FYs 2022 and 2023 to "eligible revenue sharing counties" under the American Rescue Plan Act (ARPA).

ARPA states that LATCF funds are available "for any governmental purpose other than a lobbying activity". These funds can be treated like general revenue funds of PILT payments.

Morrow County is eligible to received \$365,526.13 for FY22 and for FY23 for a total award of \$731,052.26

Although these funds may be used for any purpose (with the exception of lobbying), due to the fact that this is a non-recurring revenue source, I recommend that the funds be recorded as revenue in the 540-Resiliency Fund and allocated to specific projects as they are identified.

2. FISCAL IMPACT:

Increase in revenue for FY22 and FY23 each year in the amount of \$365,526.13.

3. SUGGESTED ACTION(S)/MOTION(S):

Motion to approve the receipt of Morrow County's allocation of the LATCF funds and authorize Kevin Ince, Morrow County Finance Director to certify payment information, sign the program terms and conditions and submit the application through the US Treasury Submission Portal.

Attach additional background documentation as needed.

OMB Approved No. 1505-0276
Expiration Date: March 31, 2023

U.S. DEPARTMENT OF THE TREASURY
LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND

Recipient name and address: Morrow County 100 South Court Street Heppner, Oregon 978360867	UEI: GLDSK7FBFJ15 Taxpayer Identification Number: 936002308
Amount of Federal Funds Obligated (Total of Fiscal Year 2022 and Fiscal Year 2023 Tranches): \$731,052.26 Total Amount of Federal Funds Obligated: \$731,052.26 The Federal Award Date is the date of the Recipient's signature below, provided that all other conditions of the award have been met.	Assistance Listing Number: 21.032 Assistance Listing Title: Local Assistance and Tribal Consistency Fund

Section 605(b) of the Social Security Act, as added by section 9901 of the American Rescue Plan Act, Pub. L. No. 117-2 (March 11, 2021) authorizes the Department of the Treasury (Treasury) to make payments to certain recipients from the Local Assistance and Tribal Consistency Fund

Recipient hereby agrees, as a condition to receiving such payments from Treasury, to the terms attached hereto.

Recipient: Morrow County

Authorized Representative: Kevin Ince

Title: Finance Director

Date Signed: October 13, 2022

U.S. DEPARTMENT OF THE TREASURY
LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND
AWARD TERMS AND CONDITIONS FOR ELIGIBLE REVENUE SHARING COUNTY GOVERNMENTS

1. Payment of Funds.

- a. Recipient understands that the Department of the Treasury (Treasury) will disburse funds under this award (the award funds) in two tranches, subject to any remedial actions taken pursuant to section 7 or any offsets imposed to satisfy any debt owed pursuant to section 9 of these award terms and conditions.
- b. In addition to the limitations provided in paragraph (a), payments under this award will be subject to the availability of funding, and, should the provisions of section 605 of the Social Security Act (42 U.S.C. § 805) addressing allocations or recipient eligibility be amended or the amount of the appropriation for implementation of such section be reduced, Treasury may reallocate the amount of the appropriation that remains available and adjust Recipient's total award amount accordingly. In the event Recipient's total award amount is reduced, the amount of a second tranche payment may be reduced to account for the receipt of amounts disbursed in the first tranche.
- c. If eligible revenue sharing county governments other than Recipient decline or do not claim the amounts allocated to them by Treasury from the Local Assistance and Tribal Consistency Fund, Treasury may supplement this award with an additional allocation to Recipient. The amount of this additional allocation will be determined by Treasury in its discretion as provided in section 605 of the Act and will be subject to the limitations provided in paragraphs a and b.
- d. Any change in an allocation will be deemed an amendment to this award to increase or decrease the total award amount, as applicable, unless, in the case of an increased allocation, Recipient declines the increased total award amount.

2. Use of Funds.

- a. The award funds may be used to cover any cost incurred on or after March 15, 2021, for any governmental purpose other than a lobbying activity, as provided in paragraph b.
- b. Recipients may not use the award funds directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, a jurisdiction, or an official of any government, to favor, adopt, or oppose, by vote or otherwise, any legislation, law, ratification, policy, or appropriation, whether before or after the introduction of any bill, measure, or resolution proposing such legislation, law, ratification, policy, or appropriation.
- c. Recipient must expend and account for the funds in accordance with the financial management, procurement, and conflicts of interest standards, laws, policies, and procedures applicable to Recipient's expenditure of and accounting for its own funds.

3. Reporting. Recipient agrees to submit an annual project and expenditure report to Treasury for this award in the form provided by Treasury. Recipient acknowledges total award and expenditure amounts may be publicly disclosed.

4. Cost Sharing. Cost sharing or matching funds are not required to be provided by Recipient.

5. Compliance with Applicable Law and Regulations.

- a. Recipient agrees to comply with the requirements of section 605 of the Act and guidance issued by Treasury regarding the Local Assistance and Tribal Consistency Fund program. Recipient acknowledges that the funds constitute federal financial assistance and are subject to federal law applicable to federal financial assistance. Recipient also agrees to comply with all other applicable federal statutes, regulations, and executive orders in the course of its use of the award funds.
- b. Federal regulations applicable to this award include, without limitation, the following:

- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;
- ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
- iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
- iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance;
- v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto;
- vi. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. §§ 200.100-110, 203, and 303, and Subpart F (Audit Requirements).
- vii. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25, Subparts A, B, and D, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.
- viii. The provisions of Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170 applicable to executive compensation but not to subawards, pursuant to which the subsections of the award term set forth in Appendix A to 2 C.F.R. Part 170 applicable to executive compensation are hereby incorporated by reference.
- ix. OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19.
- x. Governmentwide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.
- xi. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655) and implementing regulations.
- xii. Generally applicable federal environmental laws and regulations.

6. Maintenance of and Access to Records.

- a. Recipient will maintain records and financial documents sufficient to evidence compliance with section 605 of the Act, this award agreement, and implementing guidance issued by Treasury for a period of five (5) years after all funds have been expended or returned to Treasury.
- b. Recipient acknowledges that Treasury, including the Treasury Office of Inspector General, and the Government Accountability Office or their authorized representatives will have the right of access to records of Recipient in order to conduct audits or other investigations.

7. Remedial Actions. In the event of Recipient's noncompliance with section 605 of the Act, these terms and conditions, other applicable laws, guidance, or any reporting or other program requirements, Treasury may take any of the following remedies:

- A. Impose additional conditions on the receipt of the second tranche of the award;
- B. Temporarily withhold the second tranche of the award in whole or in part;
- C. Require recoupment of payments under this award;
- D. Terminate the Federal award;
- E. Initiate suspension or debarment proceedings as authorized under 2 CFR part 180 and Treasury regulations; and
- F. Take other remedies that may be legally available.

8. False Statements. Recipient understands that making false statements or claims in connection with this award is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or contracts, and/or any other remedy available by law.

9. Debts Owed the Federal Government.

- a. Any funds paid to Recipient (1) in excess of the amount to which Recipient is finally determined to be authorized to retain under the terms of this award; or (2) that are determined by Treasury to be subject to a repayment obligation and have not been repaid by Recipient shall constitute a debt to the federal government.
- b. Any debts determined to be owed the federal government must be paid promptly by Recipient. A debt is delinquent if it has not been paid by the date specified in Treasury's initial written demand for payment, unless other satisfactory arrangements have been made or if the Recipient knowingly or improperly retains funds that are a debt as defined in paragraph (a). Treasury will take any actions available to it to collect such a debt.

10. Disclaimer.

- a. The United States expressly disclaims any and all responsibility or liability to Recipient or third persons for the actions of Recipient or third persons resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this award or any other losses resulting in any way from the performance of this award or any contract, or subcontract under this award.
- b. The acceptance of this award by Recipient does not in any way establish an agency relationship between the United States and Recipient.

11. Amendments.

- a. The terms of this award may be amended with the written approval of Recipient and Treasury.
- b. In addition, Treasury reserves the right to amend the terms of this award if required by U.S. law or regulation without the consent of Recipient.
- c. Notwithstanding the above, Treasury may, upon reasonable notice to Recipient, unilaterally amend this agreement for the sole purpose of making ministerial or administrative changes or correcting scrivener's errors.

PAPERWORK REDUCTION ACT NOTICE

The estimated burden associated with the collection of information provided for in section 6 of the terms and conditions is 15 minutes per response. Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Office of Privacy, Transparency and Records, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220. **DO NOT** send the form to this address. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

State	Recipient Name	FY22 Allocation	FY23 Allocation
Oklahoma	Pottawatomie County	\$50,000.00	\$50,000.00
Oklahoma	Pushmataha County	\$103,149.68	\$103,149.68
Oklahoma	Roger Mills County	\$50,000.00	\$50,000.00
Oklahoma	Rogers County	\$50,000.00	\$50,000.00
Oklahoma	Sequoyah County	\$129,223.87	\$129,223.87
Oklahoma	Stephens County	\$50,000.00	\$50,000.00
Oklahoma	Texas County	\$50,000.00	\$50,000.00
Oklahoma	Tillman County	\$50,000.00	\$50,000.00
Oklahoma	Tulsa County	\$50,000.00	\$50,000.00
Oklahoma	Wagoner County	\$50,000.00	\$50,000.00
Oklahoma	Washington County	\$50,000.00	\$50,000.00
Oklahoma	Washita County	\$50,000.00	\$50,000.00
Oklahoma	Woods County	\$50,000.00	\$50,000.00
Oklahoma	Woodward County	\$50,000.00	\$50,000.00
Oregon	Baker County	\$3,249,946.06	\$3,249,946.06
Oregon	Benton County	\$127,501.24	\$127,501.24
Oregon	Clackamas County	\$493,612.84	\$493,612.84
Oregon	Clatsop County	\$50,000.00	\$50,000.00
Oregon	Columbia County	\$50,000.00	\$50,000.00
Oregon	Coos County	\$783,179.58	\$783,179.58
Oregon	Crook County	\$3,006,958.99	\$3,006,958.99
Oregon	Curry County	\$2,199,793.50	\$2,199,793.50
Oregon	Deschutes County	\$2,311,072.51	\$2,311,072.51
Oregon	Douglas County	\$5,306,660.20	\$5,306,660.20
Oregon	Gilliam County	\$73,149.99	\$73,149.99
Oregon	Grant County	\$2,181,600.00	\$2,181,600.00
Oregon	Harney County	\$2,272,500.00	\$2,272,500.00
Oregon	Hood River County	\$329,108.60	\$329,108.60
Oregon	Jackson County	\$2,178,708.87	\$2,178,708.87
Oregon	Jefferson County	\$966,784.60	\$966,784.60
Oregon	Josephine County	\$2,854,515.36	\$2,854,515.36
Oregon	Klamath County	\$6,000,000.00	\$6,000,000.00
Oregon	Lake County	\$2,482,800.00	\$2,482,800.00
Oregon	Lane County	\$4,168,407.89	\$4,168,407.89
Oregon	Lincoln County	\$618,734.92	\$618,734.92
Oregon	Linn County	\$1,347,605.37	\$1,347,605.37
Oregon	Malheur County	\$6,000,000.00	\$6,000,000.00
Oregon	Marion County	\$548,877.49	\$548,877.49
Oregon	Morrow County	\$365,526.13	\$365,526.13
Oregon	Multnomah County	\$199,124.57	\$199,124.57

State	Recipient Name	FY22 Allocation	FY23 Allocation
Oregon	Polk County	\$71,102.63	\$71,102.63
Oregon	Sherman County	\$128,705.10	\$128,705.10
Oregon	Tillamook County	\$330,198.29	\$330,198.29
Oregon	Umatilla County	\$1,008,833.13	\$1,008,833.13
Oregon	Union County	\$1,497,137.98	\$1,497,137.98
Oregon	Wallowa County	\$2,263,500.00	\$2,263,500.00
Oregon	Wasco County	\$527,743.19	\$527,743.19
Oregon	Washington County	\$50,000.00	\$50,000.00
Oregon	Wheeler County	\$435,300.00	\$435,300.00
Oregon	Yamhill County	\$93,799.67	\$93,799.67
Pennsylvania	Adams County	\$50,000.00	\$50,000.00
Pennsylvania	Allegheny County	\$50,000.00	\$50,000.00
Pennsylvania	Armstrong County	\$50,000.00	\$50,000.00
Pennsylvania	Beaver County	\$50,000.00	\$50,000.00
Pennsylvania	Bedford County	\$50,000.00	\$50,000.00
Pennsylvania	Berks County	\$50,000.00	\$50,000.00
Pennsylvania	Blair County	\$50,000.00	\$50,000.00
Pennsylvania	Bucks County	\$50,000.00	\$50,000.00
Pennsylvania	Cambria County	\$50,000.00	\$50,000.00
Pennsylvania	Carbon County	\$50,000.00	\$50,000.00
Pennsylvania	Centre County	\$50,000.00	\$50,000.00
Pennsylvania	Chester County	\$50,000.00	\$50,000.00
Pennsylvania	Clearfield County	\$50,000.00	\$50,000.00
Pennsylvania	Clinton County	\$50,000.00	\$50,000.00
Pennsylvania	Crawford County	\$50,000.00	\$50,000.00
Pennsylvania	Cumberland County	\$50,000.00	\$50,000.00
Pennsylvania	Dauphin County	\$50,000.00	\$50,000.00
Pennsylvania	Delaware County	\$50,000.00	\$50,000.00
Pennsylvania	Elk County	\$178,995.82	\$178,995.82
Pennsylvania	Erie County	\$50,000.00	\$50,000.00
Pennsylvania	Fayette County	\$50,000.00	\$50,000.00
Pennsylvania	Forest County	\$489,614.29	\$489,614.29
Pennsylvania	Franklin County	\$50,000.00	\$50,000.00
Pennsylvania	Greene County	\$50,000.00	\$50,000.00
Pennsylvania	Huntingdon County	\$67,232.54	\$67,232.54
Pennsylvania	Indiana County	\$50,000.00	\$50,000.00
Pennsylvania	Jefferson County	\$50,000.00	\$50,000.00
Pennsylvania	Lackawanna County	\$50,000.00	\$50,000.00
Pennsylvania	Lebanon County	\$50,000.00	\$50,000.00
Pennsylvania	Lehigh County	\$50,000.00	\$50,000.00

Local Assistance and Tribal Consistency Fund
Allocations to Eligible Revenue Sharing Counties

September 2022

Section 605 of the Social Security Act (the Act), added by Section 9901 of the American Rescue Plan (ARPA), established the Local Assistance and Tribal Consistency Fund (LATCF), which provides for Treasury to pay \$2 billion to eligible revenue sharing counties and eligible Tribal governments across fiscal years 2022 and 2023 for use on any governmental purpose except for a lobbying activity. This document summarizes Treasury’s methodology for determining eligibility and allocating funds to eligible revenue sharing counties.

The Act appropriates \$1.5 billion to Treasury for payment to eligible revenue sharing counties, reserving \$750 million for each of fiscal years 2022 and 2023, and directs the Secretary of the Treasury (the Secretary) to allocate the funds “taking into account economic conditions of each eligible revenue sharing county using measurements of poverty rates, household income, land values, and unemployment rates as well as other economic indicators, over the 20 year period ending September 30, 2021.”¹

Eligibility Criteria

Statutory requirements for determining eligibility

The statute defines eligible revenue sharing counties to include any county, parish, or borough

- (i) that is independent of any other unit of local government;
- (ii) that, as determined by the Secretary, is the principal provider of government services for the area within its jurisdiction; and
- (iii) for which, as determined by the Secretary, there is a negative revenue impact due to implementation of a Federal program or changes to such program.²

The statute also specifically enumerates the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the United States Virgin Islands as eligible revenue sharing counties.³

¹ 42 U.S.C. § 805(b)(1). Treasury previously announced the allocation of the \$500 million reserved for Tribal governments, available here: <https://home.treasury.gov/system/files/136/605-LATCF-Allocation-Methodology-Summary.pdf>.

² See 42 U.S.C. § 805(f)(1)(A).

³ See *id.* § 805(f)(1)(B).

Defining “a county, parish, or borough” that is “independent of any other unit of local government” and “the principal provider of government services”

Treasury referred to Census Bureau classifications to determine which units of government constitute “a county, parish, or borough” that is “independent of any other unit of local government” and “the principal provider of government services.” Treasury referred to the Census Bureau’s census of governments⁴ and its classification of the functional status of counties and equivalents.⁵

First, Treasury referred to those geographic areas classified by the Census as counties including those that the Census Bureau categorizes as parishes or boroughs.⁶

Second, Treasury determined that counties that are consolidated with other units of government are not “independent of any other unit of local government.”⁷

Third, Treasury determined that counties that do not have government functions or have only very limited government functions do not qualify as “principal provider[s] of government services.” Such counties include those classified by the Census Bureau as “non-functioning legal entities.”⁸

Defining “negative revenue impact due to implementation of a federal program implementation or changes to such program”

Treasury is defining counties with a “negative revenue impact due to the implementation of a Federal program or changes to such a program” to be counties that participate in the Payments in Lieu of Taxes (PILT) program administered by the Department of the Interior and the Refuge Revenue Sharing program administered by the Fish and Wildlife Service (FWS).⁹ Both of these revenue sharing programs provide funds to counties that are available for expenditure for general

⁴ See 13 U.S.C. § 161; Individual State Descriptions: 2017, 2017 Census of Governments, U.S. Census Bureau, G17-CG-ISD (April 2019) (2017 Census of Governments Report).

⁵ See Functional Status Codes and Definitions, U.S. Census Bureau, <https://www.census.gov/library/reference/code-lists/functional-status-codes.html>.

⁶ Entities in the Census of Governments Report with functional status codes of “F” and “S” are either fictitious county entities created by the Census Bureau to fill its geographic hierarchy or statistical entities that the Census Bureau uses to subdivide the unorganized borough of Alaska and are, therefore, not counties, parishes, or boroughs. See 2017 Census of Governments Report at 17.

⁷ Such counties are listed in the Census of Governments Report with functional status codes “B” and “C.”

⁸ The Census Bureau lists those counties classified as non-functioning counties with functional status code “N.” See 2017 Census of Governments Report at 280. In addition, the 14 counties in Vermont that perform very limited functions do not qualify as principal providers of government services. As summarized by the Census of Governments, Vermont’s counties “perform very limited functions, which consist chiefly of maintaining the courthouse and county jail.” See 2017 Census of Governments Report at 280.

⁹ More specifically, Treasury will include counties that otherwise qualify as eligible revenue sharing counties and are listed by Interior as having land that is entitlement land for purposes of PILT or donated or acquired refuge land for purposes of the Refuge Revenue Sharing program.

purposes. Congress has not always provided consistent funding for these programs.¹⁰ Counties receiving payments from these programs suffer a negative revenue impact when these programs are not fully funded, and the inconsistent funding of these programs means these counties are not able to confidently project their future revenues and thus are not able to plan their expenditures efficiently.

Under PILT, the Department of the Interior provides annual payments to counties and other local governments with certain categories of federal lands within their borders. These lands, referred to as “entitlement lands,” include national parks, national forests, land managed by the Bureau of Land Management (BLM), land managed by FWS that has never left federal ownership, and others as set forth in PILT statute. Although Congress has appropriated full funding for the PILT program since fiscal year 2018, the PILT program has experienced other periods of constrained funding since 2005, requiring prorated reductions to the amounts paid to recipients under the allocation formula.

Under the Refuge Revenue Sharing program, the FWS provides annual payments to counties and other local governments that have land administered solely or primarily by the FWS. This includes payments for refuge lands that were acquired by or donated to the federal government and that are thus not included as entitlement lands for purposes of PILT. The Refuge Revenue Sharing program has also been inconsistently funded by Congress. Since 1981, Congress’ appropriations for the program have varied, and the program has not been fully funded to pay the full amount to each county provided for in the allocation formula.

Thus, Treasury is defining counties “for which, as determined by the Secretary, there is a negative revenue impact due to implementation of a Federal program or changes to such program” as those counties that participate in the PILT and Refuge Revenue Sharing programs.

District of Columbia, Commonwealth of Puerto Rico, Guam, and the U.S. Virgin Islands

The District of Columbia, the Commonwealth of Puerto Rico, Guam, and the U.S. Virgin Islands are statutorily included as eligible revenue sharing counties for the LATCF program.

Total Eligible Revenue Sharing Counties

Overall, 2,086 total local governments meet the definition of a “county, parish, or borough” that is “independent of any other unit of local government” that is “the principal provider of services” and for which there is “a negative revenue impact as the result of the implementation of a federal program or changes to such program.” This includes the District of Columbia and the 3 territories, Puerto Rico, Guam, and U.S. Virgin Islands, specifically enumerated as eligible by the statute.

¹⁰ See FWS, Historical Summary of Refuge Revenue Sharing Payments, <https://www.fws.gov/sites/default/files/documents/RefugeRevShare%20Historical%20Summary2022.pdf> (indicating less than full funding for the Refuge Revenue Sharing program since 1981). A discussion of annual funding levels for PILT is provided in Interior’s PILT annual reports, available at <https://www.doi.gov/pilt/resources/annual-reports>.

Allocation Methodology

The Act provides that the Secretary shall determine the allocations for eligible revenue sharing counties “taking into account economic conditions of each eligible revenue sharing county, using measurements of poverty rates, household income, land values, and unemployment rates as well as other economic indicators, over the 20-year period ending with September 30, 2021.”¹¹

Data Sources for Statutory Economic Indicators (“poverty rates, household income, land values, and unemployment rates”)

Poverty Rates and Median Household Income

Treasury used data on poverty rates and median household income as published by the Census Bureau at the county level in its Small Area Income and Poverty Estimates (SAIPE) program, last published in December 2021, reflecting data for calendar year 2020.¹² This Census Bureau data source is meant to “provide estimates of income and poverty for the administration of federal programs and the allocation of federal funds to local jurisdictions.”¹³

Unemployment Rates

Treasury used data on unemployment rates by county, through 2021, published by the Bureau of Labor Statistics (BLS) Local Area Unemployment Statistics (LAUS) dataset. BLS LAUS program data is derived from the Current Population Survey, which is the household survey that is the source of the national unemployment rate.¹⁴

Land Values

Given the program’s legislative purpose of providing additional funding to counties with federal lands¹⁵ and the lack of comprehensive availability of property value data at a county or territorial level, Treasury’s allocation uses the amount of acres of federal land constituting entitlement land for the purposes of PILT and acquired or donated federal lands for purposes of the Refuge Revenue Sharing program for fiscal year 2021 in an eligible revenue sharing county.

Data Sources for “Other Economic Indicators”

Treasury considered various other economic indicators to factor into the allocation methodology. In evaluating whether to add a specific metric, staff considered whether there is available data at

¹¹ 42 U.S.C. § 805(b)(1).

¹² “The U.S. Census Bureau’s Small Area Income and Poverty Estimates program produces single-year estimates of income and poverty for all U.S. states and counties.” Census, Small Area Income and Poverty Estimate Program, <https://www.census.gov/programs-surveys/saipe/about.html>.

¹³ *Id.*

¹⁴ BLS, Local Area Unemployment Statistics, <https://www.bls.gov/lau/lauov.htm>.

¹⁵ 167 CONG. REC. S1271 (daily ed. Mar. 5, 2021) (statement of Sen. Wyden).

the county level and the extent to which the additional metric captures something distinct from what is already required by the statute.

Treasury incorporated childhood poverty and population into the allocation as “other economic indicators.” Childhood poverty, while correlated with overall poverty, provides a distinct measure of economic conditions, given the long-term impact of poverty on children.¹⁶ Childhood poverty data is available as published by the Census Bureau at the county level in the SAIPE program, last published in December 2021, reflecting data for calendar year 2020, and is incorporated into the Economic Distress Index described further below.

Population is a useful proxy for the size of an economy and the extent of the burden placed on the county government to provide essential services. Population data at the county level is available as published by the Census Bureau via its Subcounty Resident Population Estimates data set.¹⁷ To account for population as an additional economic indicator, as described further below, Treasury imposed a per capita maximum payment using population data as of July 1, 2021, scaled to the effective fiscal year 2021 per capita maximum under PILT.

Allocation Formula

Overall, Treasury’s allocation formula is based on the calculation of a county’s relative economic condition compared to other eligible revenue sharing counties and its acres of federal land. Allocations are subject to a total maximum of \$6,000,000, a total minimum of \$50,000, as well as a per capita maximum of \$300. This methodology and the above data sources were used to determine allocations for both fiscal years 2022 and 2023. Specifically, Treasury used the following methodology to allocate funds:

- Treasury calculated an Economic Distress Index (EDI) by multiplying economic indicators (poverty rate, childhood poverty rate, median household income, and unemployment rate), averaged over the 20-year period for which data are available, in proportion to their national figures (except for the data for Puerto Rico, which were averaged over the available 10-year period, and Guam and U.S. Virgin Islands, which do not have a calculated EDI, as further described below). A higher EDI value reflects relatively higher economic distress.
- Treasury sorted eligible revenue sharing counties into five groups based on the quintile of their EDI values, such that group 1 has the least distressed economic conditions and group 5 has the most distressed economic conditions. Counties in the same group receive the same “EDI group number,” reflecting which EDI group they fall in. The relationship is such that counties in group 2 receive twice the EDI weighting as counties in group 1, counties in group 3 receive three times the EDI weighting as counties in group 1, counties

¹⁶ See, e.g., Chapter 3: Consequences of Child Poverty, A Roadmap to Reducing Child Poverty. National Academies of Sciences, Engineering, and Medicine. National Library of Medicine Bookshelf. <https://www.ncbi.nlm.nih.gov/books/NBK547371/>. February 28, 2019.

¹⁷ See Incorporated Places and Minor Civil Divisions Datasets: Subcounty Resident Population Estimates: April 1, 2020 to July 1, 2021 (SUB-EST2021); <https://www.census.gov/newsroom/press-kits/2022/subcounty-estimates.html>.

in group 4 receive four times the EDI weighting as counties in group 1, counties in group 5 receive five times the EDI weighting as counties in group 1.

- Treasury then calculated a county's "Scaled EDI" by multiplying its EDI group by its acres of federal land (sum of a county's PILT-eligible acres as listed by Interior as having land that is entitlement land for purposes of PILT or donated or acquired refuge land for purposes of the Refuge Revenue Sharing program).
- Treasury calculated the annual allocation for an eligible revenue sharing county by comparing the county's Scaled EDI as a proportion of the available annual funds (\$750,000,000) relative to the sum total of all Scaled EDIs, subject to a minimum, an absolute maximum, and a per capita maximum.
- Treasury calculated the total allocation of FY22 and FY23 payments by multiplying each eligible revenue sharing county's annual allocation by 2.

Treatment of the District of Columbia, Commonwealth of Puerto Rico, Guam, and the U.S. Virgin Islands

While all data described above is available for the District of Columbia, data availability varies for Puerto Rico, Guam, and the U.S. Virgin Islands. The District of Columbia is treated the same as other eligible revenue sharing counties in the allocation formula.

For Puerto Rico, while data is available for unemployment rate and land values, the data for poverty rate, childhood poverty rate, and median household income data is only available for a ten-year period, from 2010-2019. Accordingly, Treasury's evaluation of Puerto Rico's economic conditions is based on available data for 2010-2019.

For Guam and the U.S. Virgin Islands, BLS does not publish unemployment data, and poverty rate, childhood poverty rate, and median household income data is only available for 2009, 1999, and 1989 via the decennial Census. The available data suggests these territories should be placed in the most economically distressed group, group five, for purposes of the allocations.

Payment schedule

Treasury expects to make two payments to eligible counties. The first payment will be available immediately and will be made to eligible revenue sharing counties on a rolling basis. Treasury expects to make the second payment after the start of calendar year 2023.

To receive payments, eligible revenue sharing county governments must submit their information online through the Treasury Submission Portal, which is available at treasury.gov/LATCF. County governments will be required to complete payment information and sign an award agreement. The award agreement will cover both tranches of payments. After an eligible revenue sharing county government's submission is received, Treasury expects that it

will take approximately 4-5 business days for Treasury to review and process the payment. Once the information and documentation submitted is determined to be complete and accurate, the point of contact that an eligible revenue sharing county government designates in its online submission will receive information regarding the timing and amount of the first payment.

The deadline to complete the submission is January 31, 2023, at 11:59 PM AKST. If an eligible revenue sharing county government does not complete its submission by that deadline, the eligible revenue sharing county government will not be eligible to receive any payments under the LATCF.

Treasury may reallocate funds unclaimed by eligible revenue sharing county governments by the deadline noted. Treasury expects that the reallocated funds will be included in the second payment to counties that submitted the requisite information by the deadline.

In fiscal year 2023, Treasury expects to communicate to eligible revenue sharing county governments the amount of such reallocation, if any, and the date for the second payment.

REPORTING GUIDANCE FOR THE LOCAL ASSISTANCE AND TRIBAL CONSISTENCY FUND

**U.S. Department of the Treasury
September 2022**

INTRODUCTION

The U.S. Department of the Treasury (Treasury) is issuing this reporting guidance regarding the Local Assistance and Tribal Consistency Fund (LATCF), established by Section 605 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021 (American Rescue Plan). The American Rescue Plan appropriated \$2 billion across fiscal years 2022 and 2023 to provide payments to eligible revenue sharing counties and eligible Tribal governments for use on any governmental purpose, except for a lobbying activity. The statute defines “eligible revenue sharing county” to include the District of Columbia, the Commonwealth of Puerto Rico, Guam, and the United States Virgin Islands and statements to such counties in this guidance apply to these territories.

The purpose of LATCF is to serve as a general revenue enhancement program. As outlined in the *Guidance for the Local Assistance and Tribal Consistency Fund*, recipients have broad discretion on uses of funds and may treat these funds in a similar manner to how they treat funds generated from their own local revenue. For instance, programs, services, and capital expenditures that are traditionally undertaken by a government are considered to fulfill a “governmental purpose.” For Tribal governments, investing in activities undertaken by Tribal enterprises, such as operating costs or capital expenditures for businesses that are owned or controlled by a Tribal government, are likewise considered to fulfill a governmental purpose. However, as stated above and outlined further in the Ineligible Uses section of the *Guidance for the Local Assistance and Tribal Consistency Fund*, LATCF funds may not be used for lobbying activities.

Each recipient is responsible for ensuring that its LATCF programs are implemented in accordance with applicable legal, regulatory, and other program requirements including the awards terms and conditions provided in recipients’ financial assistance agreements. As outlined in the LATCF guidance, recipients are subject to certain provisions of 2 C.F.R. Part 200 (the Uniform Guidance), including Subpart F, Audit Requirements. Recipients should review the LATCF guidance to understand which provisions of the Uniform Guidance do and do not apply. Additionally, recipients must ensure they maintain active registration in the System for Award Management (SAM.gov) for the duration of their award.

This reporting guidance details the reporting requirements for governments that receive LATCF funding, including the following:

- Section I concerns the annual reporting requirements. Recipients are required to submit annual reports to Treasury that detail all obligations and expenditures broken down by governmental purpose reporting category.
- Section II discusses required certifications. Specifically, recipients must certify that LATCF funds are not being spent on lobbying activities. Each recipient must also certify that the information reported is accurate and that LATCF funds are being used in accordance with applicable legal, regulatory, and program requirements.
- Section III discusses other information related to reporting, including compliance and record keeping.

Treasury will create an online portal that recipients must use to submit reporting data. Treasury may publicly release reports and/or extracts of data based on the information reported to provide transparency about how LATCF funds are being used by recipients. In any public report or data, Treasury will, subject to applicable laws and regulations, withhold information that appears to be personally identifiable information and sensitive information such as commercial or financial information about businesses that is privileged and confidential.

This guidance may be updated, revised, or modified, and Treasury may waive these standards to the extent permitted by law. For more information on LATCF, please visit:

<https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/local-assistance-and-tribal-consistency-fund>.

OMB Control Number: 1505-0276

OMB Expiration Date: 03/31/2023

PAPERWORK REDUCTION ACT NOTICE

The information collected will be used for the U.S. Government to process requests for support. The estimated burden for the collections of information included in this guidance is as follows: two hours.

Comments concerning the accuracy of this burden estimate and suggestions for reducing this burden should be directed to the Office of Privacy, Transparency and Records, Department of the Treasury, 1500 Pennsylvania Ave., N.W., Washington, D.C. 20220. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number assigned by OMB.

I. Annual Report

a. Reporting Deadlines

Each recipient will be responsible for submitting an annual Obligation and Expenditure Report to Treasury by March 31 of each year (beginning in 2023) until the recipient has submitted its final report accounting for expenditure of all LATCF funds received. Recipients are required to continue submitting an annual report until their entire award is expended and accounted for in their submitted report(s) and will be required to indicate when their final report is submitted. After verifying that all obligations and expenditures have been reported, Treasury will send notice to the recipient confirming that no additional reports are required. Treasury may provide additional closeout guidance at a later date.

For example, for the next several fiscal years, each annual report should be submitted as follows:

Table 1. Reporting Periods and Submission Deadlines.

Reporting Period	Submission Deadline
January 1, 2022 to December 31, 2022	March 31, 2023
January 1, 2023 to December 31, 2023	March 31, 2024
January 1, 2024 to December 31, 2024	March 31, 2025
January 1, 2025 to December 31, 2025	March 31, 2026
January 1, 2026 to December 31, 2026	March 31, 2027
January 1, 2027 to December 31, 2027	March 31, 2028

b. Required Information

Recipients are required to report annually on obligations and expenditures made using their LATCF award.¹ Specifically, recipients are required to report on (i) current period obligations, (ii) cumulative obligations, (iii) current period expenditures, and (iv) cumulative expenditures for each government purpose reporting category discussed below. Data may be reported on a cash, accrual, or modified accrual basis, as long as the methodology is consistently applied throughout the covered period and until reporting is no longer required.

As a general matter, recipients may use funds to cover costs incurred on any eligible use, including costs incurred from March 15, 2021. Recipients may use funds to cover costs of administering the LATCF program, including costs of consultants to support effective management and oversight as well as compliance with legal, regulatory, and other program requirements. In the *Guidance for the Local Assistance and Tribal Consistency Fund*, Treasury provided a non-exhaustive list of examples of activities that fulfill a governmental purpose. The

¹ Recipients should follow the definitions of “financial obligation” and “expenditure” in Uniform Guidance 2 CFR § 200.1 (Definitions) for purposes of completing these reports. As contemplated by the definition of financial obligation, Treasury recognizes that recipients may obligate funds through means other than contracts. In these circumstances, recipients must follow state, local, or Tribal law and their own established practices and policies regarding when they are considered to have incurred an obligation and how those obligations are documented.

examples below in parentheses expand on that list. These examples in parentheses are also non-exhaustive.

- Government Services: programmatic services intended to serve the community and non-infrastructure/capital expenditures related to—
 - Health Services (public health expenditures related to the pandemic, as well as medical expenses and behavioral healthcare, and emergency medical)
 - Education (elementary and secondary education related expenditures, early education, addressing learning loss)
 - Public Safety (police, fire, correction/detention, court services, responding to violence)
 - Social Services (adult and children protective services, foster care, family preservation programs, benefit programs, such as food assistance, emergency housing, cash assistance, and utility assistance)
 - Economic Development (tourism, general economic development, workforce development, projects to generate new employment, and stimulate growth)
 - General Government Operations (government administration, personnel costs, administrative facilities, record keeping, tax assessments, election administration)
 - Other Services
- Capital Expenditures²: capital expenditures related to—
 - Health Services (hospitals, clinics)
 - Education (schools, childcare facilities)
 - Public Safety (facilities and equipment, including police vehicles)
 - Community Development (parks and recreation facilities)
 - Housing (new affordable housing construction, maintenance)
 - Government Administration (buildings)
 - Economic Development
 - Other Capital Expenditures
- Transportation/Water/Sewer/Technology: in infrastructure expenditures related to—
 - Transportation (roads, bridges, airports, public transit)
 - Water/Sewer
 - Technology Development
 - Other Infrastructure
- Other Governmental Purposes: other expenditures related to—
 - Non-Federal Match/Cost Sharing Requirements
 - LATCF Program Administration
 - Other Purposes Not Listed Above

² Please note that capital expenditures may include expenditures on infrastructure as defined in the award terms and conditions and in the footnote below.

Table 2. Governmental Purpose Reporting Categories.

Recipients should select the appropriate governmental purpose reporting category based on the nature of the obligations and expenditures and identify whether the obligation/expenditure was for an infrastructure project.³ Obligations and expenditures reported should be scoped to align to a single governmental purpose category.

Category	Subcategory	Obligation Data		Expenditure Data		Infrastructure (check “Y” for Infrastructure)
		Current Period	Cumulative	Current Period	Cumulative	
EC 1: Government Services						
	1.1 Healthcare					
	1.2 Education					
	1.3 Public Safety					
	1.4 Social Services					
	1.5 Economic Development					
	1.6 General Government Operations					
	1.7 Other Services					
EC 2: Capital Expenditures						
	2.1 Healthcare					
	2.2 Education					
	2.3 Public Safety					
	2.4 Community Development					
	2.5 Housing					
	2.6 Government Administration					
	2.7 Economic Development					
	2.8 Other Capital Expenditures					
EC 3: Transportation/Water/ Sewer/Technology						
	3.1 Transportation					

³ For purposes of this reporting guidance, the term “infrastructure” has the meaning provided in the award terms and conditions related to compliance with the Buy America, Build America Act, as follows: infrastructure means public infrastructure, including but not limited to, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property.

	3.2 Water/Sewer					
	3.3 Technology Development					
	3.4 Other Infrastructure					
EC 4: Other Governmental Purposes						
	4.1 Non-Federal Match/Cost Sharing*					
	4.2 LATCF Program Administration					
	4.3 Other Purposes Not Listed Above					

* Please see page 5 of the *Guidance for the Local Assistance and Tribal Consistency Fund* for additional information about using LATCF funds for non-federal matching requirements.

II. Certifications

Each recipient must submit a certification, using the form in Appendix 1, with every annual report, certifying that no LATCF funds were used for lobbying activities, in addition to completing the annual certifications and representations in SAM.gov. Amounts that are used in violation of the lobbying restriction set forth in the American Rescue Plan will be subject to recoupment. Furthermore, recipients must also certify that any information reported is accurate and that the approved programs of the recipient are being implemented in accordance with applicable legal, regulatory, and other program requirements as part of their annual report submission.

III. Other Information

a. Subaward Information

Treasury is not collecting subaward data for LATCF funded activities because Treasury has determined that there are no subawards under this program. The definition of subrecipient in the Uniform Guidance states that a subaward is for the purpose of “carrying out” a portion of a federal award. The federal purpose of LATCF is to serve as a general revenue enhancement program for all recipients that receive payments from existing revenue-sharing programs. The federal purpose of the award—to enhance revenue for eligible recipients—is accomplished once funds are available for use by recipients. Therefore, recipients’ use of LATCF funds does not give rise to subrecipient relationships given that there is no federal program or purpose to carry out beyond making funds available for use.

b. Uniform Guidance Applicability

LATCF recipients are only subject to the following provisions of 2 C.F.R. Part 200 (the Uniform Guidance):

- 2 C.F.R. Subpart A (Acronyms and Definitions);

- 2 C.F.R. 200.100-110 (certain General Provisions);
- 2 C.F.R. 200.203 (public notice of Federal financial assistance programs);
- 2 C.F.R. 200.303 (internal controls); and
- Single Audit Act and its implementing regulations at 2 C.F.R. Part 200 Subpart F.

Per 2 C.F.R. § 200.101(b), the program is not subject to other Uniform Guidance provisions beyond those detailed above, such as the provisions regarding program income, interest advances, equipment and real property management, procurement requirements, or subrecipient monitoring and reporting requirements.

c. Records Maintenance and Retention

As stated in the Award Terms and Conditions, all eligible Tribal governments and eligible revenue sharing counties must maintain records regarding the award and permit Treasury and other oversight bodies access to such records. Please see Appendix 2 for more information on the scope this requirement.

d. Additional Reporting

Treasury may unilaterally increase the frequency and the scope of a recipient's reporting requirements if Treasury finds the recipient to be a high-risk jurisdiction. To determine whether a recipient is a high-risk jurisdiction, Treasury will apply a risk evaluation approach that is consistent with the principles set forth in 2 C.F.R. § 200.206. Treasury may find a recipient to be a high-risk jurisdiction prior to the jurisdiction's receipt of allocated funds or after the recipient receives its allocated funds.

e. Buy America

The Build America, Buy America Act establishes domestic content procurement preference requirements for Federal financial assistance programs for infrastructure.⁴ These requirements apply to projects for infrastructure funded in whole or part with a LATCF award. These requirements do not apply to non-infrastructure projects or to infrastructure projects undertaken in response to the COVID-19 public health emergency.

The certification attached as Appendix 1 includes a certification as to recipients' compliance with these requirements. For more information on this topic, including information on any waivers that are issued from the Build America, Buy America requirements, please visit the LATCF Treasury website.

f. Civil Rights Compliance

Eligible revenue sharing county recipients of Federal financial assistance from the Treasury are required to meet legal requirements relating to nondiscrimination and nondiscriminatory use of

⁴ The definition of "infrastructure" is provided in the award terms and conditions. See footnote 3, above.

Federal funds.⁵ Those requirements include ensuring that eligible revenue sharing counties receiving Federal financial assistance from Treasury do not deny benefits or services, or otherwise discriminate on the basis of race, color, national origin (including limited English proficiency), disability, age, or sex (including sexual orientation and gender identity), in accordance with the following authorities: Title VI of the Civil Rights Act of 1964 (Title VI) Public Law 88-352, 42 U.S.C. 2000d-1 et seq., and Treasury's implementing regulations, 31 CFR part 22; Section 504 of the Rehabilitation Act of 1973 (Section 504), Public Law 93-112, as amended by Public Law 93-516, 29 U.S.C. 794; Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. 1681 et seq., and Treasury's implementing regulations, 31 CFR part 28; Age Discrimination Act of 1975, Public Law 94-135, 42 U.S.C. 6101 et seq., and the Department implementing regulations at 31 CFR part 23.

In order to carry out its enforcement responsibilities under Title VI of the Civil Rights Act, Treasury will collect and review information from eligible revenue sharing county recipients to ascertain their compliance with the applicable requirements. Treasury's implementing regulations, 31 CFR part 22, and the Department of Justice regulations, Coordination of Non-discrimination in Federally Assisted Programs, 28 CFR part 42, provide for the collection of data and information from recipients (see 28 CFR 42.406). Treasury may request that eligible revenue sharing county recipients submit data for post-award compliance reviews, including information such as a narrative describing their Title VI compliance status.

g. Compliance Advisory

Information provided through annual reporting will be used to facilitate Treasury's compliance review for uses of funds that do not comply with the LATCF, Treasury's guidance, or other program requirements, as well as to reduce the risk of waste, fraud, and abuse. Treasury may recoup funds from any recipient in cases of misuse of LATCF funds. Separately, in case of a failure to report, Section 605(c) of the Social Security Act provides specifically that Treasury may recoup funds from an eligible revenue sharing county of an amount that the Secretary determines appropriate but that does not exceed 5 percent of the total amount of LATCF funds paid to the eligible revenue sharing county.

⁵ Please note that the award terms and conditions for Treasury's pandemic recovery programs, including the LATCF, do not impose antidiscrimination requirements on Tribal governments beyond what would otherwise apply under federal law.

Appendix 1.

Certification Required with LATCF Annual Report

The undersigned, on behalf of [_____] (“recipient”) specified below, hereby makes the following certifications to the U.S. Department of the Treasury as of the date of this certification:

1. The information, certifications, attachments, and other information provided by the recipient to the U.S. Department of the Treasury related to the Local Assistance and Tribal Consistency Fund (“LATCF”) are true and correct and do not contain any materially false, fictitious, or fraudulent statement, nor any concealment or omission of any material fact;
2. The recipient is utilizing LATCF funds in accordance with all applicable legal, regulatory, and other program requirements, including as provided under Section 605 of the Social Security Act, as added by Section 9901 of the American Rescue Plan Act of 2021, and any guidance released by the U.S. Department of the Treasury;
3. The recipient has not spent any LATCF funds on lobbying activities as outlined in the Ineligible Uses section of Treasury’s *Guidance for the Local Assistance and Tribal Consistency Fund*;
4. To the extent applicable to the recipient’s award, the recipient is in compliance with Treasury guidance on the application of Build America and Buy America to LATCF funds and any waivers issued by Treasury with regards to the application of BABA requirements to this program; and
5. The undersigned has authority to execute and deliver this certification on behalf of the recipient.

Name:

Title:

Telephone:

Email:

Appendix 2

Record Maintenance and Retention

Each recipient must retain all financial records, supporting documents, statistical records, and all other records pertinent to its LATCF award for a period of five years from the date of submission of the final annual report. This requirement includes documentation necessary to show compliance with the Build America, Buy America Act, to the extent applicable to the recipient's award.

Treasury, the Treasury Office of Inspector General, the Government Accountability Office, or any of their duly authorized representatives have the right of timely and unrestricted access to any books, documents, papers, or other records of the recipient that are pertinent to the recipient's allocation, and to make audits, investigations, examinations, excerpts, transcripts, and copies of such documents. This right also includes timely and reasonable access to the recipient's personnel for the purpose of interviews and discussion related to such documents.

Because recipients and their contracted entities may receive sensitive information in the course of completing projects using the award, Treasury strongly encourages recipients and their contracted entities to establish robust protections against data breaches and misuse and to comply with all applicable privacy laws.



AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 1 of 2)

(For BOC Use)
Item #
7c

Please complete for each agenda item submitted for consideration by the Board of Commissioners
(See notations at bottom of form)

Presenter at BOC: Tamra Mabbott
Department: Planning
Short Title of Agenda Item:
(No acronyms please)

Date submitted to reviewers: October 21, 2022
Requested Agenda Date: October 26, 2022

Review and approve Intergovernmental Agreement with Oregon Department of Land Conservation
& Development for Rural Transit Grant Project.

This Item Involves: (Check all that apply for this meeting.)

- Order or Resolution
Ordinance/Public Hearing:
1st Reading 2nd Reading
Public Comment Anticipated:
Estimated Time:
Document Recording Required
Contract/Agreement
Appointments
Update on Project/Committee
Consent Agenda Eligible
Discussion & Action
Estimated Time:
Purchase Pre-Authorization
Other

N/A

Purchase Pre-Authorizations, Contracts & Agreements

Contractor/Entity:
Contractor/Entity Address:
Effective Dates - From: Through:
Total Contract Amount: Budget Line:
Does the contract amount exceed \$5,000? Yes No

Reviewed By:

Tamra Mabbott October 21, 2022 Department Director Required for all BOC meetings
Liaison Commissioner Required for all BOC meetings
County Counsel *Required for all legal documents
Finance Office *Required for all contracts; other items as appropriate.
Human Resources *If appropriate

*Allow 1 week for review (submit to all simultaneously). When each office has notified the submitting department of approval, then submit the request to the BOC for placement on the agenda.

Note: All other entities must sign contracts/agreements before they are presented to the Board of Commissioners (originals preferred). Agendas are published each Friday afternoon, so requests must be received in the BOC Office by 1:00 p.m. on the Friday prior to the Board's Wednesday meeting. Once this form is completed, including County Counsel, Finance and HR review/sign-off (if appropriate), then submit it to the Board of Commissioners Office.

AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

Oregon DLCD awarded Morrow County a Rural Transit Equity Grant. This is a new program created as part of DLCD Policy Option Package 90 and with recommendation of the Governor's Racial Justice Council. The grant will fund work for Morrow County and with Morrow County residents.

County staff will be engaged in the project throughout the duration. Funding will go directly to Eastern Oregon University (EOU) Rural Engagement and Vitality (REV) Program who will be principally responsible for the project work and reporting.

County has no financial obligation for this project.

County staff will include Planning and Transit and likely Public Health departments.

IGA is attached.

2. FISCAL IMPACT:

none directly.

3. SUGGESTED ACTION(S)/MOTION(S):

Authorize Board Chair (or Planning Director) to sign IGA.

Attach additional background documentation as needed.

INTERGOVERNMENTAL AGREEMENT

Morrow County

This Agreement is between the State of Oregon acting by and through its **Department of Land Conservation and Development (DLCD)** (“Agency”) and **Morrow County** (“County”), each a “Party” and, together, the “Parties.”

I. AUTHORITY

This Agreement is authorized by ORS 190.110.

II. EFFECTIVE DATE

This Agreement is effective on the date of the last signature (“Effective Date”), and terminates on **June 30, 2023**, unless terminated earlier.

III. BACKGROUND

The Department of Land Conservation and Development launched the Rural Transportation Equity program as a component of Policy Option Package 90, at the recommendation of the Governor’s Racial Justice Council. The program aims to support underserved communities, in rural areas, gain access to critical services and destinations by identifying and pursuing transportation options like biking, walking and public transportation.

Engaging the community. Identify and engage underserved and transportation disadvantaged communities in rural areas through geographically- and culturally specific approaches. Engagement will focus on relationship building, identification of transportation challenges, and sharing information regarding services and facilities that can reduce barriers to accessing key destinations, such as employment centers and critical services.

Strategic investment planning. Prioritize and identify projects and services that may have a catalytic effect on enabling transportation options for underserved community members. Technical analysis, project scoping, and project design will produce project materials for those multi-modal projects that are most needed.

IV. PROJECT OBJECTIVE AND MAJOR DELIVERABLES

The project supports Morrow County in conducting meaningful public involvement reaching transportation disadvantaged populations using a survey tool tailored to regions of the county with the intent to identify and understand their needs specific to transportation options. For the purposes of this agreement, “transportation disadvantaged populations” include:

- Elderly populations (65 and older)
- Youth populations (under 18)
- Non-white and Hispanic populations
- Low-income population (households earning less than 200% of the poverty level as determined by the census)
- Limited English proficiency population
- Households without access to a vehicle

- People with a disability (severe or non-severe disability)
- Crowded Households

Additionally, engagement shall include federally recognized sovereign tribes whose ancestral lands include the area now within the county.

Key to the success of communities' engagement outcomes are key demographic information and culture-sensitive engagement methods. Not only will staff gain additional understanding of their underserved community(ies), but also build a set of best practices for future planning activities and projects.

DLCD has entered into an Intergovernmental Agreement with Eastern Oregon University (EOU) to lead and manage the project as assisted by the DLCD Rural Transportation Planner.

EOU shall use relevant information and methods from the DLCD Putting the People in Planning guide and current community engagement best practices to:

- Prioritize community-led engagement and decision making with specific attention to underserved populations;
- Identify neighborhoods with above average concentrations of underserved populations;
- Engage in additional outreach activities with underserved populations and in neighborhoods with concentrations of underserved populations;
- Consider the effect of plans, policy, and public investments on underserved populations; and
- Develop decision-making factors that recognize historic and current inequities in order to reduce them.

Outcomes:

Completion of project tasks will support Morrow County ("Jurisdiction") engaging transportation disadvantaged community members through survey and data collection related to transportation options and support the following outcomes:

- Increase ridership on fixed route and dial-a-ride transit services;
- Enhance access by non-English speaking population, employees to Port of Morrow and other regionally significant employers;
- Increase equitable representation of transit board members;
- Spread knowledge and test viability of new transit services between cities in Morrow County;
- Assess community support for alternate modes of transportation; and
- Inform trail enhancement investment strategy (paving, signage, management, etc.).

V. ROLES AND RESPONSIBILITIES

County: Overall management of the Project will be the responsibility of EOU. The County will appoint a Project Manager to be the principal contact person representing the County on all matters dealing with the Project.

Specific project management duties of the County will include:

- a. Coordinating project schedule and deliverables with EOU;
- b. Coordinating County staff;

- c. Ensuring the timely review of deliverables and providing any needed supporting data/information to EOU;
- d. Reviewing and commenting on EOU's work;
- e. Appointing a project advisory committee with representation from the community;
- f. Participation in all activities and meetings as specified in the Statement of Work, and completion of all required tasks.

DLCD: DLCD will provide financial, administrative, and technical assistance to the Project. DLCD will participate in advisory committees. Additional technical assistance may be provided as requested by the County or EOU. DLCD will review EOU's work, invoices, and progress reports. Additionally, DLCD will review the EOU's performance and deliverables with the County prior to paying invoices received by the EOU. DLCD will assist in the mediation of EOU/County conflicts, or issues with the project or deliverables.

VI. COMPENSATION AND COSTS

Each Party shall assume its own costs of carrying out the tasks and responsibilities assigned to it under this Agreement. Under no circumstances is the County responsible for payment of costs incurred under the contract between DLCD and EOU.

VII. KEY CONTACTS

County

Tamra Mabbott, Planning Director
Morrow County
215 N.E. Main Ave.
PO Box 40
Irrigon, OR 97844

tmabbott@co.morrow.or.us
541-922-4624 ext. 5505

Department of Land Conservation and Development

Madeline Phillips, Rural Transportation Planner
635 Capitol St. NE Suite 150
Salem, OR 97301

madeline.phillips@dlcd.oregon.gov
503-507-5167

Eastern Oregon University

Julie Keniry – REV Program Manager
Rural Engagement & Vitality Center
One University Boulevard
La Grande, Oregon 97850

jkeniry@eou.edu
541-962-3012, 541-786-3603 mobile

A Party may designate a new authorized representative by written notice to the other Party.

VIII. TERMINATION

- a) This Agreement may be terminated at any time by mutual written agreement of the Parties.
- b) This Agreement may be terminated by DLCD upon 45 days advance written notice and by Local Government upon 45 days advance written notice.

IX. NON-APPROPRIATION

DLCD's obligation to perform its duties under this Agreement is conditioned upon DLCD receiving funding, appropriations, limitations, allotments, or other expenditure authority sufficient to allow DLCD, in the exercise of its reasonable administrative discretion, to meet its obligations under this Agreement. Nothing in this Agreement may be construed as permitting any violation of Article XI, Section 7 of the Oregon Constitution or any law limiting the activities, liabilities, or monetary obligations of DLCD.

X. SCOPE OF WORK

Task 1: Project Scoping and Management Team

The purpose of this task is to familiarize Project Management Team with rule requirements, confirm the objectives of the project, refine the project schedule, and prepare a strategy for engaging community members throughout the project.

1. 1. Project Management Meetings & Kick-Off

Morrow County Staff Lead shall participate in Project Management Team (PMT) meetings throughout the project timeline to review project objectives, prepare a project schedule, and discuss issues and approach. Relevant County staff and DLCD Staff shall attend the meetings to form the Project Management Team.

1. 2. Technical Advisory Committee Formation

The project shall be guided by a Technical Advisory Committee (TAC). Morrow County staff will support EOU Staff in recruiting TAC members (Morrow County Transit staff, Kayak Transit staff, and representatives from other agencies, stakeholders, community-based organizations, and other relevant regional participants) and attending all TAC meetings.

Task 1 County Deliverables:

- *Project Management Team participation*
- *Technical Advisory Team recruitment*

Timeline: Kickoff completed by November 2022; TAC meetings shall begin November 2022 and run through June 2023.

Task 2: Project Outreach Methodology

The purpose of Task 2 is to design an outreach strategy to reach underserved community members and better-understand the existing conditions, potential project opportunities, and the outcomes project investments may support.

2. 1. Team Training – Engagement Best Practices

Support PMT to share best practices in engaging hard-to-reach populations; identify methods successfully used in previous planning efforts to reach transportation disadvantaged populations in Morrow County and innovate around ways to meaningfully integrate their voices into the public process.

2. 2. Technical Advisory Committee Meeting 1

Attend Meeting 1: Convene advisors to provide a project overview, schedule, outreach methods, and identify key community representatives and groups who can provide input

regarding transportation options and challenges for transportation disadvantaged populations in Morrow County.

2. 3. Engagement Strategy: Interviews and Surveys

Support EOU's strategy to engage individuals, service groups, employers, and community-based organizations in Morrow County (and/or serving Morrow County) who can identify opportunities and challenges related to transportation options for traditionally underserved community members. Review strategy to include interviews, focus group(s), and/or one-on-one surveys to meaningfully reach community members, to be determined by the results of TAC Meeting 1 and PMT suggestions.

2. 4. Project webpage

Host website project page with content created by EOU to serve as a clearing house for the project, provide access to meeting summaries, media, and work products associated with this project. The page shall be maintained throughout the course of the project and may be converted to a long-term resource upon completion of the project.

Task 2 County Deliverables:

- *Participate in Engagement Best Practices Training*
- *Attend TAC Meetings 1, review summary notes*
- *Engagement Strategy*
- *Host project webpage*

Timeline: November to January 2023

Task 3: Transportation Opportunities and Challenges

The purpose of this task is to engage a wide cross-section of residents in rural areas of Morrow County about transportation options and key destinations.

3. 1. Technical Advisory Committee Meeting 2

Meeting 2: Convene advisors to review approach to interview topics, survey design, and meaningful ways of compiling this information. Identify opportunities and threats in the transportation landscape.

3. 2. Stakeholder interviews/focus groups

Provide contacts, as available, and review summaries of stakeholder interviews, including community-based organizations and biking/walking promoters/advocates, to learn about the unique needs of specific populations, rural geographies, and modes.

3. 3. Community Survey

Support development of a survey, to be administered electronically, and/or in Spanish by partners, to understand origins/key destinations (i.e. where people live vs. where they work or need to get to each day) to better-understand transportation demand. Validate key opportunities and challenges faced by transportation disadvantaged population.

Task 3 County Deliverables:

- *Attend TAC Meeting 2, review summary*
- *Review raw Survey data, Survey Report*
- *Support contacts and review interview/focus group summaries, photos*

Timeline: January 2023 to June 2023

Task 4: Transportation Demand Management

The purpose of this task is to explore the role employers and transit providers in the region play in supporting transportation choices.

4. 1. Employer Interviews/Focus Groups

Support three (3) interviews/focus groups regionally or topically to understand the role employers play in supporting employees and their commute. Identify key opportunities and challenges to supporting employees' use of transit and other shared modes of travel to and from employment opportunities.

4. 2. Transit Provider Focus Group

Support focus group for all transit providers serving Morrow County to understand unique characteristics of the population/ridership, challenges and how they were overcome, and ways transit providers are looking to enhance service options for residents.

4. 3. CTUIR KAYAK Consultation

Support interview of operators of KAYAK transit (Confederated Tribes of the Umatilla Indian Reservation) to better-understand the design and operation of their transit services. Identify key ways the Tribe can support Morrow County ridership, and how the county may have opportunity to enhance and/or compliment this service.

4. 4. Heritage Trail Land managers interview

Engage the landowners of the Columbia River Heritage Trail in a discussion about the use of the trail from Irrigon to Boardman. Discuss trail openings/closures, potential for commuters using electric devices, and understand long-term trajectory of this facility as a transportation option.

Task 4 County Deliverables:

- *Participate in employer engagement; Review summaries*
- *Participate in Transit provider interview; Review summaries*
- *Participate in CTUIR Consultation*

Timeline: December 2022 to March 2023

Task 5: Implement Identified Strategies

5. 1. Printed and Web Media

Collaborate in the development of a set of media tools to support advertising bus service, provide maps of service area(s), and create public-facing graphics to support transportation options. Focus on opportunities identified in engagement process to encourage community members to explore transportation options for key trips. Post materials (maps, graphics, ads) and relevant information to the project webpage, and provide to project participants (all) for distribution to ridership.

5. 2. Technical Advisory Committee Meeting 3

Meeting 3: Convene advisors to review results of stakeholder, employer, transit provider, and community member interviews/focus groups/surveys to inform findings of summary report with a focus on cultural competency and accessibility.

5. 3. Technical Advisory Meeting 4

Meeting 4: Convene advisors to review draft project summary report, including suggested recommendations.

Task 5 County Deliverables:

- *Attend TAC Meetings 3 & 4; Review summaries*
- *Review and promote printed and web media*
- *Review Project Summary Report*

Timeline: April to June 2023

XI. OTHER CONSIDERATIONS

Except as provided herein, nothing in this agreement shall be construed as obligating the other party to expend funds or obligate future payment of money authorized by law and administratively available for this work.

SIGNATURE BLOCK

County Official

Authorized to sign on behalf of the County

Date

Printed Name

Department of Land Conservation & Development

Brenda G. Bateman, Ph.D., Director

Date



AGENDA ITEM COVER SHEET
Morrow County Board of Commissioners
(Page 1 of 2)

(For BOC Use)
Item #
7d

Please complete for each agenda item submitted for consideration by the Board of Commissioners
(See notations at bottom of form)

Presenter at BOC: Aaron Moss

Date submitted to reviewers:

Department:

Requested Agenda Date: 10/26/2022

Short Title of Agenda Item:

Comments for Draft Broadband Grant Program Rules

(No acronyms please)

This Item Involves: (Check all that apply for this meeting.)

- | | |
|---|---|
| <input type="checkbox"/> Order or Resolution | <input type="checkbox"/> Appointments |
| <input type="checkbox"/> Ordinance/Public Hearing: | <input checked="" type="checkbox"/> Update on Project/Committee |
| <input type="checkbox"/> 1st Reading <input type="checkbox"/> 2nd Reading | <input type="checkbox"/> Consent Agenda Eligible |
| <input type="checkbox"/> Public Comment Anticipated: | <input checked="" type="checkbox"/> Discussion & Action |
| Estimated Time: | Estimated Time: 10 minutes |
| <input type="checkbox"/> Document Recording Required | <input type="checkbox"/> Purchase Pre-Authorization |
| <input type="checkbox"/> Contract/Agreement | <input type="checkbox"/> Other |

N/A

Purchase Pre-Authorizations, Contracts & Agreements

Contractor/Entity:

Contractor/Entity Address:

Effective Dates – From:

Through:

Total Contract Amount:

Budget Line:

Does the contract amount exceed \$5,000? Yes No

Reviewed By:

_____	Department Director	Required for all BOC meetings
<i>DATE</i>		
_____	Liaison Commissioner	Required for all BOC meetings
<i>DATE</i>		
_____	County Counsel	*Required for all legal documents
<i>DATE</i>		
_____	Finance Office	*Required for all contracts; other items as appropriate.
<i>DATE</i>		
_____	Human Resources	*If appropriate
<i>DATE</i>		

*Allow 1 week for review (submit to all simultaneously). When each office has notified the submitting department of approval, then submit the request to the BOC for placement on the agenda.

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AGENDA ITEM COVER SHEET

Morrow County Board of Commissioners

(Page 2 of 2)

1. ISSUES, BACKGROUND, DISCUSSION AND OPTIONS (IF ANY):

Comments were finalized by the Morrow County Broadband Action Team for the Oregon Broadband Office's Draft Grant Rules for the ARPA Capital Projects Fund Infrastructure Deployment Program and their Technical Assistance Handbook.

Please see the draft comments in the packet, and view the draft rules on the Oregon Broadband Office's website at https://www.oregon.gov/biz/programs/oregon_broadband_office/pages/default.aspx.

Aaron Moss will be present to answer any questions that commissioners may have, and is available to answer questions in advance of the meeting via email at director@morrowbroadband.org.

2. FISCAL IMPACT:

3. SUGGESTED ACTION(S)/MOTION(S):

We are requesting that the board officially adopt these comments and submit them to the Oregon Broadband Office via email with the following information on the email thread:

Subject: Broadband Deployment Program and Technical Assistance Handbook
Comment/Suggestions/Questions

To: Broadband.Oregon@biz.Oregon.gov

Attach additional background documentation as needed.



BOARD OF COMMISSIONERS

110 N Court St. • P.O. Box 788
Heppner, OR 97836
541-676-5613
www.co.morrow.or.us

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

October 26, 2022

Oregon Broadband Office
775 Summer St, NE., Suite 200
Salem, OR 97031

Via Email: Broadband.Oregon@biz.Oregon.gov

RE: Broadband Deployment Program and Technical Assistance Handbook Comments,
Suggestions and Questions

Dear Director Holbrook,

Throughout this draft rulemaking process, the Oregon Broadband Office has been steadfast in their efforts to engage a variety of stakeholders to define Oregon's digital divide. They recognize that despite the unprecedented amount of infrastructure funding coming to the state of Oregon, it is the *purpose* of this broadband work that cannot get lost. Serving all Oregonians, especially in historically un-and-underserved communities, such as rural, frontier, and historically marginalized communities, is the singular objective of this moment.

The Morrow County Broadband Action Team approaches broadband development with similar goals, catalyzing a diverse set of community members and entities to solve a problem for members of our community. Twenty-two of Oregon's thirty-six counties are now represented by broadband action teams, and we expect that number to increase over the next year. These groups include representatives from all levels of government, nonprofit organizations, school districts, health care providers, internet service providers, various private sector partners, utilities, and others...all coming together to promote and develop affordable, future-ready networks within their communities. The Morrow County Broadband Action Team recognizes that everyone has an interest in connectivity, and that the work doesn't stop with affordable broadband availability. Digital skills and access to devices also play a key role in actualizing the internet applications that lead to thriving communities – including distance learning, telehealth, telemedicine, telework, general economic development, and professional development.

Though connectivity needs look different in all our communities, we would like to affirm general support for the work of the Oregon Broadband Office and the work they have done to help broaden who gets to play a role in this historic broadband deployment. Based on our shared perspective, our comments on both the ARPA Capital Projects Fund Broadband Deployment Program and the Draft Technical Assistance Handbook will be broken into two sections. 1) Questions for the Oregon Broadband Office, and 2) Recommendations moving forward.

Questions

1. Given statutory limitations, do you intend to align the Broadband Fund with federal grant standards? If so, how?
2. In an effort to ensure dollars from the ARPA Broadband Deployment Program are available in a timely manner, would it be possible to have the ARPA funds go through the Broadband Fund, but exempt them from Section 5 of SB1603, given that there are different federal definitions of “under” and “unserved”?
3. Communities that lack adequate planning resources should not have their project opportunities limited to serving areas that lack 25/3 and 10/1 service. Will there be another opportunity for communities to receive planning assistance that is aligned with the speed standards of current infrastructure grant programs (USDA’s ReConnect, ARPA Capital Projects Fund, etc...), and future infrastructure grant programs (BEAD program)?
4. Given the multi-year timeline from today that many of these projects will take to complete, has there been any thought given to stop-gap, temporary measures while networks get built out?
5. Has there been any consideration given to post ARPA BDP grant support for reporting? Reporting on federal dollars can be burdensome for small entities, including government entities, ISPs, and electric co-ops, and some insight on balancing the need for accurate oversight with existing staff capacity would be helpful.
6. In official NOFOs, will your office outline applicable prevailing wage rules?

Recommendations for ARPA Capital Projects Fund Broadband Deployment Program

1. The program’s speed standards are consistent with federal statutes. We recommend the Broadband Office continues to comply with federal standards in their program rules.
2. Communities that have multiple stakeholders involved in their processes should have this buy-in reflected on their application scores, as stakeholder diversity reflects equity. Whether that is stacking points *per* community partner or another way of rewarding this consistent and ongoing community engagement, the weight should be significant. This process should not exclusively benefit communities that have already undertaken extensive stakeholder engagement, but recognize their work while encouraging broad partnerships in new and emerging project areas.
3. Affordability of services should remain tied to all infrastructure funds with long-term guarantees, but additional points should not be given to projects after a threshold of \$50/month is reached. Prioritizing builds and business plans that can achieve a \$30/month offering may negatively impact high-cost rural areas and favor more densely populated proposals.
4. The advantage that matching contributions provide a project should be fine-tuned in a way that 1) does *not* disadvantage high-cost communities that can provide little to no match given their geography, topology, and access to financial resources, and 2) creates an alternative pathway to bonus points for these communities. For instance, changing the points system for a match amount to be judged against the percentage of households or communities served in a project may balance the equation for high-cost areas, or 3)

making an exemption from the matching component for rural communities with less than a certain population (and therefore tax base).

5. "Project Priorities" and how their corresponding bonus points are measured should be altered. Census Tracts in rural communities often encompass areas that are both urban and very rural, skewing the overall perception of a tract. Instead, the Oregon Broadband Office should consider using Census blocks as the basis for project priorities to provide more accuracy for sparsely-populated rural communities.
6. Whether rural and frontier communities have the high-level designs necessary to show it yet or not, high-cost areas correspond with expensive project costs. With some estimates exceeding \$40 million for a single county, regional joint-applications may exceed the maximum project costs. To address this issue, maximum project cost should scale in proportion to the number of communities a project will serve *and* bonus points for regional consideration should be flexible and include collaboration that is not exclusive to a single shared project.
7. Funds should not be locked in to serving *all* unserved locations before *any* underserved and other locations can receive funding. Projects that address underserved and other eligible locations in need of connectivity should be viable to receive awards prior to unserved locations as long as funds remain available to serve outstanding unserved locations. The priority is understandable, but strictly adhering to this as a requirement would tie up funding indefinitely. Some of the hardest to reach households are extremely expensive (hundreds of thousands of dollars for single homes) and may need more time before they are ready to apply for funding.
8. Though we agree that awardees should complete projects in a timely manner, a strict fifteen-month deadline should be supplemented with the opportunity to receive a no-cost extension waiver. Given the complexity of the permitting process, required studies or reports, supply chain constraints, labor shortages, etc., an official process to accommodate delays outside of an awardee control is warranted.

Recommendations for the Technical Assistance Handbook

1. For a household to qualify as having 10/1 or 25/3 service for the purposes of the 'unserved' and 'underserved' categories, the connection should conform to a strict definition of performance and require verification outside of a provider's claims. Communities that are underserved in practice should not be excluded from eligibility due to an incumbent's advertised offering of 10/1 or 25/3 service. If communities have another map available to them, they should be allowed to use (or supplement) FCC or provider-populated maps with them.
2. Communities should not be limited to applying for only a single level of planning. Different communities are at different stages of the process, and for many that process has not been linear. Therefore, it is necessary that communities be eligible to work on elements from multiple levels of the planning process.
3. Some communities with the highest rates of unserved and underserved populations are the very communities that struggle to come up with the capital necessary to engage in reimbursement-based programs...there should be an exception, beyond \$10,000, for these communities.

4. With consideration for these recommendations, we would appreciate the Oregon Broadband Office moving forward with the programs that they are able to progress on without legislative changes, understanding that there may be delays with other programs given federal requirements.

Sincerely,

Jim Doherty
Chair

Melissa Lindsay
Commissioner

Don Russell
Commissioner



ROAD REPORT OCTOBER 2022

BLADING OPERATIONS: Following are the roads blade operators made improvements to this month.

Zone 1 –Pettys Canyon,

Zone 2 –

Zone 3 – Barlow Cyn.

Zone 4 – Blake Ranch, penland lake, coal mine ditch, shaw grade, sunflower

Zone 5 – Nolan Rd.

CITY OF IONE: The end of September and first part of October the road crew did some paving for the city of Ione. Ione hired a milling company to come in and mill Main St. After all of the milling was complete the road crew then began prepping and laying out the street to begin paving. Once all that was complete the crew paved Main St. for the City of Ione.

SIGN REPAIR: The crew continue making repairs to signs around the county when time allows.

GRAVEL RD REPAIR: Howton Rd, Pettys Canyon Ln., Strawberry, are a few more roads that got damage during the harvest season.

BRUSHING AND MOWING: The road crew has been going and mowing areas that have bad visibility on corners.

Blading: A few of the blades have been out blading. The roads that have been bladed are listed up at the top of the page by zones. We have been sending the water trucks out with them as much as we can to help get some kind of moisture in the ground to help blade roads.

PERMITS: Following are approved permits to work in the county right-of-way during October

OTN	490	Bombing Range Rd	Windwave Communications	Utility	Communication line	09/29/2022	10/19/2022
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P.O. Box 593
Heppner, Oregon 97836-0412
(541) 676-5620

Lindsay Grogan
Director
lgrogan@co.morrow.or.us

TO: Board of Commissioners
SUBJECT: Human Resource Quarterly Report
DATE: July 28, 2022 – Oct 26, 2022

MEMO

Recruitment

The Sheriff's Office hired Madison Hoke and Michelle Meligan both as Communications Deputies. Parole and Probation hired Madison Bowman as an Office Assistant.

The Road department has hired multiple Senior Maintenance Specialists. Cole Spring started in August, Kael Osmin on Monday, Steven Gray will be transferring next week, and another applicant is going through the pre-employment screening and will be starting in November.

Finance promoted Sabrina Bailey into the Financial Analyst role, and hired Kelsey Crocker into the Finance Clerk position in September.

Planning filled their Office Manager vacancy with Michaela Ramirez in September.

The Public Health department filled their bilingual Office Assistant role with Juana Lopez this month.

A new temporary Transfer Station Attendant has been hired on the South end of the County. Sheila Taylor started last weekend.

In addition, we have open positions for; Chief of Staff, Payroll and Benefits Administrator, Communications Deputy, Patrol Deputy, Clinic Nurse Coordinator, Maternal/Child Home Visitation Nurse, County Surveyor, Loop Driver, and Loop Dispatcher.

Recruitment in the Human Resource office has been increasingly busy over the years. During 2019 there were 9 positions filled. 2020 there were 24 job offers made. In 2021 there were 38 offers made. To date in 2022, there has been 36 offers of employment.

Other

I will be attending the HR track of AOC tomorrow in The Dalles. We will listen to presentations about Oregon Paid Leave, Improving Working Relationship and Communication with Sheriff Offices, Legal Updates, and Leadership.

The Oregon Paid Leave program is starting to roll out. As of January 2023, employers are

required to start deducting contributions from employee paychecks in addition to making an employer contribution. Employers will pay 0.4% of employee's gross wages, and employees will pay 0.6% of their gross wages. For perspective, if an employee makes \$60,000 a year – the County will contribute \$240 a year, and the employee will contribute \$360 a year to the required state plan. In September 2023, employees can start applying for benefits through the state. <https://paidleave.oregon.gov/Pages/default.aspx>

We have started on the Wage Structure Study and Pay Equity Analysis. There is a tentative date of November 8th and 9th for JB Rewards to visit in person.

The Deadline for FTE asks and reclassifications for FY 2023-2024 is October 31st. It's looking like another eventful year of personnel changes.

The second special inflation bonus installment will go out the first payroll in December.

We will be gearing up for Compensation Board, as that meeting is usually held around February. A confirmation of areas to include will be brought forward to the Board in the near future.

As always, please feel free to ask me for any updates as needed.

Sincerely,





8d

Public Health Department

P.O. Box 799 • Heppner OR 97836
(541) 676

Robin Canaday
Public Health Director
rcanaday@co.morrow.or.us

TO: Board of Commissioners
FROM: Robin Canaday, Public Health Director
DATE: October 26, 2022
RE: Morrow County Public Health Department Quarterly Update

Below are the highlights for this past quarter:

General Updates

Our Vaccine refrigerator was having difficulty maintaining temperature required to hold vaccine, we are working with Emergency Management to replace with new one.

We had 4 staff attend Oregon Rural Health Conference. They came back with some useful information and insight, they said they learned a lot and enjoyed being back to some in-person trainings. Thank you for the opportunity to send some staff.

Ana and I met with State leaders yesterday to discuss handing over Nitrate responsibilities – update

The Public Health Dept. is working very hard to bring Family Planning Services back as one of our programs. We are collaborating with community partner Morrow County Health District, as you signed the agreement with the provider. We have a meeting scheduled for this Friday 10/28 to discuss next steps. We are also working with Morrow County School District to revise Public Health role in the CARE program wrap around services within Morrow County

Flu vaccine statistics: (as of 10/21)

Type of vaccine	# of doses given countywide
Local (our purchased supply)	192
VFC (Vaccine for Children) state program	22
High Dose (for older population)	83

Public Health Clinic Schedule

- Mondays/Tuesdays: Boardman, 8:00am-12:00pm & 1:00pm-5:00pm
- Wednesdays: Ione, 10:30am-3:30pm
- Wednesdays: Heppner, 8:00am-12:00pm & 1:00pm-5:00p

COVID-19 – we have primary series and booster doses available for all eligible age groups. We are still tracking positive cases as they get reported to us, however not with the intensity that it was at the height of the Pandemic. We have home test kits also available.

Staffing

We have hired a new front office staff that started 10/5, Juana Lopez. She will be working in Boardman clinic on Mondays and Tues, Heppner Clinic on Wednesdays and in the office to answer phones/ other duties on Thurs and Fri. She is getting caught up and learning. We are very happy to have her. Some changes within our Dept include: Patricia Ortiz (a 17 year employee with Public Health) has been promoted to the position of Office Manager, and has been working with Finance to learn processes. Yvonne Morter (7 years with Public Health) has been promoted to Nursing Supervisor, both have been stepping into their new roles and doing a great job. I am happy to have such committed employees. We continue to have 2 open positions for Nurses. We are working on a job description for an outreach/education position.

Current Vacancies:

- Maternal/Child Home visiting Nurse
- Clinic RN

Electronic Health Record: we have been getting a better handle on our system and continue to implement upgrades

Weed Department Quarterly Report for July-September 2022

July

Spot spray noxious weeds on county roads.
Check on Leafy Spurge areas around the County.
Met with Katie and Stephanie in Planning regarding Code Enforcement.
Met with John Luciani regarding Rush Skeletonweed and Yellow Starthistle.
Checked mountain roads.
Met with Merle Cooley at Irrigon Marina regarding shrub control around docks.
Worked on paint and bead orders for the road dept.

August

Reviewed Lone Wastewater weed plan.
Marked and painted roads for the road dept. (8 days)
Met with Lindsay Grogan regarding retirement.
Worked on SOP for new weed person.
Conducted final field checks on Arundo with ODA & PGE reps.
Worked on sprayer.

September

Attended SWCD meeting.
Misc. office work, repaired pump on sprayer.
Started fall residual spraying on paved roads.
Started training Corey Sweeney, the new Weed Coordinator.