

Morrow County Board of Commissioners Meeting
May 1, 2024
Bartholomew Building
Heppner, Oregon

Present In-Person: Chair David Sykes, Commissioner Jeff Wenholz, Commissioner Roy Drago Jr., Matthew Jensen, Justin Nelson, Greg Goebel, Valerie Ballard, Tamra Mabbott, Daisy Goebel, Kevin Ince, Eric Imes, Lindsay Grogan; Non-Staff: Tanner Gillespie, Nathan Stottler, Cameron Krebs, Tim Rust, Shannon Rust

Present Via Zoom: Sabrina Bailey-Cave, Corey Sweeney, Jaylene Papineau, Morgan Browning, Stephanie Case; Non-Staff: Jodi Ferguson, Austin Gutierrez, Berit Thorson, Brett Mueller, Doug Carl, Earl Eastman, Emily Roberts, Erika Lasater, Kelli Stewart, Elaine Albrich, Larissa Gray, LeAnn Wright, Marty Broadbent

Call to Order and Pledge of Allegiance: 9:01 a.m.

Public Comment: None

Open Agenda: No Items

Consent Agenda:

Commissioner Wenholz motioned to approve the following items:

1. Minutes: April 17, 2024 Regular Meeting; April 23, 2024 Special Session; March 13, 2024 Bi-County Meeting
2. Contract for School Based Health Center with MCHD
3. Contract Amendment for IGA with OHA for Vaccine Finance Funding

Commissioner Drago seconded the motion. Vote: Unanimous approval.

Administrator Update:

Ambulance Provider Selection Process

Matthew Jensen, Administrator

With the adoption of the Ambulance Service Area Plan (ASA), County staff are working to prepare the request for proposals (RFP). The RFP uses language borrowed from another county's RFP for ambulance service, and while the RFP is not yet finalized, it has been updated to reflect the needs of Morrow County. The hope is the RFP will be finalized Friday and published Monday, May 6 with a deadline of 2 p.m. on June 3. The selection committee is waiting for response from the City of Lexington for their representation, as well as representation from emergency medical service (EMS) professional from a neighboring county. There are presently no plans to make the selection meetings public or host them online, however accommodations may need to be made.

The ordinance for ambulance service will take effect in mid-July which allows time providers to set up and Interim services can be cancelled early if regular service is ready.

Circuit Court Building Location Update

Over the last year, the County has worked under the assumption that the circuit courthouse must be within Heppner City limits as the county seat. The selection went from several sites around the city, down to nine, and was then narrowed down to four possible locations with the

Fairgrounds appearing to be the best choice. This conclusion was based off of cost, size, location and other factors. After receiving feedback from some residents, the Chief Justice of the State offered their interpretation of the requirements and concluded that the courthouse only needs to be within County boundaries. Additional sites were brought forward for consideration: Irrigon, Boardman, two in Lexington, and the old mill site outside Heppner. Environmental considerations, history, logistics, geotechnical information are all taken into consideration when surveying the locations.

Addressing queries regarding why the historic courthouse in Heppner can't be used for Circuit Court, logistics and costs to upgrade the building would be costly. The State is matching 50% of the circuit courthouse project, but this is exclusively for new construction. This is statewide funding project looking at outdated courthouses and Morrow County was approved in the first round of funding. The current courthouse would need to be retrofit for earthquakes, expanded, remodeled to meet security needs, as well as changing office layouts, and it would still not meet space needs.

Joining via Zoom, Kelli Stewart of DLR architects provided an overview of additional sites under consideration for the Circuit Courthouse. The Kinzua Mill Site, owned by the Port of Morrow (POM) has multiple possible building locations, but geotechnical fundings are still unknown. Exploration costs will be a county expense, and it is presumed remediation would be at the cost of the landowner, Port of Morrow.

With delays and needed site investigations the project continues to grow more expensive. Representative Greg Smith has said if needed, he will go to the legislature and ask for additional funds for the project. After discussion, Chair Sykes requested further information on the South mill site, Boardman, and the fairgrounds with estimates for additional "unknown" including geotechnical surveys and environmental costs and in mid-May hold two town hall meetings to provide information and gather input from the public.

Statewide Transportation Improvement Fund (STIF) Funding Compliance Update

The Oregon Department of Transportation (ODOT) compliance group contacted the County around the beginning of April regarding compliance shortcomings. The required compliance study and drug and alcohol policy update from 2023 had yet to be completed. After meeting with ODOT; Transit Manager, Ben Tucker; and Commissioner Wenholz, ODOT provided a 30-day extension to come into compliance. The County has submitted all but one point as of April 26, and that last item requires input from the Board of Commissioners.

Angie Jones, the direct contact for ODOT, said most of the issues predate Mr. Tucker, but the County needs to come into compliance. Mr. Jensen and Mr. Tucker have been meeting on a weekly basis to correct these issues and Mr. Jensen noted the transition to a new transit manager and administrator impacted the problem. The STIF payment of approximately \$114,000 will be held until the quarterly report has been reviewed. There are a couple of other action plans for grant compliance, and the goal is to be fully compliant by the end of May.

Public Hearing

Second reading of ORD-2024-05 to Adopt Goal 3 Exception AC-153-24

Daisy Goebel, Principal Planner

Commissioner Wenholtz recused himself from the discussion and vote as he is on the board of directors for Umatilla Electric Coop (UEC) and UEC is in the report as a provider of services.

Chair Sykes opened the hearing for AC-153-24 Goal 3 Exception for photovoltaic energy generation facility in Exclusive Farm Use (EFU) zoning. Tax lot 1200 and 100 on the assessor's map.

State law requires adoption of a Goal 3 Exception for any solar facility greater than 12 acres on land zoned EFU. Rather than mitigating impacts of removing the land from farm use, OneEnergy wants to collaborate with Krebs Solar Grazing and use sheep to graze over the solar fields.

Public Testimony

Tanner Gillespie and Nathan Stottler of OneEnergy Renewables

A long-term lease was signed in 2023 for land zoned EFU. The power facility will connect to Umatilla Electric Coop and Bonneville Power Administration producing 260,000 megawatts per year, supplying enough power to power to approximately 22,000 homes. It is unirrigated land with few neighbors and high energy output. The land has been used for dryland wheat with no critical high-value habitat and no offsite impacts. The soil analysis shows no prime, unique, class 1, or class 2 soil. The land does not have water use permits or an irrigation district but does have 153 acres of American Viticultural Areal in the project area.

OneEnergy has requested a Goal 3 exception for up to 739 acres of arable land. To minimize and mitigate impacts on agriculture they want to implement a grazing program. Solar grazing will keep land in agricultural use and the land will grow a mixture of pasture mix and legumes for sheep grazing.

The applicant will provide full decommission after ten years and implement a dust control plan. The estimated life span of the project is 35 years with the potential to upgrade. Minimal onsite maintenance is required, and the site will be monitored remotely. It is expected that most maintenance will be agricultural.

The decommission objective is to restore the site to pre-build condition or better, salvaging and recycling equipment, restoring soil, remove fences and so on. Salvaging materials such as steel, glass, silicon, and copper wire will more than pay the cost of decommissioning the site.

Cameron Krebs, of Krebs Solar Grazing has sheep grazing two sites already, one in Klickitat County, the other in Gilliam County with over five thousand sheep grazing both sites. Mr. Krebs added that the vegetation portfolio doesn't just improve grazing but also helps stabilize the soil.

Chair Sykes closed public testimony.

Commissioner Drago motioned to approve the application and adopt the findings. Chair Seconded. Vote: 2 yes, one recused.

The second reading will occur on May 15th.

Business Items

Mr. Jensen asked for move 6b to 6a as the topic concerned the same group as the public hearing.

Request for Refund, One Energy Renewables

OneEnergy Renewables previously submitted an application for a property and withdrew the application after the planning hearing. They asked for a portion of the application fee to be returned, and it was staff recommendation to return \$37,000 and keep \$5,000.

Commissioner Drago motioned to refund OneEnergy \$37,000. Commissioner Wenholtz seconded. Vote: Unanimous approval.

Break: 11:10

Resume: 11:18

Compensation Policy Update

Lindsay Grogan, HR Director

Referencing the compression issues which arose after teamster negotiations last year, Ms. Grogan presented an update to the compensation policy. The County Administrator would have the authority and flexibility to move incumbents on the compensation scale to prevent salary compression. The policy allows the County Administrator to grant approval of up to 3 step increases to an un-represented employee. This is not something to be considered on a regular basis, but instead a one-time merit or compression issue.

Nitrate Water Issue Technical Grants

Matthew Jensen, Administrator

Over the last quarter, the County has met with various agencies about the nitrate issue. A key item mentioned at a City-County-Port meeting said no single entity regulates private resident well. While the County does not own the problem or cause it, they want to solve it. Business Oregon has technical consulting grants in the amount of \$20,000 each for exploring water and wastewater systems. This study may eliminate some of the unknowns and direct focus. This is not to implement a public water system for West Glen, but to look into costs associated with the systems.

Categorically, this project would fall under Community Development, but as the county does not have a Community Development department, it has fallen under multiple departments: Planning, Public Health, and Public Works. Chair Sykes voiced concerns about the project's ad hoc nature and lack of clear management. Commissioner Wenholtz suggested writing in the grant to include a project manager consultant and devote some staff to development.

Commissioner Drago motioned to authorize County staff to apply for two Business Oregon Technical Assistance grants for exploring water & wastewater system costs in the West Glen community. Commissioner Wenholz seconded. Vote: Unanimous approval.

Department Reports

The Public Works report was presented by Eric Imes

Correspondence

The National Association of Counties created a book to educate children on county operations and structure. They provided two free copies to the County and encouraged commissioners to request additional copies for local libraries.

Braver Angels, a cross-partisan organization sent a letter about their project and mission and invited Board members to attend upcoming meetings for cross-partisan cooperation.

Commissioner Reports

Brief reports on commissioner activities were provided.

Adjournment: 12:18 p.m.