

Board of Commissioners Town Hall
May 15, 2024
Irrigon Government Center
Irrigon, Oregon

Present In-Person: Chair David Sykes, Commissioner Jeff Wenholz, Commissioner Roy Drago Jr., Matthew Jensen, Valerie Ballard, Vince Guerrero, Justin Nelson; Non-staff: Austin Gutierrez, Kelli Stuart, Hon. Judge Hill, Irma Solis, Stuart Dick, Phil Rand, Pat McNamee

Present Via Zoom Approximately 12 members of the public

Call to Order and Pledge of Allegiance 1:00 p.m.

Introduction

Built in 1903, the historic courthouse has served Morrow County for over a century. As the courts have changed, so have the layouts of the building. However, it no longer meets the needs of today's justice system. 3-4 years ago, now former commissioners issued a study to see what could be done with the courthouse. Four options were provided but none fully addressed the needs of the building or court system.

The State is funding improvements for outdated Circuit Courthouses around Oregon. Money is only available for new construction, not restoration projects. Using money previously earmarked for Courthouse restoration, the Board chose to use it as the County's match to the State funding. The County was approved in the first run of funding with the amount of \$12.75 million, partly thanks to having the match already available.

In 2022, the County began looking at locations for the new building, but plans were put on hold due to the recall of the commissioners. When the current Board of Commissioners came into office, the courthouse construction was one of the first priorities to get back on track. At that time, ORS interpretation required the courthouse to be in Heppner, so all deliberations were based on that understanding. At the County's request, the City of Heppner provided several possible locations for the courthouse, and a 2-acre lot next to the fairgrounds used for rodeo parking was deemed the best option. The County owns the property, it meets the size requirement, outside of flood plains, and utilities won't be an issue.

Neighbors expressed concern over the loss of their unimpeded views and others were concerned over the proximity to the elementary school (Oregon does not have statutory requirements for distance of convicted perpetrators or those under trial from schools).

After the Chief Justice opened the interpretation of the ORS, he concluded that the courthouse is not required to be within Heppner city limits and additional sites were added to consideration:

- Fairgrounds – The original location under consideration
- Port of Morrow (POM) owned Kinzua Mill Site
- Lexington School House
- Lexington, across from the Public Works building

- A two-acre parcel in Boardman which is owned by the County and earmarked for the transit center.
- Irrigon

In an executive session, the locations in Lexington and Irrigon were eliminated from the selection, leaving the Fairgrounds, Kinzua mill site, and the property in Boardman for consideration. Presently, the County is approximately three months behind schedule with a completion deadline around the end of 2026, but the state is open to granting extensions.

Site Review Presentation

DLR Architects has done courthouse projects all over the United States and within Oregon. Ideal factors when choosing a courthouse location include:

- Central location in the community so jurors, court participants, and staff can eat and accomplish errands nearby.
- Not near manufacturing or food processing facilities with strong odors or sounds
- Accessible to the public
- Avoids potential site hazards such as flooding or other natural dangers.
- Connects to city provided utilities.
- Easily visible
- At least two acres to accommodate facility and parking needs.
- Residential locations are avoided, but there is precedent for courthouse locations to be in a residential area, for example Jefferson County's courthouse.

The Fairgrounds has previously been assessed and meets the needs and requirements. The Mill site is over 100 acres with multiple possible locations for construction but may be contingent on future development. The mill site lacks available utilities and isn't conveniently located for travel or proximity to local businesses. Another concern is the location poses potential environmental contamination concerns. Geotechnical surveys will be necessary and may lead to

The Boardman location appears to be ready for construction with no significant obstacles expected, but still includes a 3-month delay because of necessary survey work. It lacks proximity to businesses but is more convenient for commutes and the majority of the County's population.

The Fairgrounds would have the least additional expenses, currently with an estimated \$300 thousand due to delays. Boardman's estimate is \$630 thousand plus unknown costs, and the Mill site would be up to \$3.6 million, plus possible unknown additional costs.

Public Comment

Phil Rand, Irrigon: Mr. Rand shared his concern that property taxes would increase leading to him and other homeowners to be priced out of their homes. Justin Nelson, County Counsel noted Measures 5 and 15 ensure that the Morrow County tax rate cannot be raised to fund construction. Assessed value can only increase 3% yearly, and since the law has passed, rates have increased 3% annually.

Tim Collins, Heppner: Mr. Collins expressed his view that the cost analysis conducted by DLR was simplistic and did not align with his own analysis and asked how his property would be protected. Chair Sykes explained zoning laws determine what can be built and where and the County will follow zoning laws and procedures for the project. The City of Heppner will also be involved if the fairground location is chosen. Ms. Stuart added that the circuit courthouse would fall under allowable use for the zone.

Pat McNamee, Irrigon: Mr. McNamee said he thinks that it makes sense to put the courthouse where the majority of the population is, which is at the North end of Morrow County.

Stuart Dick, Irrigon: Mr. Dick said to his knowledge, the commissioners agree the courthouse should be in Heppner. The conditions of bridges haven't been considered. The Port of Morrow offered to donate land on the Kinzua Mill site to the County for the courthouse and it's time to get the mill site fixed.

Darin Hauner, via Zoom: His concern is accessibility for the community. With the population on the north end, it can be a long drive to do business at the courthouse and people are disrupted from their daily lives.

Kirsten Espinola of Lone and Jodi Ferguson of Lexington were both of the opinion that the mill site is the best location for the Circuit Courthouse.

Staff Clarification

Addressing concerns regarding bridges and roads, Mr. Jensen said the bridge crossing the creek which would serve the courthouse traffic is a nice, wide bridge and being looked at by civil engineers. Other access is secondary and wouldn't impact traffic flow. There is no need for additional sidewalks or ADA crossings to be installed as those areas would be used by staff and sheriff transport and he has already had conversations with the school on how to make the pickup area safe.

While the County has money right now, it needs fiscal responsibility. The Kinzua Mill site has potential, and POM has said they would donate land and do some of the demolition and groundwork to prepare. If that site is the chosen location, it should be set up for future development.

The availability to justice is a factor and one reason why Boardman has remained under consideration. In 2023, the circuit court caseload had 20% from Heppner, Lone, and Lexington with the rest of the cases coming from the north side of the County which directly correlates to population.

Commissioner Drago said he'd been approached with the idea of building the courthouse at the fairgrounds location and moving the fairgrounds to the mill site. Mr. Rand, Mr. Dick, and Ms. Ferguson did not agree with that suggestion.

Commissioner Drago said that the Port (of Morrow) has had the Kinzua Mill property for a long time and hasn't been able to get it developed. The Port is an economic group very good at what they do, and they've tried to get it developed, but it keeps failing. It's not as simple as 'If we keep it, it will make us money.'

Mr. Jensen expressed his appreciation for those who attended in-person and through Zoom.

Chair Sykes shared his thanks to the design team for traveling to the meeting.

Adjourned: 1:30 p.m.