

Morrow County Board of Commissioners Meeting Minutes
June 8, 2022
Bartholomew Building Upper Conference Room
Heppner, Oregon

Present In-Person

Chair Jim Doherty, Commissioner Melissa Lindsay, Commissioner Don Russell, Darrell Green, Roberta Lutchter, Tamra Mabbott, Sandi Pointer, Karie Walchli, Ramandeep Malhi (later arrival)

Present Via Zoom

Kirsti Cason, SaBrina Bailey-Cave, Jaylene Papineau, Paul Gray, Ryan DeGrofft, Mike Gorman, David Sykes, Heidi Turrell, Yvonne Morter, Lisa Mittelsdorf, Karen Pettigrew, Carla McLane, Ana Pineyro, Robin Canaday, Erin Anderson, Ramandeep Malhi

City & Citizen Comments: None

Open Agenda: Chair Doherty said he wanted to add a brief discussion about Amazon Web Services (AWS) and the Strategic Investment Program (SIP) following the Consent Calendar.

Consent Calendar:

Commissioner Lindsay requested to remove everything except Accounts Payable and Payroll Payables from the Consent Calendar to Business Items.

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

- 1. Accounts Payable and Payroll Payables*

Commissioner Russell seconded. Unanimous approval.

Business Items

USDA APHIS Wildlife Services Cooperative Agreement #22-7341-5126-RA

Oregon Water Resources Department Intergovernmental Agreement for Assistant Watermaster Services

Commissioner Lindsay said both items say there are funds available but we but we haven't signed the final budget.

Commissioner Lindsay asked when the public hearing on the budget would take place and Mr. Green responded, June 22nd. She suggested these be moved to the week after.

The Commissioners agreed by consensus to setting both agreements back until after the Budget Public Hearing.

Tidewater Addition Subdivision Plat – Located Inside Boardman City Limits

Ramandeep Subdivision Plat – Located Inside Boardman City Limits

Commissioner Lindsay noted the County was being asked to sign before the other entities, which was not the normal process and questioned why. Tamra Mabbott, Planning Director, explained both developers asked the County to sign before the City of Boardman in order to prevent delays. She confirmed the City of Boardman was supportive of the requests. Ms. Mabbott added that most developers want to get plats and subdivisions recorded before the end of the fiscal year. The Assessor/Tax Collector, Mike Gorman, to confirm.

Discussion around the process and concerns. Chair Doherty suspended the item to reach out to get a clearer picture from the City.

Barnett & Moro Representation Letter

Commissioner Lindsay said she reached out to Cameron Anderson with Barnett & Moro. Mr. Green said in the past, it was typically signed outside the BOC meeting but it has come to the Board on one or two occasions. It's boilerplate and basically the same letter from year-to-year. He added he talked to former Finance Director, Kate Knop, and she said things looked great and were ready to go.

Commissioner Russell moved to accept the Barnett & Moro Representation Letter and authorize Chair Doherty, Mr. Green and Treasurer, Jaylene Papineau, to sign on behalf of the County. Chair Doherty seconded. Vote: Aye: Chair Doherty and Commissioner Russell. Nay: Commissioner Lindsay. Motion carried.

Business Items

Miscellaneous

- Chair Doherty handed out an item from the Oregon Health Authority informationally. He said Morrow County was blessed by being a real mixing pot of folks and he thought it was super important that as there are folks who come in who are bilingual or multilingual that their abilities are appreciated and we don't, as a County, put them in a position where they're making official statements without official documentation backing their abilities, and/or if we're using them, to some extent, that they're certainly appreciated financially. He asked the Board to review and he would bring it back as a more formal discussion. He also planned to have it sent to Department Directors to review it.
- Chair Doherty said the other item he wanted to touch on was the County was slowly walking down the path of working with Amazon Web Services (AWS) partners on multiple potential sites. Some are certainly in an Enterprise Zone and some that are not. He said he had some conversations with the County's partners to let them know today he'd be suggesting a Strategic Investment Program (SIP), advisory or exploratory committee discussion. He said if it was amenable to Commissioner Lindsay, he'd like to see her and County Counsel, Justin Nelson, work together in an exploratory fashion, or negotiation and to populate the balance of the committee, suggesting others. He said he wanted to have her step into that role and begin those discussion. Commissioner Lindsay acknowledged she, AWS and other partners, etc., ongoing discussions. Chair Doherty said he'd like to see a more formal process. Commissioner Russell asked if Amazon had applied for a SIP agreement. Chair Doherty responded, no, not formally. Commissioner Lindsay said these conversations have to happen and that she looked forward to continuing to build that relationship and agreed to the idea. Chair Doherty said Mr. Nelson was comfortable reviewing or reaching out to the counsel the County has waiting in the wings to assist. Chair Doherty said he didn't know that a vote was needed, necessarily, and that he was comfortable with it. Commissioner Russell questioned that Amazon has not applied for a SIP agreement but we're going to organize a SIP negotiating team for a SIP agreement? Chair Doherty said he thought in the potential and that they're amenable to it, thought we should see what the possibilities are. Commissioner Russell said, to be clear, it's inside what the Columbia River Enterprise Zone III Intergovernmental Agreement we designated as the City of Boardman's Area of Influence and it could be inside an Enterprise Zone agreement, easily. Commissioner Lindsay said it was not in an Enterprise Zone currently. Commissioner Russell said most of the County isn't in an Enterprise Zone and we have these IGAs for each community

with the understanding, he said he thought, that as a project came into their area, they'd have some influence on it. He said maybe he was mistaken.

Broadband Fellowship – Broadband Action Team

Commissioner Lindsay explained the County's Broadband Fellow through Lead for America, and American Connection Corps, Aaron Moss, agreed to stay for another year through an arrangement that's still coming together with the County and other partners on the Broadband Action Team. She said Greater Eastern Oregon Development Corporation (GEODC) will contract with Mr. Moss and could act as the fiscal agent should any grants be received, etc.

Century West Engineering Agreement and Authorization for Engineering Consulting Services, Lexington Airport Taxiway D Reconstruction Design

Sandi Pointer, Public Works Management Assistant

Ms. Pointer provided an overview of the project and the agreement. She said the County received a Federal Aviation Administration grant of \$144,924 and she obtained a Critical Oregon Airport Relief (COAR) grant for the matching funds, \$14,492. This resulted in the County portion being \$1,611, she said.

Commissioner Russell moved to approve the agreement with Century West Engineering for the design phase of the Taxiway D & Apron Reconstruction; \$161,027; and authorize Chair Doherty to sign on behalf of the County. Commissioner Lindsay seconded. Unanimous approval.

Letter of Support – LimitBid's USDA Meat and Poultry Processing Expansion Program Grant Application

Chair Doherty said he tried to get more support to better understand this and reached out to County partners but it was a little bit to no avail. Instead of it being a formal BOC ask, he said a letter could be prepared on an individual basis.

Fiscal Year 2021 Close-Out of Oregon Health Authority (OHA) Intergovernmental Agreement #159824 for the Financing of Public Health Services

Robin Canaday, Interim Public Health Director

Ms. Canaday said the County received a letter from OHA which stated the County received \$914,475.10 and the expenditures reported by the County were \$611,385.76. This means the amount due back to OHA by June 15th is \$303,089.34, however, she said she requested an extension.

Chair Doherty asked if we had enough information or needed more time.

Mr. Green said he and staff members in Finance and Public Health, including former Finance Director, Kate Knop, have looked into it, he didn't think the dollar amount would change.

Chair Doherty said this didn't preclude Mr. Green from buttoning up the loose ends and he assumed there'd be a budget adjustment or resolution, which Mr. Green confirmed.

Commissioner Russell said he wanted to know if we had \$900,000, roughly, from OHA and we spent \$600,000 within the guidelines. Is the other \$300,000 just sitting there? Commissioner Russell asked if had been spent it on something that didn't qualify.

Mr. Green said he was trying to figure it all out and referenced the spreadsheets provided in the Agenda Packet.

Commissioner Lindsay said there have been a lot of changes in leadership in the Public Health Department, as well as the turmoil of COVID that was the last two years. She said she asked over the last three years multiple times for reconciliation of these dollars because we're responsible in the end. She said she further wanted to continue to advocate for department liaisons for this type of reason.

Commissioner Lindsay moved to pay OHA back the reconciled amount of \$303,089.34 and look at best practices in the future. Commissioner Russell seconded. Unanimous approval.

Order No. OR-2022-6 Establishing the Morrow County Public Transit Advisory Committee; and Approving Membership Roster

Katie Imes, The Loop/Public Transit, Transit Manager

Ms. Imes explained the Oregon Department of Transportation will be consolidation county advisory committees into one, effective July 1st.

Commissioner Russell moved to approve the Morrow County Public Transit Advisory Committee Bylaws, Membership Roster and adopt Order No. OR-2022-6. Commissioner Lindsay seconded. Discussion: Chair Doherty said there was a push now in transit to be more inclusive, or maybe the dollars are freer to make sure public transit is reaching out to the under-served and minority populations and English as a second language. He said planned to bring back a Hispanic Advisory Council consideration for the County and he'd had some discussions around that so he'd like to have that discussion here. Commissioner Lindsay agreed. Unanimous approval.

Break: 10:15-10:28 a.m.

Subdivision Plats, continued

Ramandeep Malhi, Developer

Mr. Malhi explained he had technical difficulties trying to speak on Zoom during the earlier discussion so he drove from the Tri-Cities to attend in-person. He said the final asphalt on the street was being done tonight or tomorrow and the City told him the Council would sign later.

Carla McLane, City of Boardman, said the City had every intent of signing the plats and went on to explain the process and how long it can take. She said the developer was very close and if it was held up, it wouldn't have gotten to the County for a few weeks. She asked the Board to consider signing first as they were in the process with the City. The Tidewater plat was a little different, she said, as they were working on a letter of credit because they were approaching development a little differently. Once the County signs, she would coordinate the City's signing of both plats. Discussion and questions continued.

Commissioner Russell moved to sign both plats, Ramandeep and Tidewater Additions.

Discussion: Ms. McLane continued to field questions. Commissioner Lindsay seconded.

Discussion: Chair Doherty said he thought this was highly irregular. He said he was insisting the Columbia Development Authority as Chair that my entire board get the entire picture a week in advance and we've been struggling with that. Certainly, this came in, it's an irregular function at an irregular time and we failed to color it, and you failed to bring the information we

needed, and the City failed to bring the information we needed, frankly, and they relied on us putting our name on something that is completely out of order and he was quite discouraged with that process. Vote: Aye: Commissioner Lindsay, Commissioner Russell. Nay: Chair Doherty. Motion carried.

Morrow County Tourism Consultant Bi-Annual Report

Karie Walchli

Ms. Walchli provided a PowerPoint presentation on her activities promoting Morrow County. They included:

- Morrow County Destination Development – Plan of Action and Scope of Work
- Community Input Studio – Getting the word out
- Destination Development – Six Month Check-Up
- Destination Development – Next Steps

11:00 a.m. – Chair Doherty departed to attend a meeting with the Public Health Department and various state agencies.

2020 Ballot Measure 109 – Authorized the Manufacture and Use of Psilocybin Products

Justin Nelson, District Attorney/County Counsel

Tamra Mabbott, Planning Director

Ms. Mabbott said there were land use implication to this ballot measure, which was voted on last fall. It makes psilocybin service centers legal starting January 1st. She then reviewed her slide presentation. If the Board refers this to the voters, the Planning Department will have some serious code work to do to make sure the regulations are in place for time, place and manner for these facilities.

Mr. Nelson said this would have to be filed for election by mid-August or it's guaranteed to start in January.

Commissioner Russell moved to direct County Counsel to draft a ballot measure to be presented to the voters of Morrow County in November to opt-out of Measure 109. Commissioner Lindsay seconded. Vote: Unanimous approval (Chair Doherty absent).

Department Reports

- The Planning Department Monthly Report was provided by Ms. Mabbott
- The Treasurer's Monthly Report, submitted by Jaylene Papineau, was reviewed in her absence

Correspondence

- 2020 Post-Census Group Quarters Review
- Morrow County Crop Tour Agenda
- Letter from Senator Bill Hansell requesting sponsorship of the 2022 Legislative Council on River Governance, August 9-11 at the Port of Morrow
- Oregon Department of Energy email regarding the Notice of Intent to File an Application for a Site Certificate for a 1,250-megawatt solar facility in Morrow County – Pine Gate Renewables, LLC
- Registration for the 2022 Association of Oregon Counties Legislative Committee Retreat

Commissioner Reports

Commissioners Lindsay and Russell opted not to provide reports.

Signing of Documents

Adjourned: 11:50 a.m.