

**Draft Minutes of the Public Meeting of the
Morrow County Planning Commission
Tuesday, February 24, 2026, 6:00 pm
Bartholomew Building
110 N Court St, Heppner, OR**

COMMISSIONERS PRESENT:

Stacie Ekstrom, Chair
Tripp Finch
Karl Smith
Stephen Henthorn
Liz Peterson
Brian Thompson

COMMISSIONERS ABSENT:

John Kilkenny

ATTENDANCE via ZOOM:

Norma Ayala
Charlene Cooley

STAFF PRESENT:

Tamra Mabbott, Planning Director
George Cress, Principal Planner
Michaela Ramirez, Administrative Assistant
Clint Shoemake, Planning Technician
Kaitlin Kennedy, Code Compliance Planner

Staff Zoom:

Stephen Wrecsics, GIS Analyst

1. CALL TO ORDER

Chair Ekstrom called the meeting to order at 6:00 PM

2. ROLL CALL

3. PLEDGE

4. APPROVAL OF January 27, 2026, DRAFT MINUTES

Recommended Action: Approve

Action: Unanimously Approved

Chair Ekstrom asked if there was anyone who needed to abstain, declare a conflict of interest, bias, or have any ex parte contact.

Presented by: Kaitlin Kennedy, Compliance Planner

Request: Conditional Use Permit CUP-S-395-26: Amy Haak, Applicant; Jeanne Lewis, Property Owner. The applicant is requesting approval of a Home Occupation Conditional Use Permit to allow operation of an in-home salon business. The subject property is identified as Tax Lot 3101 of Assessor's Map 2S27E. The parcel is zoned Exclusive Farm Use (EFU) and is located outside the City of Heppner's Urban Growth Boundary (UGB). Approval criteria include Morrow County Zoning Ordinance (MCZO) Article 3, Section 3.010 (Exclusive Farm Use), and Article 6, Section 6.050.G (Standards Governing Conditional Uses—Home Occupations).

Chair Ekstrom asked if anyone had questions or opponents. There were none

Chair Ekstrom asked if there was anyone who was neutral who had evidence or testimony. There were none.

Chair Ekstrom asked if anyone had questions.

Commissioner Henthorn: asked staff what the proposed duration of the conditional use was.

Kaitlin: responded that there is no expiration.

Testifying Parties:

None

Recommended Action: Approve **Conditional Use Permit CUP-S-395-26**

Motion: Approve **Conditional Use Permit CUP-S-395-26**

Motion by: Commissioner Peterson

Seconded by: Commissioner Henthorn

Vote: All voted

Action: Unanimously Approved

Chair Ekstrom asked if anyone needed to abstain, declare a conflict of interest, bias, or have any ex parte contact. Chair Ekstrom stated that the Vice Chair was not at the meeting, so she would run the meeting but would abstain from voting.

Commissioner Henthorn abstained from the agenda item.

Presented by: Planning Director Tamra Mabbott

Request: Land Use Decision LUD-N-088-25: Tim Seck, Well Springs LLC, a subsidiary of MN8 Energy Development Company, Property Owner: April Miller LePage and Nolan Miller. The request is to permit a standalone 230kV substation as a “utility facility necessary for public service” within a 13-acre building envelope on an approximately 633-acre parcel. The Miller substation is proposed on property described as tax lot 3000 of Assessor’s Map 2N 23 located approximately 3 miles east of State Highway 74 on the north side of Immigrant Lane, south of Interstate 84, approximately 14 miles. Criteria for approval include MCZO Article 3 Section 3.010(D) and 3.010(F)(10).

Director Mabbott: explained that there were some objections raised to this application, and that is why she brought it to the Planning Commission. She pointed out particular criteria from the draft findings: page 37, page 38 item 2, page 39 item 5, 6, and 7. She also read the three proposed precedent conditions.

Chair Ekstrom invited the applicant to present testimony or evidence.

Testifying Parties:

Matt Hutchinson, MA Energy, 2500 NE Sandy Blvd Ste J, Portland, OR

Elaine Albrich, Davis Wright Tremaine LLP, 560 SW 10th, Portland, OR

Cameron Krebs, 68171 Kunze Lane, Boardman, OR

Matt: read through the PowerPoint (exhibit 2) provided.

Director Mabbott: asked if the county permitted this project, would it be connected to the Well Springs project, and would it qualify for a tax credit.

Matt: responded yes. He then continued to read from the PowerPoint.

Elaine: handed out Exhibits one through eight. She then explained why they wanted this project approved as a standalone project and would like construction to be completed by 2030. She also spoke on the items submitted and asked to keep the record open for the 7-7-7 rule. She wanted the Planning Commission to have plenty of time to read through the material submitted. She then pointed out the three main reasons for the project: location, technical engineering, and cost. She stated that she would be providing additional evidence

on three things: locational dependency factor, technical and engineering feasibility, and, lastly, the availability of the proposed existing right-of-way.

Commissioner Peterson: asked Director Mabbott if she could refrain from voting on the matter since the City of Lone was in negotiations to sell water to the project, and, as the city manager, she might present concerns.

Director Mabbott: responded yes, she could recuse.

Chair Ekstrom asked staff if there were any questions for the applicant.

Director Mabbott: wanted to clarify with the applicant that the conditions were identical to the Morgan Land Use Permit.

Elaine: responded that they had introduced the Morgan decision into the record (Exhibit 5).

Chair Ekstrom asked if she could get a motion to add Exhibit 1 to the record.

Motion: to add Exhibit 1 to the record.

Motion by: Commissioner Finch

Seconded by: Commissioner Thompson

Vote: All voted

Action: Unanimously Approved

Cameron: asked the Planning Commission if all approved projects were respecting our land, city, heritage, and if we were looking out for tomorrow's generation. He was in support of the Miller substation, but to continually ask if it was a respectful development anyone would want in their county.

Chair Ekstrom asked if there were any additional opponents. There were none. She asked for any parties that had neutral testimony or evidence. There were none. She then asked if there were any additional questions for the staff. There were none.

Chair Ekstrom closed the public hearing and left the record open to apply the 7-7-7 rule, so all parties had plenty of time to read through the exhibits submitted.

Director Mabbott: said that the agenda item would be continued for the March meeting.

Recommended Action: to keep the record open with the 7-7-7 rule for **Land Use Decision LUD-N-088-25**

Motion: to keep the record open with the 7-7-7 rule for **Land Use Decision LUD-N-088-25**

Motion by: Commissioner Finch

Seconded by: Commissioner Thompson

Vote: All voted

Action: Approved

Presented by: Clint Shoemake, Planning Technician

Request: Land Use Decision LUD-N-089-25: Leif Van Acker, Kimley-Horn, Applicant, Property Owner Amazon Data Services, Inc. The request is to site a data center campus on property zoned Airport Light Industrial (ALI). The property is described as tax lot 136 of Assessor's Map 4N 24E, located approximately 3.7 miles west of Boardman's Urban Growth Boundary, southeast of the Boardman Airport, and southwest of the Tower Road/I-84 interchange. Criteria for approval include

Morrow County Zoning Ordinance (MCZO) Article 3 Section 3.076 Airport Light Industrial, ALI, Section 3.092 Airport Safety and Compatibility Overlay Zone, ASC, and Article 4 Supplementary Provisions.

Chair Ekstrom asked if anyone needed to abstain, declare a conflict of interest, bias, or have any ex parte contact.

Commissioner Henthorn abstained from the agenda item.

Clint: explained the exhibit list submitted after the packet was sent out.

Director Mabbott: explained the exhibits that were submitted after the exhibit list was sent out. She gave some background context about the Land Use permit and wanted to also keep the record open for the 7-7-7 rule. She also spoke about a phone conversation with Kelly Doherty. She said Kelly asked about Goal 14, so Tamra did some research on the property presented.

Clint: spoke on the application submitted and its location. As maps on pages 102, 104, and 103 were presented, he spoke about letters that were submitted by different agencies. He said the applicant also submitted a bird mitigation study and added conditions from the bird and aviation mitigation efforts. He then moved on to the subsequent and proposed conditions.

Director Mabbott: shared information that the county traffic engineer provided. She stated that she consulted with the county's Public Works Director, Eric Imes, and they both agreed that these roads were very high in traffic. She said she and Eric recommended that the applicant add a right-hand turning lane.

Eric: spoke on the road use agreement with the applicant. He stated that this road use agreement will be presented to the Board of Commissioners on March 18th.

Director Mabbott: asked Stephen, GIS Analyst, measure the distance from the highway intersection to Bristow Lane, and it measured approximately a little over a mile.

Chair Ekstrom asked the applicant to present testimony and evidence

Testifying Parties:

Eric Imes, Morrow County Public Works, Lexington, OR

Leif Van Acker, Kimley Horn, One SW Columbia St Ste 650, Portland OR 97204

Megan Lin, Perkins Coie, Attorney for ADS 1120 NW Coe St, Portland, OR

Kelly Doherty, 68812 Wilson Lane, Boardman, OR

Kaleb Lay, Oregon Rural Action, PO Box 1231, La Grande, OR

Megan: introduced Leif and Joey Miller, who submitted the Land Use Application, Traffic Impact Analysis, and Site Plan. Craig Toomer, Pacific Coast Habitat, Wildlife Biologist, who created the bird mitigation study. She then read through her PowerPoint (entered as exhibit 7). She handed out and wanted to focus more on 020, which is Site Plan Review, and 092, which was Airport Safety Overlay. She explained the Airport Safety Overlay Zone map on page 104. She explained the transitional surfaces in the runway approach zone. She said the inner red circle on the map was the horizontal surface (a horizontal plane 150 feet above the established airport elevation), then from the 150 feet came the conical surfaces (a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a distance of 4,000 feet), which were like a bowl. The Airport Overlay Ordinance states that no structure or object shall be erected, altered to glow, or be maintained to penetrate any of the imaginary surfaces. 1:23:13 She also requested to leave the record open for the 7-7-7 rule.

Commissioner Finch: asked who would be responsible for the maintenance of the netting on site. If a net were torn ten years down the road, or a bird caused a plane crash.

Megan: responded that Amazon would be responsible for the maintenance of the ponds.

Commissioner Ayala: asked about the suspended height of the netting.

Leif: responded that they currently did not have a design, but there was a recommendation that it should be two to five feet above the top of the pond surface. He also stated that the level of the water would be different throughout the seasons of the year and that the nets would range from five to eight feet above the water surface elevation.

Chair Ekstrom asked if there were any more questions for the applicant.

Commissioner Kilkenny: sent in some questions: (Megan read) He asked if there was a 35-foot height limit in the overlay zone.

Megan: responded that there was a 35-foot height limit, but that it didn't apply to this permit because the topography is below the imaginary surface. She also said that if it was higher than 35 feet, there was a notice requirement that they would have to file. Their plan was to send notice to ODAV and FAA.

Commissioner Kilkenny: second question: (Megan read) he asked if there was a 10,000-foot setback for ponds either under state law or under local law.

Megan: responded that state law says you can't allow water impoundment within the approach corridor within 5,000 feet.

Director Mabbott: asked Jacob Cain if he had any water rights questions.

Jacob: responded that he would be a neutral proponent, had no comment, and that he would submit additional information.

Megan: asked Director Mabbott if she wanted her to address the Goal 11 and Goal 14 questions.

Director Mabbott: explained the department's procedure when questions or information were received after Planning Commission packets had gone out.

Megan: explained why this permit did not need a Goal 11 or 14 exception. She gave two reasons: in 2016, the property was rezoned Airport Light Industrial, which approved industrial uses, including data centers. The second reason was that courts everywhere and LUBA said that once the local government's comprehensive plan and land use regulations are acknowledged as final, the statewide planning goals no longer apply directly to land use decisions.

Chair Ekstrom asked if there were any opponents with testimony.

Kelly: said she was not happy with having a new city in a Rural area. She also said she had safety concerns for people who lived around the airport. She felt the netting would not be sufficient to keep wildlife out of the ponds. She was also concerned with steam coming from the pond, where the contact water was going, the septic site was concerned with the nitrates, how high the water table was because she had seen it go over the runway, and how effective they were going to be with keeping the water clean. She said she heard Leif state that the ponds were going to be drained. 1:39:45

Kaleb: had concerns about birds attracted to the airport and the runway. He explained the peak migration for birds. He also had concerns about air quality. He spoke about how much and what types of pollutants they

spew in the air. He also pointed out how much water was available to the data centers, and yet many homes nearby did not have the same access.

Chair Ekstrom asked if there were any additional opponents online. There were none. She then asked if the Commission had any questions for the opponents. There were none.

Commissioner Thompson: commented that the concerns people had about how much water access data centers and residents did not. He then said that if he could vote against these data centers, he would. He was upset that power lines were installed across farmland and people's property.

Commissioner Ayala: spoke on how property that was once used by children playing is now used for data centers. She also asked when was enough enough.

Chair Ekstrom asked if there was anyone with more questions or comments. There were none.

Chair Ekstrom asked if the applicant had a rebuttal.

Megan: said she heard the concerns of the community and would address them in the 7-7-7 period and thanked everyone for their time.

Chair Ekstrom asked for a motion to put the listed exhibits into the record:

Exhibit 5 email from Chris Kowitz, Exhibit 6- information submitted by Kelly Doherty, Exhibit 7- Applicant PowerPoint, Exhibit 8-water rights email from Jacob Cain

Recommended Action: Motion to submit Exhibits into the record

Motion by: Commissioner Peterson

Seconded by: Commissioner Ayala

Vote: All voted

Action: Approved

Chair Ekstrom then closed the Public Hearing.

Recommended Action: to keep the record open with the 7-7-7 rule for **Land Use Decision LUD-N-089-25**

Motion: to keep the record open with the 7-7-7 rule for **Land Use Decision LUD-N-089-25**

Motion by: Commissioner Peterson

Seconded by: Commissioner Smith

Vote: All voted

Action: Approved

Director Mabbott: wanted to make it clear the record that there will be no additional testimony accepted, but the record would be kept open until the March 31st Planning Commission meeting. She also said new testimonies will not be accepted. Although participants will have the opportunity to submit new testimony, the applicant will then have the final seven days to give a rebuttal.

Kaitlin: brought up that we would like the next three meetings to be held in Irrigon.

Director Mabbott: reiterated that we would have the next three Planning Commission meetings in Irrigon.

Chair Ekstrom closed the public meeting and then reopened it for public comment.

Other Business: Director Mabbott introduced the new Morrow County Principal Planner, George Cress.

Correspondence: January Planning Update

Public Comment: Kelly Doherty expressed some concerns about True Organics and CSS Farms

Adjourned: Meeting adjourned at 8:15 PM

Next Meeting: Tuesday, March 31, 2026, at 6:30 p.m. The next meeting will be held in Irrigon, OR, at the Morrow County Government Center. There will be a work session for the Tower Road Interchange Area Management Plan at 5:00 p.m.

**Respectfully submitted,
Michaela Ramirez**