

Board of Commissioners Meeting
August 7, 2024
Bartholomew Building, Upper Conference Room
Heppner, Oregon

Present In-Person Chair David Sykes, Commissioner Jeff Wenholz, Commissioner Roy Drago Jr., Matthew Jensen, Valerie Ballard, Kevin Ince, Ben Tucker, Eric Imes, Sandi Pointer

Present Via Zoom Sabrina Bailey-Cave, Bobbi Childers, Daisy Goebel, Jaylene Papineau, Lindsay Grogan, Sandi Pointer, Tami Ewing; non: staff: Sofia Di Salvo, Paul Martin, Mike McCarter, Lisa Pratt, Jodi Ferguson, Danielle Hoeft, Aaron Palmquist

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

Public Comment No Comment

Administrator's Report

Matthew Jensen, County Administrator

Work is still being done around the Kinzua Mill site to assess if it is a viable location for the new Circuit Courthouse. While staff expected to receive the environmental report last week, it has yet to be received and staff will be following up. The title report previously done by Port of Morrow (POM) is not as robust as it should be, and a new title report is to be conducted. It is anticipated that results from both reports will be available at the next Board of Commissioners meeting. As costs increase due to delays and other needs related to the project, Judge Hill has submitted a request for the upcoming Legislative Session for an additional \$2.5 million for the project which would require a County match.

Let's Build Boardman, a workforce housing summit was held at the Port of Morrow, looking for options for how to address the lack of middle income housing. Matthew Jensen, County Administrator, and Daisy Goebel, Principal Planner, attended along with a turnout of over 75 participants, which included representatives from Heppner, Irrigon, chambers of commerce, business representatives, and contractors. The County is in an interesting position as it doesn't create subdivisions but can help facilitate and enable cities to tackle issues.

A codification project of County ordinances was initiated in Spring of 2023 and has progressed to staff receiving the draft version from American Legal Publishers. Mr. Jensen said he would like to assemble a review committee with one member of the Board of Commissioners included. Commissioner Wenholz volunteered to be a member of the review committee which will include Valerie Ballard, Justin N. Nelson, Gregory V. Goebel, Bobbi Childers, and Matthew Jensen. Once the draft has been reviewed, there will be a public hearing process to pull previous code and replace those with new updated codes. The committee will check for language and outdated terms. Once finalized, the code will be available online and a zoning codification update is anticipated for next year.

Meetings regarding the nitrate water issue continue with representatives from Willamette Partnership, Oregon Rural Action (ORA), and Courtney Crowell from the Governor's Office. Two technical grants have been awarded and Strategic Investment Plan fund results are to be

decided. Additional public outreach for the West Glen Request For Proposals (RFP) and public engagement is needed. Because of this, ORA will no longer assist with current discussions as they are a potential applicant for the RFP. Meetings with the Governor and communities are anticipated around September and October.

Providing an update on the wildfires around and in Morrow county, the Lone Rock Fire containment has improved, as have the other fires south of the County. One legacy structure burned, but no residences have been lost. Recovery resources are available to those who have lost grazing areas. The Land Use Agreements using the OHV Park and Fairgrounds have ceased allowing for Fair preparation and the OHV and Anson Wright parks will reopen this weekend. The Lexington Airport is still being utilized by fire crews.

Open Agenda None

Consent Agenda

Mr. Jensen requested item G be pulled to revise the invoice. Commissioner Wenholz pulled item I for additional discussion. Chair Sykes questioned wording on the invoice included in item F and it was concluded to be a typographical error.

Commissioner Wenholz motioned to approve the following items on the Consent Agenda, excluding items G and I.

- a. Minutes: June 28, 2024; July 17, 2024*
- b. Western Construction of Lewiston Invoice Payment Authorization*
- c. FY 2025 Insurance Renewal Payment Authorization*
- d. Oregon Water Resources Department IGA*
- e. 2026-2030 Lexington Airport Capital Improvement Program*
- f. Payment Authorization – Jail Bed Contract with Umatilla County Sheriff's Office*
- g. Item removed to revise invoice*
- h. Notice of Intent to Award Contract for On-Call Traffic Engineer Services*
- i. Item removed for further discussion*

Commissioner Drago seconded. Vote: Unanimous approval.

Authorization of Emergency Management Expenditure (item i, taken from consent agenda)

When the cooling system at St. Patrick's Senior Apartments stopped operating, the Emergency Manager got involved sourcing resources to assist. The invoice for the temporary repair was added to the Board of Commissioners agenda for July 17 but was pulled due to staff not being able to attend or present due to demands of local wildfires. There was a miscommunication with Emergency Management believing approval was granted and went ahead with approving the repair, resulting with an unauthorized expense which does not comply with procurement policies. A memo provided by Kevin Ince, Finance Director, outlines the procurement procedure and inadequacies in the steps made. As this expenditure was not authorized it requires the Board's approval.

The repair to the cooling system involved a heavy duty electrical cord with a temporary placement in the facility. With modifications, the cord could be used again if it were to stay in the County's possession after permanent repairs are complete. Commissioners Sykes and

Wenholz agreed this should be seen as a learning experience and staff should adhere to protocol in the future.

Commissioner Wenholz motioned to authorize the Emergency Management Expenditure for St. Patrick's Apartments. Commissioner Drago seconded. Vote: Unanimous approval.

Business Items

Discuss Relocation of the Oregon-Idaho Border

Mike McCarter, Greater Idaho, President

In 2022, Morrow County citizens voted in favor of Measure 25-88, mandating Morrow County commissioners meet three times a year to discuss the relocation of the Oregon-Idaho border. Mike McCarter, President of Greater Idaho Movement, joined the meeting via zoom to provide updates and answer questions the Board may have.

In May, Crook County voters passed a measure in favor of continuing negotiations regarding a potential relocation of the Oregon-Idaho border, bringing the total number of counties in favor of at least discussing the idea to 13. Greater Idaho's leadership will continue encouraging discussions on the matter and will be in several Eastern Oregon counties in the Month of August for question and answer sessions: Jefferson County, August 16; Harney County, August 21; Wallowa County, August 27. Mr. McCarter urged the Board to encourage the Legislature to look deeper into the movement.

There were no questions from the Board, and they thanked Mr. McCarter for his time and participation.

Eastern Oregon Counties Association (EOCA) Membership and Payment Authorization

David Sykes, Chair

Chair Sykes introduced the subject, explaining he has nothing against the organization, but felt that it would be good practice to discuss involvement and the continuation of membership with EOCA. Last year he found the website had not been updated in two years, and this year the website is not available. This brought on the discussion of County activity with EOCA. Commissioners and staff recently attended a meeting held by EOCA regarding Federal Emergency Management Agency (FEMA) funding for wildfire recovery funding. EOCA assists other counties by taking issues to the Association of Oregon Counties (AOC) and legislators to address issues impacting Eastern Oregon.

Commissioner Wenholz motioned to pay \$2,500 membership dues to EOCA. Commissioner Drago seconded. Vote: Unanimous approval

Clean Water Consortium Proposal

David Sykes, Chair

Projects to find solutions for the nitrate contaminated ground water in Morrow County are progressing and Chair Sykes felt the need for outside supervision of the project that transcends staff and elected official changes. A consortium similar to the Broadband Consortium would

facilitate drinking water related infrastructure projects to be planned, financed, and built in Morrow County's Lower Umatilla Basin Ground Water Management Area. The consortium would consist of a staff and board member from Morrow County and Port of Morrow (POM) bringing together knowledge of grant writing, financial tools, and infrastructure building.

Commissioner Wenholz motioned to have Chair Sykes and Mr. Jensen present the consortium to Port of Morrow on August 15 to form the possible consortium. Commissioner Drago seconded. Vote: Unanimous approval.

Ambulance Service Area Plan (ASA) Update

Matthew Jensen, County Administrator

Contract negotiations for the ASA continue and are close to being done. At the last Morrow County Health District (MCHD) board meeting, the requirement of cities remaining in the Health District was removed from the intergovernmental agreement (IGA). Commissioner Drago voiced concerns that signing the IGA will restrict communities from the ability to pull out of the health district if they want to. Commissioner Wenholz added that Kimberly Lindsay, executive director of Community Counseling Solutions (CCS), was concerned about mental health services exclusivity in the IGA. Mr. Jensen informed commissioners that MCHD has reached out to Irrigon City Manager and CCS about these concerns.

Consideration to Apply for Amazon ChangeX Grant

Matthew Jensen, County Administrator

Authorization to apply for a \$10,000 grant is requested for a new arena groomer for the fairgrounds. As County Administrator, Mr. Jensen has the authority to apply, but as it is not budgeted, approval is required to spend the money. The grant is due August 15, and a financial match is not required.

Commissioner Wenholz motioned to authorize County Administrator Jensen to apply for the ChangeX grant. Commissioner Drago seconded. Vote: Unanimous approval.

Weeds Department Lease

Matthew Jensen, County Administrator; Corey Sweeney, Weeds Control Supervisor

A clerical error mislabeled the address for the proposed lease as Logan Way. The correct address is 213 Linden Way. The property has a two bay garage, storage, and office space needed for the Weeds Department. This requires a supplemental budget adjustment as it was not included in the original budget. General counsel has reviewed the lease and noted an environmental requirement for cleanup and when vacating the space, the County must verify chemicals stored will not negatively impact the property.

Commissioner Drago motioned to approve the lease of 213 Linden Way. Commissioner Wenholz seconded. Vote: Unanimous approval.

IGA with Oregon Department of transportation (ODOT)

Daisy Goebel, Principal Planner

The last Interchange Area Management Plan (IAMP) is from 2014, and with traffic and development around the intersection of Tower Road and Interstate 84 growing, a new plan is needed. This is a standard contract with a caveat for a technical advisory committee. As the transportation system is under jurisdiction of County and State the IGA is between the two with no other entities. While the City of Boardman is a stakeholder, it is not a direct participant.

Commissioner Wenholz motioned to approve the Intergovernmental Agreement between Morrow County and Oregon Department of Transportation for the Tower Road Interchange Area Management Plan. Commissioner Drago seconded. Vote: Unanimous approval.

Department Reports

The Assessment and Taxation report was rescheduled due to a conference
The Public Works report was presented by Eric Imes and Sandi Pointer
The Loop Public Transportation report was presented by Ben Tucker
The Finance report was presented by Kevin Ince

Correspondence

A public notice for comment regarding the Hanford Nuclear site

Executive Session

Chair Sykes read the following citation:

ORS 192.660(2)(h), To meet in executive session to consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.

Chair Sykes then read the following:

Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room.

Entered into Executive Session 11:50 a.m.

Exit Executive Session: 12:08 p.m.

Commissioner Wenholz motioned to engage with Bryant, Loveland and Jarvis as legal counsel for Morrow County's role in the Columbia Development Authority lawsuit and authorize Chair to sign the engagement letter. Commissioner Drago seconded the motion. Vote: Unanimous approval.

Adjourned 12:10 p.m.