

**Morrow County Board of Commissioners Meeting Minutes**  
**September 14, 2022**  
**Bartholomew Building Upper Conference Room**  
**Heppner, OR 97836**

**Present In-Person**

Chair Jim Doherty  
Commissioner Melissa Lindsay  
Commissioner Don Russell  
Karen Wolff, Staff  
Zach Williams, County Counsel

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

**City and Citizen Comments:**

Kip Krebs, Krebs Sheep Company

Kevin Payne, Soil & Water Conservation District

Mr. Krebs explained he is working on a Winter Water Storage Project. The water can only be stored and used from where Rhea Creek meets Willow Creek on out to the Columbia River. There are 480 acres in Gilliam County and 1692 acres in Morrow County currently in the project, with 2172 acres of water available. He has talked to seventeen (17) large and small acreage landowners and water users who support the project.

They are asking for matching funds for an Oregon Water Resources Department (OWRD) feasibility study.

Commissioner Lindsay asked cost of the study. Mr. Payne said \$8,500 through Anderson Perry as the contractor. There is a 1-1 match for the actual project. There will be a need for \$25,000 from both counties, plus the \$8,500. They will be looking for help after the study to pay for the installation.

Mr. Krebs said he will be addressing Gilliam county next week. Mr. Payne explained the application is due November 2, 2022

The Commissioners asked to have it brought back next week on the regular agenda.

Ken Brown, Boardman Fire & Rescue

Said he went through all the hoops to get on the agenda and still not there.

Chair Doherty explained that we have a mediator coming in to meet with the Morrow County Health District and Boardman Fire & Rescue Department. Chair Doherty asked to give peace a chance.

Mr. Brown agrees with having the mediator. He is asking about licensing an ambulance. Chair Doherty says it is part and parcel. Mr. Brown said they can not run the ambulance until the ASA approves it. Licensing takes awhile.

Chair Doherty would like to wait until after the first mediator meeting.

Commissioner Russell said the idea was to have an independent expert come in and help tamp down the friction that has developed. Commissioner Russell wants to hear the expert in this area, who has worked with ASAs and all 36 counties, to tell us what is the best path forward.

Commissioner Russell said there is a meeting Friday, September 23, at BMCC, a neutral site. The mediator provided 36 people she wants to have invited. This is not Commissioner Russell's list. Zoom will also be an option. Meeting will be about 1 ½ hours. Give her a chance.

Commissioner Lindsay said she is tired of the chaos. She is asking all parties to let the mediator do their job. Please let the process work.

Commissioner Russell said that there is a board member from the Health District in the room and they are shaking their head in agreement.

Commissioner Russell said the ultimate goal is customer care. Commissioner Lindsay agreed. Chair Doherty agreed.

**Open Agenda:**

Commissioner Russell added Use of County Credit Cards.

**Consent Calendar:**

*Commissioner Lindsay moved to approve the Consent Calendar as presented consisting of Accounts Payables, Minutes, and ASA Mediation Contract with Elizabeth Heckathorn.*

Commissioner Russell said he looked at Chair Doherty's invoices that were questioned last week. All is in order.

*Commissioner Russell seconded the motion to approve the Consent Calendar as presented. Unanimous approval.*

**Business Items**

Tower Solar

Brian Walsh, Avangrid Renewables, Director, Development – WEST online.

Mike Gorman, Assessor/Tax Collector said he is waiting for a response from the Department of Revenue regarding any limitations on how monies from the PILOT (Payment-In-Lieu-Of-Taxes) Program may be spent.

Mr. Gorman explained that Justin Nelson, County Counsel reviewed and revised the agreement. Mr. Gorman had some revisions as well.

Chair Doherty explained that we have established a policy that the other party signs first and then the Commissioners sign. The document is not ready to send to Avangrid for signature.

Commissioner Russell said we have a couple of rates in the PILOT program. We need to decide the rate. The current agreement has \$7,000 per megawatt if they have battery storage and \$6,250 per megawatt if no battery storage.

*Chair Doherty moved to approve the substantive contract as presented for the PILOT Tax Exemption Program for Tower Solar with the payments of \$7,000 per megawatt if they have battery storage and \$6,250 per megawatt if no battery storage for a term of 15 years with the option to extend for another 5 years, pending signature from Avengrid. Commissioner Russell seconded.*

Commissioner Lindsay explained that she thinks \$7,000 per megawatt is too low and has worked at the State level for a change. She does not agree fiscally to the variable rate for an even lower amount, as in the current contract.

*Commissioner Russell Aye. Chair Doherty Aye. Commissioner Lindsay no. Motion carries 2-1.*

Mr. Walsh thanked the Board.

#### ECHO Solar

Jeff Fox, VP, Land & Community Affairs, Gallatin Power Partners

Chair Doherty explained that a month ago we had a presentation from ECHO Solar. They would like a PILOT Tax Abatement Program. Chair Doherty said this one includes battery storage and a 20-year term. Larger project. Not dissimilar.

Mr. Fox said the project is the early stage. They are just starting permitting with EFSC (Energy Facility Siting Council). Start construction end of 2024, completed 2026.

Mr. Fox said they are seeking a 20-year agreement. When additional phases are brought in, they will not extend the agreement. They are proposing energy storage and the maximum payment per megawatt that is allowed in program. They would like to make the agreement effective when commercial operation begins.

Chair Doherty said his ask is to have Mr. Gorman and County Counsel to work together and bring a clean copy back.

Commissioner Russell declared he has a Potential Conflict of Interest due to his financial interest in a company named Windwave, a provider of fiber optics, as advised by the Ethics Commission. As far as he knows, there is no contract and as far as he knows there is no discussion between Windwave and ECHO Solar. He will continue to participate, but has advised of his Potential Conflict Interest.

Mr. Gorman explained that ECHO Solar is asking for a 20-year agreement. The 20 years begins when they obtain a site certificate. Only 20 years from the first production. Each phase does not get it's own 20 years.

Commissioner Lindsay asked what if the project doubles. Mr. Gorman said the agreement names a maximum capacity. Mr. Fox agreed. 1,250 megawatt capacity.

Chair Doherty encouraged Jeff to continue to work toward a more formal document with Mr. Gorman and County Counsel.

Mr. Fox said everyone in Morrow County has been a pleasure to work with.

#### Road Use Agreement with Amazon Data Services

Eric Imes, Public Works Director

Commissioner Lindsay believes this agreement is inconsistent with previous agreements. She wants to treat everyone the same.

Chair Doherty would like to wait until Eric is here to continue discussion.

**Break 9:59 a.m.**

**Reconvene 10:05 am**

Chair Doherty explained that he just talked to Mr. Imes and believes Mr. Imes is of the opinion that this warrants an internal discussion.

Commissioner Russell declared an actual conflict of interest. The company that he has a financial interest in, Windwave, has done some work on this project already. He will not participate in this discussion.

Mr. Imes joined online. He has some questions and wants to review the document.

Chair Doherty is good setting this over. Commissioner Lindsay agreed. Chair Doherty asked Mr. Imes to bring this back another day.

#### Credit Card Discussion

Commissioner Russell explained that he reviewed credit card statements of Chair Doherty to verify there were not duplicate pay requests, and there were not. He is concerned by the lack of receipts for purchases. He looked back to January 2021. There are a lot of missing receipts, and receipts that are not detailed. He also reviewed County policy. Commissioner Russell would like to have a Work Session because he is sure that there are several other people who are submitting without receipts or no information. Chair Doherty said he will meet with Finance to review.

Commissioner Russell said the Commissioners need to set the example for everyone else.

Chair Doherty said he is surprised at how many receipts were missing. He will be sure to square them away.

Commissioner Russell said the County Car Use Policy says there needs to be a log of use. Commissioner Russell thinks we need to review that too.

Kevin Ince, Finance Director added online that the Credit Card policy is at odds with the Travel Policy. The Credit Card policy allows for a missing receipt with a written description added.

### **Old Business**

#### IT Outage

Commissioner Russell said he has taken care of this. Sarah Baker at the Sheriff's Office has agreed to schedule the equipment replacement for after hours. There is an additional cost, but less then the cost of idle employees.

#### Administrator Job Description

Chair Doherty said at the Department Director/Elected Officials meeting yesterday he asked for comments on this position.

Chair Doherty would like to address this position before addressing the Community Development Director (CDD) position. Chair Doherty encouraged all to continue to provide input.

Commissioner Russell agreed and then see what we want from a CDD. CEO and COO type of set up. He has received a lot of input.

Commissioner Lindsay said has spent a lot of time on this. She is getting a lot of support for the Chief of Staff option. She would encourage that we select one position and then move forward with that one.

### **Correspondence**

Chair Doherty reviewed.

### **Commissioner Reports**

Commissioner Russell will attend the demolition of the coal stack at PGE Coal Plant.

Commissioner Lindsay explained that the land sale on the Boardman Bus property has been completed. She thanked Patrick Collins (online) and Jeff Wenholz (online) with Umatilla Electric Cooperative who helped get a clean title.

Chair Doherty has a meeting with State people the afternoon of September 28, 2022. There is a Board Tour in the morning. Chair Doherty is suggesting a call-in Board of Commissioners meeting at 8:00 a.m. to pay the bills and then do the tour. Commissioner Russell and Commissioner Lindsay agreed.

### **Adjourn 10:31 am**