

**Morrow County Board of Commissioners Meeting Minutes**  
**May 25, 2022**  
**Bartholomew Building Upper Conference Room**  
**Heppner, Oregon**

**Present In-Person**

Chair Jim Doherty, Commissioner Melissa Lindsay, Commissioner Don Russell, Darrell Green, Roberta Lutchter, Justin Nelson, Tamra Mabbott, Chris Brown, Mark Browning

**Present Via Zoom**

Karen Pettigrew, Aaron Moss, Linda Skendzel, SaBrina Bailey Cave, Heidi Turrell, Patrick Collins, Mike Gorman, Torrie Griggs, Paul Gray, Trevor Beltz, Yvonne Morter, David Sykes, Bobbi Childers

**Call to Order, Pledge of Allegiance & Roll Call:** 9:00 a.m.

**City & Citizen Comments:** None

**Open Agenda:** No items

**Consent Calendar:**

*Commissioner Russell moved to approve the following items in the Consent Calendar:*

1. *Accounts Payable and Payroll Payables*
2. *Minutes: March 16<sup>th</sup>*
3. *Order No. OR-2022-5: Authorizing the County Treasurer to Invest Funds*
4. *Property Tax Refund, Gas Transmission Northwest, \$169,609.58*

*Commissioner Lindsay seconded. Unanimous approval.*

**Business Items**

Amazon Funds Distribution Questions – Blue Mountain Community College (BMCC) Dollars

Commissioner Lindsay said she appreciated the extra time to allow for a deeper conversation with BMCC President, Mark Browning and Chris Brown (Morrow County representative on the BMCC Board). She informed the Board of the meeting held in Boardman with the industry leaders, POM and BMCC leadership to discuss the commitments to Morrow County. Mark Browning shared the details of the meeting and advised that it was very productive and he could see the opportunities in Morrow County to train up citizens.

Mr. Browning thanked Commissioner Lindsay for meeting to hear how the college side of things worked and to learn about their economics and budgeting process. Miscellaneous discussion.

*Commissioner Lindsay moved that we release the slow walk of the BMCC dollars we held to continue the partnership with BMCC. Commissioner Russell seconded. Detailed discussion Unanimous approval.*

Deputy District Attorney Employment Offer & County Counsel Agreement

Justin Nelson, District Attorney/County Counsel

Mr. Nelson requested to hire a Deputy District Attorney (DDA) at a higher pay step and to be able to offer an updated County Counsel contract to the candidate. He went over the changes to the contract. Discussion.

*Commissioner Russell moved to allow the District Attorney to offer the position to the applicant as DDA Step G and to approve the updated County Counsel Agreement. Commissioner Lindsay seconded. Discussion: Commissioner Lindsay said she wanted to see the old contract next to the new since it hadn't been provided. Why would we increase to \$2,500 per month, she asked? Mr. Nelson said he was fine with keeping it at \$2,420. Commissioner Russell and Commissioner Lindsay agreed to the friendly amendment. Unanimous approval.*

#### Out-of-State Travel

Tamra Mabbott, Planning Director

Ms. Mabbott requested to drive to the Western Planners Conference in Bismark, North Dakota in September. She estimated the following fiscal impact:

- Registration fee: \$275
- Lodging at conference: \$479 for three nights
- Lodging while travelling (estimate): \$900
- Fuel/mileage reimbursement: \$702
- Meals: \$400
- Total: \$2,756

Commissioner Russell noted the cost to fly from Pasco to Bismark was quite a bit cheaper, especially when the extra time involved to drive was taken into consideration. He went over the expenses and time away from the office and that he wasn't opposed to the conference but wanted to do it efficiently for the taxpayers.

*Commissioner Lindsay moved to approve the out-of-state travel request for the Planner. Chair Doherty seconded. Discussion: Commissioner Russell said his concern was even without lodging while travelling at \$900, that was by itself more than roundtrip airfare, let alone the mileage reimbursement and meals. He said he would agree if Ms. Mabbott wanted to fly but would not if driving. He then proposed giving Ms. Mabbott the flight budget. Chair Doherty said that was a valid concern, especially from someone who used to drive or ride the bus. The bus is reasonable so she might want to consider that. Otherwise, he said, he was comfortable with the out-of-state travel. Commissioner Russell said he was not opposed to the conference but wanted it done in an efficient manner for Morrow County. Vote: Aye: Chair Doherty and Commissioner Lindsay. Commissioner Russell clarified the motion was to approve the out-of-state travel and not the budget. Aye: Commissioner Russell. Unanimous approval.*

Ms. Mabbott then asked to present a map showing existing and proposed Amazon campuses. Chair Doherty said he requested the information and would set aside until later in the meeting.

#### Oregon Department of Transportation (ODOT) Request for Temporary Easement to Construct ADA Curb Ramps

Darrell Green, Administrator

Mr. Green said ODOT was requesting temporary easements to access County property while they did work to improve curb ramps at three properties in Heppner – near the Fairgrounds, Courthouse and The Loop Bus Barn. ODOT included an option for the County to waive the \$750 fee per location, he explained.

*Commissioner Lindsay moved to approve the temporary easements and have the Chair sign the temporary easement documents. Commissioner Russell asked if we would be waiving the fees. Commissioner Lindsay requested that be taken up in a separate motion. Commissioner Russell seconded. Unanimous approval.*

*Commissioner Russell moved to waive the fees to ODOT on all three easements. Chair Doherty seconded. Discussion: Chair Doherty said he asked the state to waive his taxes and they rarely appease me. He said he knew it was work on ADA accessibility, which was something that we've been pushing to get through the North East Area Commission on Transportation, and elsewhere, for five years. In addition, counties have to deal with the state's unfunded mandates and the state used to pay for deputy district attorneys, watermasters and trappers but they've let the counties pick up all of that slack. Even with that, he said, he didn't know it's not the right thing to do so he would vote in favor. Commissioner Russell said we access their property and they don't charge us, so he'd hate to set a precedent by charging them. Vote: Aye: Chair Doherty, Commissioner Russell. Nay: Commissioner Lindsay. Motion carried.*

#### Tax Abatement Program Options for the Echo Solar Project & Potential Negotiating Team

Commissioner Russell recommended Morrow County establish a Rural Renewable Energy Development (RRED) Zone through Business Oregon. He and Assessor/Tax Collector, Mike Gorman, offered more details on the abatement programs available to solar programs. Discussion.

*Commissioner Lindsay moved to have the negotiating team be comprised of Chair Doherty, Mr. Gorman, Mr. Nelson and Ms. Mabbott. Commissioner Russell seconded. Unanimous approval.*

Discussions about tax abatement options, impacts and the numerous projects in the works in Morrow County.

#### Broadband Fellowship – Broadband Action Team

Commissioner Lindsay talked about the positive steps made in bringing broadband to all of Morrow County by current Fellow, Aaron Moss. She said his first year was coming to an end just as exciting things were happening, and provided detail. She proposed setting aside \$55,000 as the first dollars in a fund to retain Mr. Moss, or someone like him. She said perhaps other entities would contribute toward Mr. Moss' proposal as to what it would take to allow him to continue his work the following year. For example, she said the Enterprise Zone, cities, Boardman Community Development Association, Willow Creek Valley Economic Development Group, etc. Discussion.

*Commissioner Lindsay moved to earmark \$55,000 from American Rescue Plan Act (ARPA) Funds to move forward with potentially continuing with the current Broadband Action Team Leader, assuming we find match dollars from industry or other members of the Broadband Action Team. Commissioner Russell seconded. Unanimous approval.*

#### Building Project Update

- Ribbon Cutting Ceremony tomorrow from 4:00-5:00 p.m. at the Morrow County Government Center in Irrigon.

- The audio/visual equipment for the conference rooms at the MCGC should be installed mid-June.
- The Loop is currently in a real estate contract on property in Boardman for a transit facility and bus barn. Katie Imes reported the County requested an extension to further review an electrical easement on the property.

#### Planning Maps Showing Existing and Proposed Amazon Data Centers

Ms. Mabbott said GIS Planning Tech, Stephen Wreccics, created the maps showing the Columbia River Enterprise Zone (CREZ) III boundaries and existing and proposed data centers in the City of Boardman, Port of Morrow, and Bombing Range Road.

During the discussion that followed, Commissioner Russell said when the Areas of Influence were set for all the cities, it was a best guess as to where things would actually go. If the CREZ III boundaries are not going to be expanded, why did we do Areas of Influence because some cities don't have any Enterprise Zone. It seems we should honor the spirit of the Area of Influence and the Enterprise Zone in the Intergovernmental Agreement with the five cities.

Commissioner Lindsay explained they were drawn in a random fashion at just one mile around each one. It was creating a circle that made sense and she didn't think the two were connected.

Chair Doherty said he would ask the Enterprise Zone Manager, Greg Sweek, where things stood with Amazon because they seemed to be in a hurry earlier this year and "there's been radio silence since then."

**Break:** 10:15-10:29 a.m.

#### **Department Reports**

- The Road Department Monthly Report was presented by Eric Imes, Director
- The Treasurer's Monthly Report was presented by Jaylene Papineau

#### **Correspondence**

- Flyer on the 2022 Eastern Oregon Economic Summit, June 16<sup>th</sup> & 17<sup>th</sup> in Hermiston
- Flyer for the May 26<sup>th</sup> Ribbon Cutting Ceremony at the Morrow County Government Center Building in Irrigon

#### **Commissioner Reports**

Abbreviated reports were provided.

Chair Doherty read the Executive Session citation and said no decision was anticipated. He said the Board would take a lunch break after the Executive Session and then return at 1:00 p.m. for two more Executive Sessions.

**10:58 a.m. Executive Session:** Pursuant to ORS 192.660(2)(a) – To consider the employment of a public officer, employee, staff member or individual agent

**11:21 a.m. – Closed Executive Session:** No decision

## **Lunch Break**

**1:00 p.m.** Chair Doherty read the next two Executive Session citations and said they would return afterward for a potential decision.

**1:01 p.m. Executive Sessions:** Pursuant to ORS 192.660(2)(h) – 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; **and** Pursuant to ORS 192.660(2)(f) – To consider information or records that are exempt by law from public inspection

## **1:51 p.m. – Returned to Regular Meeting**

### **Present In-Person**

Chair Jim Doherty, Commissioner Melissa Lindsay, Commissioner Don Russell, Darrell Green, Roberta Lutchter, Justin Nelson, David Sykes

### **Present Via Zoom**

Bruce Bischoff, Lindsay Grogan

Chair Doherty said we were back in Open Session, coming out of lunch break and Executive Session. With that, he said he didn't know if Commissioner Lindsay or Commissioner Russell wanted to tender a motion or do we need to discuss anything further.

Mr. Nelson said if action was to be taken, direct staff, draft a letter, now would be the time.

*Commissioner Lindsay said following the advice of labor attorney and (CIS) City County Insurance Services, she moved to direct staff being Bruce Bischoff our Labor Attorney, to move forward with drafting a letter that he recommended. Mr. Nelson said it would not be reviewed separately by the Board of Commissioners; it was being sent and written by staff. Chair Doherty asked if he could change Commissioner Lindsay's motion. She replied, sure. Chair Doherty said Commissioner Lindsay had said "to draft." Commissioner Lindsay said "to complete and deliver." Chair Doherty seconded and asked if there were questions, comments, thoughts and if that gave Bruce enough direction. Mr. Nelson said we need a vote. Vote: Aye: Chair Doherty and Commissioner Lindsay. Abstained: Commissioner Russell. Motion carried.*

Mr. Nelson asked Mr. Bischoff if he had the direction he needed and Mr. Bischoff said yes, he did.

**Adjourned:** 1:53 p.m.