

Morrow County Board of Commissioners Meeting
Wednesday, March 6, 2024
Bartholomew Building, Heppner, Oregon

Present In-Person: Chair David Sykes, Commissioner Roy Drago Jr., Matt Jensen, Valerie Ballard, Gregory Goebel, Justin Nelson, Lindsay Grogan, Brian Snyder, Kevin Ince, Eric Imes, Tony Clement

Present Via Zoom: Commissioner Jeff Wenholz, Tamra Mabbott

Call to Order and Pledge of Allegiance: 9:04 a.m.

Business Items:

(Compensation Board and the Classification Review for FY2025 were moved ahead of Public Comment because of visiting contractors doing work for the County, allowing the HR director to leave after presenting to work with them.)

Compensation Board Recommendation

Lindsay Grogan, HR Director

The Compensation Board met on February 15th to evaluate market analysis, duties of officers, budget size, and incumbents in departments. The recommended increases are as follows:

1. 3% step increase and 4.3% cost of living adjustment (COLA) for elected positions.
2. Raising Commissioner salaries to \$70,000/year with 4.3% COLA
3. \$16,000 stipend and 4.3% COLA for the District Attorney
4. Sheriff's Office union negotiations include a COLA adjustment based on the consumer price index with a minimum of 2% and a maximum of 5%.

Union adjustments are to be decided, depending on upcoming union negotiations.

Commissioner Drago motioned to forward the recommendations of the Compensation Board to the Budget Committee. Commissioner Wenholz seconded. Vote: Unanimous approval.

Classification Review FY2025

Lindsay Grogan, HR Director

The following classification requests were brought before the Board.

1. Reclassifying the Associate Planner to GIS Analyst
2. Of four temporary part-time Park Maintenance Technician positions, eliminate two positions replacing them with permanent full-time positions, and adjusting the two remaining part time positions from .5 FTE to .25 FTE. The budget increase would be approximately \$100,000 and the recommendation is to increase the general fund allocation \$50,000 and the department would make up the other \$50,000 with budget adjustments. Kevin Ince, Finance Director recommended relying on a transfer of funds for FY25 and by the second half of the year, and review park fees as they haven't been adjusted in seven years and generate more revenue.
3. Three full-time patrol deputies to replace part-time grand funded positions for park and marine patrol. The temporary status of the positions makes it difficult to fill while full-time positions are easier to hire for. The patrol deputies would be assigned to parks and

marine patrol seasonally and work as regular patrol deputies in the off-season. The parks and marine grant would cover a portion of the expense.

4. One Patrol Deputy to fulfill the contract with the City of Irrigon. Funding for this position would primarily come from the City of Irrigon and is dependent on the approval of the contract for Sheriff's services to be approved at today's meeting.
5. One 911 Communications Dispatcher. Dispatchers are currently short-staffed, but additional coverage is needed on top of the two vacancies.

Commissioner Drago motioned to approve the recommended classification requests for Fiscal Year 2025. Commissioner Wenholz seconded. Vote: Unanimous approval.

Public Comment:

Emily Roberts, Morrow County Health District (MCHD), CEO addressed four topics in the letter included in the packet as correspondence.

Jodi Ferguson, Lexington, MCHD requested 911 calls go to MCHD in addition to the interim ambulance service provider, Boardman Fire Protection District (BFPD).

Stuart Dick of Irrigon referenced a petition circulating for Commissioner recall and his Facebook Group, Morrow County Citizens for Liberty and Justice. He also spoke on ambulance quality and the Circuit Courthouse project.

Raymond Akers of Boardman referenced the letter from MCHD in the correspondence section of the packet. He disagreed with item 7f on the agenda for an exemption of competitive bid process and didn't support the scheduled Land Use Hearing.

Kevin Jepson, resident of Umatilla County and employee of MCHD wants increased staffing for paramedics and EMTs with BFPD.

Scott Ezell, Board member for MCHD and Irrigon Rural Fire Protection District (IRFPD) spoke about the Ambulance Service Area Plan (ASA) and BFPD notifying IRFPD that mutual aid will change.

Kirsten Espinola, lone resident and MCHD employee wants an additional ambulance in the south end of the County and does not support Irrigon having just one ambulance.

Sarah Burke, Pendleton resident and MCHD employee requested clarification on BFPD's proposal at the next meeting. She was also concerned about standby services during events in the County such as rodeos.

Filipe (no last name given) of Hermiston believes BFPD is unfairly underpaying paramedics.

Open Agenda: No items.

Consent Agenda:

Commissioner Drago moved to accept the Consent Agenda as written.

1. Minutes: February 1, 2024 Joint Meeting with MCHD; February 7, 2024 Regular Meeting; February 21, 2024 Regular Meeting
2. 6th Amendment to Oregon Health Authority (OHA) Intergovernmental Agreement 180024 for the Financing of Public Health Services.
3. New 2024 Western Star Dump Truck Combo

Commissioner Wenholz seconded. Vote: Unanimous approval

Public Hearing:

Land Use ORD-2024-1 Three Mile Canyon Farm

Tamra Mabbott, Planning Director

Ms. Mabbott confirmed with outside counsel Dan Kerns that since the ordinances were previously approved, a public hearing is not required, and it is closed to public testimony as public testimony was allowed at the first hearing. County Counsel Gregory Goebel confirmed the process is correct.

The public hearing for ORD-2024-1 Ordinance amending the comprehensive zoning map from Space Age Industrial to Exclusive Farm Use for 318 acres was opened.

As there was a hearing with a vote and public testimony previously, Chair Sykes closed the hearing for ORD-2024-1, amending the comprehensive zoning map from SAI to EFU.

Commissioner Drago motioned to approve ORD-2024-1, amending the comprehensive zoning map from Space Age Industrial (SAI) to Exclusive Farm Use (EFU) for the 318-acre parcel. Commissioner Wenholtz seconded. Vote: Unanimous approval.

ORD-2024-2 Comprehensive Plan Map and Zoning Map Amendment Rezone 1.54 Acres
AZM-151-24

Chair Sykes opened the public hearing for ORD-2024-2 Amending the Comprehensive Plan Map and Zone Map from Suburban Residential to General Commercial.

As there was a hearing with a vote and public testimony previously, Chair Sykes closed the hearing for ORD-2024-2.

Commissioner Drago moved to accept Order ORD-2024-2, amending Morrow County comprehensive plan map and zone map from suburban residential to general commercial. Commissioner Wenholtz seconded. Vote: Unanimous approval.

Administrator Update:

Ambulance Service Area Plan Update

Matthew Jensen, Administrator

The County received notes from OHA regarding the ASA draft on February 22 and outside counsel reviewed their notes over the weekend. Mr. Jensen explained the interim service contract is being negotiated because there is not an ASA currently in place. Once the ASA is adopted, a permanent 5-year plan can be put in place and negotiations will take place. The review process is long because of issues in Morrow County and the review process will be more thorough for all going forward. The temporary ambulances and contract will be finalized later in the day. AMR will charge \$500 per ambulance per month, \$1,500 per month in total. Some necessary equipment is needed, but they are largely stocked. The ambulances are equipped with Basic Lifesaving Services but will be outfitted for Advanced Lifesaving Services. Mr. Jensen cited the monthly cost of \$1,500 a month being well below the amount that requires a request for bids and gave that as one reason why the process is being conducted as it is. Long term ambulance contracts will go before the board when the time comes. It's planned that the revised ASA will be submitted later that day. Each location will be fully staffed with two ambulances and the County is waiting for confirmation and coordination from the Emergency Manager in addition to being in talks with OHA.

Bob Blackmore, outside legal counsel added that he has been working closely with OHA to finalize the plan as soon as possible. The OHA is requesting more information for mass casualty issues, elaborating that it is the same plan from 2021, but now more detail is needed. OHA indicated if MCHD provides Quick Response Teams (QRT), they require the same protections as other emergency services with a supervisor overseeing their work and compliance with state laws and administrative rules. The OHA is following up on Department of Public Safety Standards and training compliance and Mr. Blackmore hoped to hear back today. Mr. Blackmore also reminded the Board and meeting attendees that the original ambulance agreement included ambulance turnover to the interim service provider, however circumstances required the short-term lease of ambulances and acknowledged the work AMR and their National representatives did to assist the County with acquiring rental equipment.

Mr. Jensen added clarification to some of the questions from the Public Comment section. BFPD confirmed that the district when referring to “in district” encompasses the entire County. An example of out of district transport would be transferring a patient to Umatilla County. He also assured everyone that two ambulances would be staffed during special events such as St. Patrick’s Day and one ambulance specifically dedicated to the rodeo. Mr. Jensen then asked the Board to consider the licensing agreement with AMR and to allow Mr. Jensen to sign the agreement if the Board found it acceptable.

Commissioner Drago moved to accept the licensing agreement between Morrow County and AMR and authorize Mr. Jensen to sign the document on behalf of the County. Commissioner Wenholz seconded. Vote: Unanimous approval.

Circuit Court Update

Matthew Jensen, Administrator

On Friday, the County received correspondence from Judge Dan Hill and the Oregon Chief Justice stating that the Circuit Court is not required to be in Heppner, but the ability to hold court in the County seat (Heppner) is required. A landowner with property adjacent to the Fairgrounds informed the County he was not interested in leasing ground for Courthouse parking and different options are being evaluated. After holding a listening session with neighbors, there was a push to change the Courthouse location to the Kinzua Mill site. The County hasn’t begun negotiations but is taking the suggestion under consideration but acknowledges difficulties with lack of utilities and infrastructure. Previously, the County had been instructed that the Circuit Court must be in the County Seat, but after Friday other options may be considered.

Commissioner Drago asked where the construction would be located in the Mill site. Mr. Jensen said on the North side of the road near the Oregon State University Extension Office and DMV. If it were located in the Mill site, the Courthouse would not be located in the flood zone. A site review of a new location would involve additional costs with the architect and a change in plans would need to be made quickly.

Business Items Continued:

Resolution No. R-2024-5 Competitive Bid Process Exemption

Matthew Jensen, Administrator

This item was moved up in the agenda because Doug Carl and Earl Eastman of Alliance Construction joined via Zoom.

Request for Funds – Heppner Daycare

Katie Murray, Board member

Jessica Britt, Executive Director

Heppner Daycare is a certified childcare center, providing full-day daycare, pre-school, after school care, and summer camps. There are 18 children enrolled in preschool, 12 of whom are in full day childcare and 12 children ages 5-8 in after school care. Currently, there are no infant or toddler childcare centers in South Morrow County with limited availability for pre-school and after school care. They are asking for \$750,000 or half of the fundraising goal of \$1.5 million to expand the facility. After an extensive survey of the community, it was decided the County's needs are not being met for childcare. Heppner Daycare would like to expand their capacity for 3 to 8-year-olds to forty children and create an infant and toddler center with a capacity for 28 children. \$425,000 in funding has been secured, and they plan to apply for grants as well. No site has been chosen yet, but they are hoping to find a location for the expansion within the next year. The current facility would be sold to help offset costs of expansion, and they hope to find something at least twice the size of their current location.

Commissioner Drago motioned to commit \$750,000 to Heppner Daycare and direct staff to secure agreements for the Board to sign off in the future. Commissioner Wenholz seconded. Vote: Unanimous approval.

Resolution No. R-2024-4 Expansion of CREZ III Boundary

David Sykes

A Resolution was brought before the Board requesting to expand the current CREZ III boundary by 31.4 acres. At a joint meeting of the Morrow County Board of Commissioners, Port of Morrow Board, and CREZ III was held on February 1st with the initial request and both the Port of Morrow and Morrow County approved the request.

Commissioner Drago moved to approve Resolution R-2024-4 to expand the CREZ III Boundary by 31.4 acres. Commissioner Wenholz seconded. Vote: Unanimous approval.

Department Reports:

The Public Works Department Report was presented by Eric Imes and Tony Clement

The Weed Report was presented by Corey Sweeney

The Local Public Safety Coordinating Council Report was provided by Jessica Rose.

Correspondence:

Letters were submitted to the Board by Morrow County Health District and Heppner Rural Fire Protection District.

Commissioner Reports:

Brief reports on Commissioner activity were provided.

After discussion, it was decided that the Executive Session topic did not qualify for Executive Session and would be addressed as a regular part of the meeting as a continuation of Business Items.

Business Items Continued**Administrator Request: Amend Employment Agreement**

Matthew Jensen, Administrator

The employment agreement for County Administrator (CA) includes a requirement to reside in Morrow County. Mr. Jensen requested expanding the residency requirements allowing the CA to consider living in Umatilla County or within sixty miles of the County seat. The shortage of available housing in the County has made looking for a permanent home difficult, and Mr. Jensen and his family have recently faced hostility within the community due to the current political climate. Mr. Jensen added that his wife and son would appreciate a degree of anonymity. For example, Mrs. Jensen could support a candidate running for School Board without someone trying to connect her choice with his position. There is no ordinance requiring County residency, nor is it in the job description.

While Commissioner Drago understood the request, he expressed hesitancy to agree based on a previous applicant withdrawing because they were unwilling to relocate. Commissioner Wenholz understood Mr. Jensen's intent behind the request but is inclined to agree with Commissioner Drago. Chair Sykes acknowledged the hostility Mr. Jensen and his family have received, stating it has created a unique situation with unprecedented controversies.

Commissioner Wenholz asked if it would be appropriate to confer with counsel and human resources. Justin Nelson, County Counsel suggested consulting with outside counsel specializing in human resources. Commissioner Drago asked that counsel look into possible ramifications of the request and possibly hold a special meeting if needed.

Adjourned: 1:00 p.m.