

**Morrow County Board of Commissioners Meeting Minutes**  
**April 19, 2023**  
**Bartholomew Building Upper Conference Room**  
**Heppner, Oregon**

**Present In-Person**

Chair David Sykes, Commissioner Jeff Wenzholz, Commissioner Roy Drago Jr., Roberta Vanderwall, Roberta Lutchter, Justin Nelson, Kevin Ince, Tamra Mabbott, Robin Canaday, Benjamin Tucker; and approximately 30 members of the public

**Present Via Zoom**

Aaron Moss, Bobbi Childers, Christy Kenny, Deona Siex, Eric Imes, Jaylene Papineau, Kelsey Crocker, Kristen Bowles, Linda Skendzel, Sandi Pointer, Sarah Rea, Stephanie Case, Yvonne Morter; and approximately 59 members of the public

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

**City & Citizen Comments**

The following people offered comment, primarily questioning why the County was updating its Ambulance Service Area Plan: Kathleen Greenup, Stuart Dick, Steven Munkers, Jodi Ferguson, Emily Roberts, Nicole Mahoney, Kelly Doherty, Donna Sherman, Josie Foster. Chair Sykes thanked everyone who spoke and said he appreciated the comments on this important subject.

**Consent Calendar**

Item 4d – Letter in Support of Boardman Fire Rescue District Applying for an Ambulance License, was moved to Business Items.

*Commissioner Wenzholz moved to approve the following items in the Consent Calendar, noting Item 4d was removed for discussion:*

1. *Minutes: April 5<sup>th</sup>*
2. *CAFFA Program Grant (County Assessment Function Funding Assistance) Resolution No. R-2023-6: In the Matter of CAFFA Grant Between Morrow County and the Oregon Department of Revenue*
3. *Letter to the Oregon Legislature in Support of House Bill 3205, Exemption of Certain Bonuses from Pay Equity Requirements. (Letter was requested and drafted by Kimberly Lindsay, Executive Director, Community Counseling Solutions.)*
4. *Amendment to Oregon Department of Human Services Intergovernmental Grant Agreement #178249, Water Deliveries; and authorize Chair Sykes to sign on behalf of the County*
5. *Resolution No. R-2023-5: In the Matter of Applying for a Local Government Grant from the Oregon Parks & Recreation Department to Create a Trail Master Plan for the Columbia River Heritage Trail*
6. *Partition Plat, Jody L. Marston, Public Dedication Acceptance (dedicating five feet to County-owned Miller Road)*

*Commissioner Drago seconded. Vote: Unanimous approval.*

## **Business Items**

### Letter in Support of Boardman Fire Rescue District (BFRD) Applying for an Ambulance License

Chief Mike Hughes submitted an email request on April 18<sup>th</sup> to add one sentence to the draft letter that appeared in Monday's Agenda Packet. The County's legal counsel on matters related to the Ambulance Service Area Plan, Bob Blackmore, responded the new letter could be added to the Agenda Packet, which was done. The sentence that was added read, "If Boardman Fire Rescue District is granted an Oregon ambulance service license, Morrow County shall ensure Boardman Fire Rescue District complies with Morrow County's Ambulance Service Plan." After discussion, the Board directed Interim Administrator, Roberta Vanderwall, to ask Mr. Blackmore if the new verbiage caused any concern or legal ramifications and to bring back his response for consideration at the next meeting.

*Commissioner Drago moved to set this over to the May 3<sup>rd</sup> meeting. Commissioner Wenholz seconded. Vote: Unanimous approval.*

### Stepping Stones Alliance Presentation

Jesalyn Cole, Executive Director

Cathy Lloyd, Board Chair and Founder

The slide presentation covered the group's vision to launch the Stepping Stones Center:

- Phase 1 – the Sleep Center was launched this winter as an overnight, year-round emergency shelter.
- Phase 2 – currently moving, incrementally, toward the Navigation Center. The Navigation Center develops partnerships with existing organizations to provide such things as medical, dental and mental health support, support for veterans, Department of Human Services support, educational advising, etc. Ms. Cole emphasized they will not take over existing services from providers but will instead be a link to those services.
- Phase 3 – Housing Center. Summer 2023 is the tentative opening of the first group of individual shelter units to those demonstrating readiness.

Discussion took place on House Bill 3115 (Relating to the regulation of public property with respect to persons experiencing homelessness) and HB 4123 (Relating to coordinated homeless response systems), particularly HB 3115's potential impact to municipalities. Ms. Lloyd said the definition of "municipality" was still being explored and whether entities can band together to offer services. Shelter and support services must be provided by June 2024, she explained.

### Vietnam War Memorial Presentation

Steve Bates, President, Vietnam Veterans Memorial, Oregon Capitol

Mr. Bates said the memorial will be located on the grounds of the State Capitol, adjacent to the World War II Memorial. The State of Oregon has committed \$400,000 toward the \$4 million cost, and \$1.3 million has been raised, to-date, through private funds, he said. Brief discussion.

*Commissioner Wenholz moved to contribute \$5,000 to the Vietnam War Memorial in Salem. Commissioner Drago seconded. Vote: Unanimous approval.*

### Columbia Development Authority Quarterly Report

Greg Smith, Executive Director, CDA

- Last month, CDA staff and Board members met with officials in Washington, D.C. to finalize the real estate transfer to the five entities of the CDA (Morrow & Umatilla Counties, Ports of Morrow & Umatilla, Confederated Tribes of the Umatilla Indian Reservation).
- Interest in the property has been “extraordinarily” high. Currently, there are three prospective tenants. Each company understands the commitment it would bare to develop infrastructure.
- Regarding liability issues, there have been ongoing conversations with emergency services personnel. Talks will begin with local sheriffs and State Police about public safety coverage. Heading into fire season, appropriate steps will be taken to protect against fires.
- There is a commitment for \$1 million and Mr. Smith said he needed to make sure that within the next year it’s repaid so that obligation doesn’t fall on the five entities of the CDA.

#### Funding Request from South Morrow County Seniors Matter

Jerry Conklin, Board President, South Morrow County Seniors Matter (SMCSM)

Jackie Alleman, Secretary, SMCSM

The SMCSM representatives presented their request for \$67,968 to help bring back senior meals once a week in Heppner. The meals were discontinued during the COVID pandemic. The organization obtained 501(c)(3) non-profit status and has received \$30,000 from the Willow Creek Valley Economic Development Group and \$1,000 from the Lions Club. They will rent the kitchen at the St. Patrick Senior Apartments as the location for the meals. They asked the County to consider using its COVID relief funds.

During the discussion, the Board received clarification from Finance Director, Kevin Ince, that there were still unspent COVID funds, and that this fit “squarely” within the allowable uses for those funds. The Commissioners emphasized this would be with the understanding it was not a long-term commitment by the County.

*Commissioner Wenholz moved to approve \$33,984 for the next two years, for a total of \$67,968. Commissioner Drago seconded. Vote: Unanimous approval.*

#### Letter of Support to Oregon Broadband Office

Aaron Moss, Morrow County Broadband Action Team

Mr. Moss explained the Oregon Broadband Technical Assistance Program fund recently increased by \$5 million. With that increase, he said, some rule changes were being considered. He wanted to ensure the rule changes would be most advantageous to Morrow County and wouldn’t negatively impact its communities.

*Commissioner Wenholz moved to sign and submit the letter to the Director of the Oregon Broadband Office, Nick Batz. Commissioner Drago seconded. Vote: Unanimous approval.*

#### Discuss Process and Timeline for Creation of New Ambulance Service Area Plan

Roberta Vanderwall, Interim Administrator

Ms. Vanderwall read the County’s April 13<sup>th</sup> press release:

## “Ambulance Services Review Under Way

The Morrow County Board of Commissioners has authorized the updating and modernizing of the County’s Ambulance Service Area Plan and designation of Ambulance Service Area Providers. In this process, the County will be working with the Oregon Health Authority (OHA), all parties providing or interested in providing ambulance services, and all parties who wish to be consulted or provide advice regarding the Plan and the boundaries of ambulance service areas.

While the County is working on that update, ambulance services continue to be provided by the Morrow County Health District under the 1998 Ambulance Service Providers Ordinance, so the public should not see any change in services.”

Ms. Vanderwall discussed the process that will take place – public hearings will be held to take comments; a committee will be organized with various representatives from across the County; a new ASA Plan will be drafted and taken before the Board of Commissioners for review; after the County adopts an ordinance and a new ASA Plan, it will be submitted to OHA for review.

Ms. Vanderwall said the in-house group currently working on the project were herself, Justin Nelson (County Counsel), Paul Gray (Emergency Manager) and Bob Blackmore (outside Counsel). They are considering retaining an engineering firm specializing in maps and boundaries to assist with determining district boundaries.

### Review Flyer on Nitrate-Related Activities

Roberta Vanderwall, Interim Administrator

Ms. Vanderwall reviewed the flyer that detailed the County’s efforts toward the nitrate issue. It listed figures for estimated staff-time spent, estimated County funds directed toward the issue, and cooperation and funding from other agencies and businesses. The flyer will be distributed throughout the County and used for educational purposes, she said.

### Report on Land Purchased for Transit Facility

Roberta Vanderwall, Interim Administrator

Benjamin Tucker, Transit Manager

Ms. Vanderwall explained the property purchased in Boardman for a transit facility can no longer be used for that purpose. She said staff members with The Loop/Morrow County Public Transit worked closely with the Oregon Department of Transportation in the process to acquire the property but were never informed that a particular environmental assessment had to take place prior to the property being purchased. The NEPA review (National Environmental Policy Act) took place after the lots were purchased by the County, rendering the property ineligible for grant funds the County anticipated for construction of the facility.

During the discussion of options available to the County, Port of Morrow Executive Director, Lisa Mittelsdorf, said POM staff had experience with similar grant processes and could assist the County. She also said the property the Port previously offered to donate for the facility was still valid. Chair Sykes directed Mr. Tucker to contact Ms. Mittelsdorf.

**Postponed: Water Advisory Committee Appointments**

Amendment 1 to Intergovernmental Agreement (IGA) with the City of Boardman for Building Department Services

Tamra Mabbott, Planning Director

The amendment relates to the Effective Date and Duration section of the IGA. It changes it from “This agreement is effective January 1, 2022 and terminates on January 1, 2023, unless extended by written joint agreement of the Parties.” to “This Agreement is effective upon signing and will automatically renew annually unless either party requests in writing, modification to the agreement.” Brief discussion.

*Commissioner Wenholz moved to authorize the Chair to sign Amendment 1 to the IGA with the City of Boardman for Building Department Services, Plan Review and Building Inspections. Commissioner Drago seconded. Vote: Unanimous approval.*

Code Enforcement Abatement Funds; Approve Committee

Tamra Mabbott, Planning Director

Ms. Mabbott asked permission to move forward with the new “Neighborhood Approach to Code Compliance” initiative; to form a committee; and to expend funds from the Code Enforcement Abatement budget line to assist landowners with clean-up efforts. Discussion.

*Commissioner Wenholz moved to approve the committee composition and authorize staff to set up the committee and make fund awards for qualifying landowners. Commissioner Drago seconded. Vote: Unanimous approval.*

**Break:** 11:00-11:05 a.m.

Award Contract for the Supply, Delivery & Application of Liquid Asphalt Emulsion

Eric Imes, Public Works Director

Mr. Imes reviewed the Request for Proposals (RFP) that was released and the two responses received.

*Commissioner Wenholz moved to approve this year’s liquid asphalt supplier as Blue Line Transportation, following the expiration of the intent to award period. Commissioner Drago seconded. Vote: Unanimous approval.*

Intent to Award, Labor Attorney Legal Services & Letter of Engagement

Roberta Vanderwall, Interim Administrator

Ms. Vanderwall said the RFP resulted in three submissions. Staff members evaluated the responses and recommended Ogeltree Deakins. Discussion.

*Commissioner Drago moved to award labor attorney services to Ogeltree Deakins and sign the letter of engagement. Commissioner Wenholz seconded. Vote: Unanimous approval.*

Award Contract, Audit Services

Kevin Ince, Finance Director

Mr. Ince discussed the RFP that was issued and the three firms that responded. The evaluation committee recommended SingerLewak, he said.

*Commissioner Drago moved to accept the recommendation of the evaluation committee and award the contract for professional audit services to SingerLewak, LLP, and authorize Chair Sykes to sign the contract and engagement letter on behalf of the County. Commissioner Wenholz seconded. Vote: Unanimous approval.*

#### Meeting Schedule to Discuss Relocation of the Oregon-Idaho State Border

In the May 2022 election, Morrow County voted in favor of the following question on the ballot: “Shall the Board of Commissioners be required to meet three times annually to discuss relocation of the state border?”

After discussion, the Board directed staff to attempt to schedule Mike McCarter, President of Citizens for Greater Idaho/Move Oregon’s Border, for a presentation at the first of the three meetings on May 3<sup>rd</sup>. The subsequent meetings will take place on August 16<sup>th</sup> and November 1<sup>st</sup>.

*Commissioner Wenholz moved to set the three meetings as May 3<sup>rd</sup>, August 16<sup>th</sup> and November 1<sup>st</sup> as the dates to discuss the relocation of the Oregon-Idaho State border. Commissioner Drago seconded. Vote: Unanimous approval.*

#### **Department Reports**

- The Surveyor’s Quarterly Report was provided by contracted Surveyor, Matt Kenny
- The written Treasurer’s Monthly Report was reviewed in Jaylene Papineau’s absence
- The Planning Department Monthly Report was provided by Ms. Mabbott
- The Justice Court Quarterly Report was provided by Judge Glen Diehl
- The written Fair Office Quarterly Report was reviewed, as submitted by Ann Jones
- The written Emergency Management Quarterly Report was reviewed in Paul Gray’s absence
- The Juvenile Department Quarterly Report was reviewed by Christy Kenny
- The Loop/Public Transit Quarterly Report was reviewed by Benjamin Tucker
- The written Veterans Services Quarterly Report was reviewed in Linda Skendzel’s absence
- The Accounts Payable Monthly Report was accepted, as submitted by Mr. Ince

**Legislative Updates:** None

#### **Correspondence**

- Letter from Clerk, Bobbi Childers, regarding House Bills 2004 and 3509, having to do with Rank Choice Voting. Mr. Childers asked the Commissioners to urge other Commissioners not to endorse Rank Choice Voting.
- Notice from OHA that residents in the Lower Umatilla Basin Groundwater Management Area can continue to submit vouchers for water testing for the foreseeable future as the deadline was lifted.

## **Commissioner Reports**

- Brief reports were provided

Chair Sykes said the Board would go into Executive Session following a break.

**Break:** 12:10-12:24 p.m.

Chair Sykes read the following Executive Session citations and the Board went into Executive Session at 12:26 p.m.:

**Executive Sessions:** Pursuant to ORS 192.660(e) – To conduct deliberations with persons designated by the governing body to negotiate real property transactions; and Pursuant to ORS 192.660(a) – To consider the employment of a public officer, employee, staff member or individual agent

## **1:20 p.m.: Closed Executive Session**

After returning to Open Session, Chair Sykes said the Board would not be conducting any further business.

## **Signing of Documents**

**Adjourned:** 1:30 p.m.