

**Morrow County Board of Commissioners Meeting
December 3, 2025
Upper Conference Room, Bartholomew Building
Heppner, Oregon**

Present In Person Chair David Sykes, Commissioner Jeff Wenholz, Commissioner Gus Peterson, Matthew Jensen, Eric Imes, Kevin Ince, Steven Davis, Corey Sweeney, Chelsey Gover-Price; non-staff: Ryan Hill, Mary Killion

Present Via Zoom Pat Keeley, Sandi Pointer, Raymi Cain, Robin Canaday, Tylynn Cimmiyotti, Vince Guerrero, Rose Kyllom Kirsti Cason, Justin Nelson, Jaylene Papineau, Judith Santiago, Corey Sweeney, Erin Anderson; non-staff: Kevin Miracle, Brandi Sweeney, Griffin Beach, Andrea Di Salvo, Julie Jensen, Aaron Palmquist, Berit Thompson, Lindsay Grogan

Call to Order and Pledge of Allegiance

9:00 a.m.

Public Comment

Mary Killion – Friends of Morrow County

Ms. Killion introduced the newly formed group “Friends of Morrow County” and read the mission statement “Empowering Morrow County landowners through education, stewardship, and advocacy to preserve our rights and protect our shared future.” Friends of Morrow County want every landowner’s voice heard, stewarding and guiding growth while protecting property rights for all. The group wishes to have positive, solution-oriented individuals who live in Morrow County and preferably owning land, with a desire to create and preserve legacy landownership in Morrow County.

Consideration and Adoption of Agenda

Commissioner Wenholz motioned to adopt the agenda as presented. Commissioner Peterson seconded. Vote: Unanimous approval.

Department Reports

The Surveyor’s Report was presented by Matt Kenny

The Public Works Report was presented by Eric Imes

The Weed Department Report was presented by Corey Sweeney

The Assessment and Tax Report was presented by Mike Gorman

The Human Resources Report was presented by Chelsey Gover-Price

The Finance Department Report was provided by Kevin Ince

The County Administrator’s Report was presented by Matthew Jensen

Consent Agenda

- a. Minutes: October 30, 2025; November 5, 2025
- b. Invoice Payment Authorization: DLR Group
- c. Sheriff’s Office Credit Card Request
- d. Property Tax Refund

Commissioner Peterson motioned to approve the consent agenda with the removal of item 5.a. Commissioner Wenholtz seconded. Vote: Unanimous approval.

Discussion:

Commissioner Wenholtz was mistakenly marked as present in the minutes of November 5, 2025. Chair Sykes found a typo in the same meeting minutes, in the motion made under R-2025-17 Consideration for Use of CREZ Funds for Sheriff's Office Rifle Upgrades.

Chair Sykes and Commissioner Peterson corrected the motion in the special meeting minutes of October 30, 2025 to say "*Commissioner Peterson motioned to amend the motion on the table to say move to approve the hiring of Innova Legal Advisors as outside legal counsel and authorize the Commission Chair and County Administrator to prepare engagement letters to then be approved by the Board of Commissioners. Commissioner Wenholtz seconded. Vote: Unanimous approval.*"

Commissioner Wenholtz motioned to approve the minutes of October 30 and November 5 with the corrections noted. Commissioner Peterson seconded. Vote: Unanimous approval.

Public Hearing

Miller and Sons Rate Increase

Commissioner Wenholtz stated while he doesn't think it is a conflict of interest, he is a member of the Solid Waste Advisory Committee which brings the rate recommendations to the Board.

Staff Report: Eric Imes, Public Works Director, explained that Miller and Sons prefer to work in whole dollars and the rate ranges between 3 and 4%. Rate increases are expected to occur annually but at times goes longer between increases.

Public Testimony:

No testimony

Commissioner Peterson motioned to approve the franchise fee rate increase request from Miller and Sons as recommended by the Solid Waste Advisory Committee, effective November 6, 2025, and sign Order No. OR-2025-08. Commissioner Wenholtz seconded for discussion.

Commissioner Wenholtz stated November 6 probably isn't the correct date and the earliest effective date should probably be December 4.

Commissioner Peterson amended his motion to approve the franchise fee rate request for Miller and Sons as recommended by the Solid Waste Advisory Committee, effective December 4, 2025, and sign Order No. OR-2025-08. Commissioner Wenholtz seconded. Vote: Unanimous approval.

Sanitary Disposal Rate Increase

For transparency, Commissioner Wenholz stated he is a member of the Solid Waste Advisory Committee which brings the rate increase request to the Board of Commissioners.

Staff Report: Sanitary Disposal submitted a rate increase of 5% with a retroactive date of November 1. The Solid Waste Advisory Committee met on October 21 and unanimously approved the request with the exception that Sanitary Disposal would provide a detailed cost analysis report for commercial and residential disposal fees at the next Advisory Committee meeting in January.

Commissioner Peterson observed that the rates were based off an urban Consumer Price Index (CPI) and asked why an urban rate was used. Kevin Miracle, franchise representative, explained that it was partly due to the time that passed between when the item was originally brought to the Advisory Committee in January to revisit the item in October. Mike Gorman, Assessor, clarified that there is only one CPI available for the region.

There was also concern over the 2024 increase of 37.5% being hard on constituents. Mr. Miracle responded that going forward, Sanitary Disposal will be more consistent with rate increases, and that the previous owners, Sanitary Inc, weren't requesting enough or making requests in a timely manner.

Public Testimony:

Lindsay Grogan, Town of Lexington resident

Speaking on the CPI discussion, Ms. Grogan said the CPI increase of 5% exceeds the 3.4% CPI West Range used by Morrow County. Mr. Miracle clarified that Sanitary Disposal employees received raises between 4.5 and 5%.

Commissioner Wenholz motioned to approve the franchise rate increase requested from Sanitary Disposal as recommended by the Solid Waste Advisory Committee, effective December 4, through Order No. OR-2025-07 which will be corrected for dates. Commissioner Peterson seconded the motion for discussion.

Commissioner Peterson said he would be more comfortable with a lower rate of 3-4% to be closer in line with internal County processes. Recognizing it is a small difference, it sets a precedent that rates for franchise services won't be raised higher than the County.

Commissioner Peterson motioned to amend the motion to 3.5% instead of 5% as a rate increase. Chair Sykes seconded. Vote: Unanimous approval.

Returning to the underlying motion making the effective date December 4 and approving Order No. OR-2025-07. Vote: Unanimous approval.

Business Items

Whistleblower Complaint Investigation

David Sykes, Commission Chair

Chair Sykes received a whistleblower complaint which he took to Human Resources for advice. Human Resources consulted with CIS (Citycounty Insurance Services), who advised consulting with County Counsel. Internal counsel was unable to provide guidance so outside counsel was consulted. Chair Sykes authorized Innova Legal Advisors, who have previously worked with the County on other issues, to carry on the investigation.

Concern was raised that funds had not been approved for this investigation, resulting in bringing the issue to the Board for discussion and approval.

Commissioner Wenholz motioned to ratify and approve the investigation and authorize funds to do so. Commissioner Peterson seconded. Vote: Unanimous approval

Wheatridge East Wind Road Dedications

Ryan Hill, NextEra

Commissioner Wenholz recused himself from the discussion and vote due NextEra and Umatilla Electric Coop doing business together and he is a part of the Umatilla Electric Coop Board of Directors.

Temporary roads were built to aid in the construction of the Wheatridge East Wind project. Landowners, community members, and Public Works have expressed interest in making the roads permanent. The roads are the Sand Hollow – Spur Loop connector and near the hairpin near the Dougherty property.

Commissioner Peterson motioned to approve the road dedications to straighten Spur Loop Road and improve the Sand Hollow – Spur Loop Road connector. Chair Sykes seconded the motion for discussion.

Tamra Mabbott, Planning Director, joined the conversation to verify no additional procedures were required for the road dedications. She said it's allowed as long as no new land parcels result from the realignment. A formal dedication document is required, and Ms. Mabbott suggested a condition of approval involving a formal road vacation process for the portion of road being removed. Ryan Hill, NextEra, assured Commissioners that he will confirm with Public Works Director, Eric Imes, Ms. Mabbott, and County Administrator Matthew Jensen to make sure the road is properly documented to begin the vacation process.

Returning to the motion. Vote: 2 aye (Peterson and Sykes), 1 recused (Wenholz). Motion carried.

Wagon Trail Energy Center Road Use Agreement

Ryan Hill, NextEra

Commissioner Wenholz recused himself from the discussion and vote due NextEra and Umatilla Electric Coop doing business together and he is a part of the Umatilla Electric Coop Board of Directors.

The Wagon Trail Energy Center is a developing solar project around Strawberry East Road and near a NextEra substation facility. The Road Use Agreement (RUA) is similar to an earlier RUA for Wheatridge Energy East, but with a reduced time frame to provide the County with site plans and design and engineering specifications of 30 days and commits to using a County preferred vendor to seal or pave the road.

Commissioner Peterson motioned to approve and sign the Road Use Agreement with Wagon Trail Energy LLC pending legal counsel's approval. Chair Sykes seconded. Vote: 2 aye (Peterson and Sykes), 1 recused (Wenholz). Motion carried.

WCVEDG Annual Update

Katie Murray

The Willow Creek Valley Economic Development Group (WCVEDG) serves the Heppner zip code, providing a variety of grants for housing, business development, and social services. This year, WCVEDG was awarded \$504,000 from the Columbia River Enterprise Zone II which WCVEDG turned around and invested over \$975,000 in the community.

Highlights for 2025 include the construction of two accessible 1,100 sq ft homes in downtown Heppner with the goal that seniors in large family homes can downsize. Five additional new homes are being built with over \$98,000 in grant funding for homeowners and 15 community projects have been funded through the Community Enhancement Grant.

Morrow County Property Value Appeals Board Member Appointment

Bobbi Childers, County Clerk

Commissioner Peterson motioned to appoint Ed Rollins and Greg Sweek as the non-office holding residents of Morrow County for the Property Value Appeals Board and to have Commissioner Wenholz serve as the office holding representative.

House Bill 2089 – County Property Tax Foreclosure

Mike Gorman, Assessor

House Bill 2089 (HB 2089) addresses a U.S. Supreme Court decision in Tyler vs. Hennepin County (Minnesota) requiring states to give surplus funds from foreclosure sales to the property owner. Oregon was one of twenty states that by statute allowed local governments to keep surplus money from foreclosure sales. HB 2089 went into effect September 2025 with new notice requirements, providing new definitions for claimants, with requirements for disposing of foreclosed property, reporting surplus funds to the Oregon State Treasurer, and claiming surplus through the Treasurer.

Budget Adjustment and Transfer of Appropriations

Kevin Ince, Finance Director

Three budget adjustments and transfers of appropriation brought before the Commissioners for pension plan contribution of \$476,870 (R-2025-14), state unemployment tax update totaling \$47,096 (R-2025-15), and a payroll step increase for two positions totaling \$27,428 (R-2025-16).

Commissioner Peterson motioned to approve Resolutions R-2025-14, R-2025-15, and R-2025-16. Commissioner Wenholz seconded. Vote: Unanimous approval.

Morrow County Public Transportation State Awards

Steven Davis, Public Transit Manager

Two Morrow County Public Transportation employees were recently recognized by the Oregon Transit Association (OTA). Colleen Dyer won Driver of the Year and Steven Davis was awarded Outstanding Transit Team Member.

Fairgrounds Capital Improvement Grant Modification

Matthew Jensen, County Administrator

The Fairgrounds previously received two grants for capital improvement projects. One grant is for \$277,777, originally intended for design work for renovations to the Exhibit Hall and Arcade Building to be used by February 2026. Due to project delays, staff have put together a list of alternative projects to utilize the grant funds. Business Oregon has approved the alternate options and extended the deadline for the funds to April 2026.

There was disagreement on whether the sheep show ring shelter and arena wall improvements had designated grants and concern was raised over the Finance department and legal counsel not reviewing the item.

Commissioner Peterson motioned to table the Fairgrounds Capital Improvement Grant Modification to the December 17 meeting. Commissioner Wenholz seconded. Vote: Unanimous approval.

Consideration of Engaging Outside Legal Counsel

Matthew Jensen, County Administrator

The Board of Commissioners held a special session October 30, where they selected Innova Legal Advisors LLC as outside legal counsel to Morrow County. The engagement letter has been written and brought before the Board for review and signature.

Commissioner Wenholz motioned to approve the engagement letter with Innova Legal Advisors and authorize the Board Chair to sign the letter. Commissioner Peterson seconded. Vote: Unanimous approval.

Correspondence

None

Commissioner Reports

Brief reports on Commissioner activity were provided.

Executive Session

The Board met in executive session pursuant to ORS 192.660(2)(a), which allows the Commission to meet in executive session to consider the employment of a public officer, employee, staff member or individual agent.

And

Pursuant to ORS 192.660(2)(e), which allows the Commission to meet in executive session to conduct deliberations with persons designated by the governing body to negotiate real property transactions.

Return to Open Session

Commissioner Peterson motioned to authorize an employment offer for the Finance Manager position at a salary above Grade 27, Step 4 and associated recruiting incentives within current budgetary considerations. Commissioner Wenholtz seconded. Vote: Unanimous approval.

Adjourn

1:01 p.m.