

**Morrow County Board of Commissioners Meeting Minutes**  
**August 7, 2019**  
**Bartholomew Building Upper Conference Room**  
**Heppner, Oregon**

**Present**

Chair Jim Doherty  
Commissioner Melissa Lindsay  
Darrell J. Green, Administrator  
Kate Knop, Finance Director  
Justin Nelson, County Counsel

Karmen Carlson, Human Resources Director  
Roberta Lutchter, Executive Assistant

**Excused**

Commissioner Don Russell

**Call to Order & Pledge of Allegiance:** 9:03 a.m.

**City & Citizen Comments:**

Jerry Rietmann, Ella Resources

Mr. Rietmann discussed a notice from the Department of Defense to NextEra Energy Resources of presumed risks associated with the Wheatridge Wind Energy Project. Mr. Rietmann, who sold the Wheatridge Project to NextEra, said he wanted to make the County aware of the notice, which stated the project “will have an adverse impact on the Pendleton Weather Surveillance Radar operations conducted by the U.S. Air Force and the Fossil Common Air Route Surveillance Radar operated by the North American Aerospace Defense Command near Boardman...” The letter goes on to request NextEra enter into discussions of possible mitigation actions with the Department of the Air Force.

When similar issues were brought up early in the project, Mr. Rietmann said he hired a consultant with radar expertise to work through them with the military. NextEra has now engaged the same consultant who will meet next week with the Department of the Air Force and show them the chronology of events in the last seven years in order to resolve this, once again.

Mr. Rietmann discussed the timeline for the project and said he feared “they will run the clock out on us...and this won’t be a project.” He said the Governor received a copy of the notice and has the right to respond. If needed, he suggested Morrow County coordinate a response with the Governor’s Office.

After a brief discussion, Chair Doherty thanked Mr. Rietmann for his comments and asked him to keep the Board updated.

**Open Agenda:** A discussion was requested regarding the status of the HK Complex Fire.

**Consent Calendar**

Chair Doherty commented on the late addition to the agenda of Permit Application #OOL and removed it to be placed on next week’s agenda to further vet the application.

Commissioner Lindsay removed the July 17<sup>th</sup> minutes for placement on next week's agenda to allow for revision and asked that the Vector Control District appointments be moved to Business Items.

*Commissioner Lindsay moved to approve the remaining items in the Consent Calendar:*

1. *Two Accounts Payable, August 1<sup>st</sup>, \$62,610.10 & August 8<sup>th</sup>, \$136,898.74; Three Payroll Payables – July 29<sup>th</sup>, \$193,641.08; July 31<sup>st</sup>, \$170,166.97 & \$3,125*
2. *Minutes: June 26<sup>th</sup>, July 3<sup>rd</sup>, July 10<sup>th</sup>, July 24<sup>th</sup>*
3. *To take no action, thereby allowing favorable recommendations to the Oregon Liquor Control Commission for the following annual liquor license renewal applications: Love's Travel Stop #650, Boardman; and Willow Run Golf Course, Boardman*
4. *Resolution No. R-2019-17: A Resolution Adopting the Morrow County Community Wildfire Protection Plan Update and Incorporating said Plan into the Natural Hazard Mitigation Plan Wildfire Annex*
5. *Plat of Tuscany at Boardman, Phase 2: A Replat of Lot 15, Plat of Tuscany at Boardman and Replat of Lot 23, Plat of Juniper Ridge No. 1, Located in the NW ¼ of the SW ¼ of Section 16 & the NE ¼ of the SE ¼ of Section 17, Township 4 North, Range 25 East, W.M., City of Boardman, Morrow County; Owners: Boardman Development, LLC and Maughan Et Al, LLC*

*Chair Doherty seconded. Unanimous approval.*

#### North Morrow Vector Control District

Commissioner Lindsay noticed the two requests for reappointment to the North Morrow Vector Control District included signed oaths of office, indicating they were already sworn-in as members. She commented that should take place after the official appointment by the Board of Commissioners.

*Commissioner Lindsay moved to approve the following appointments to the North Morrow Vector Control District Board:*

1. *Roger Trueax, Irrigon; term to be August 7, 2019-August 7, 2023*
2. *Glenn Maret, Irrigon; term to be August 7, 2019-August 7, 2023*

*Chair Doherty seconded. Unanimous approval.*

#### **Department Reports**

##### Treasurer's Monthly Report

The written report submitted by Treasurer Gayle Gutierrez was reviewed.

#### **Business Items**

##### Discussion Regarding Partition Plat Title Research Requirement

Mike Gorman, Assessor/Tax Collector

Stephen Haddock, County Surveyor

During Mr. Haddock's quarterly report in April, the issue of title research for partition plats was discussed. He explained the County's Subdivision Ordinance requires title research accompany

subdivision requests but it does not make the same requirement for partition plats. Of concern to both Mr. Haddock and Mr. Gorman was the amount of time it takes for their offices to research aspects of the history (ownership, easements, etc.) when a partition plat is submitted for review. Mr. Haddock asked the Board if the Ordinance could be amended to require title research, or if he could require it through policy. At that April meeting, the Commissioners asked Mr. Haddock and Mr. Gorman to provide a report as to what other counties require.

Mr. Gorman and Mr. Haddock provided that report and discussed the results of their research: 21 counties responded; seven counties require title research through ordinance; 14 require it through some form of a policy, either at the county level or by the surveyor's office.

During the discussion of options, it was brought up that more than just this ordinance would need to be updated. The Board agreed to require title research for partition plats, by policy, while staff undertakes the process to update the relevant ordinances, which could take up to 18 months.

#### Purchase Pre-Authorization Request – Software Program for Sheriff's Office Civil Unit

Civil Sergeant Ivy Zimmerman-Adams

Civil Deputy Erik Patton

Sheriff's Office personnel discussed the outdated software program currently in use that can no longer be updated; the bid process undertaken; and the advantages of the recommended company's contract and software program. Discussion.

*Commissioner Lindsay moved to approve the Purchase Pre-Authorization Request for a Civil Unit software program from Zuercher Technologies, LLC in the amount of \$41,796, as well as the Software License & Service Agreement. Maintenance and support included for the first year, with subsequent years for maintenance and support to be: year two: \$5,174; year three: \$5,433; year four: \$5,704; year five: \$5,990. Chair Doherty seconded. Unanimous approval.*

#### Laurel Land Road Discussion

Darrell Green, Administrator

Mr. Green discussed recent correspondence with Boardman resident Ed Glenn about the naming of Laurel Road. He said Mr. Glenn expressed his disappointment that the road he dedicated to the County, Laurel Lane, now goes by Laurel Road. Mr. Green provided the Board with: the letters and other documentation provided by Mr. Glenn; the 1983 Road Dedication; Road Naming & Rural Addressing Ordinance No. MC-C-3-92; and related County Court Minutes. He said while researching this, the documents referenced the street in various ways – Laurel Lane, Laurel Road and Laurel Lane Road.

During the discussion:

- It was pointed out the Roadway Dedication originally dated May 18, 1983 stated, "Morrow County will name any roadway constructed on this dedication 'Laurel Lane.'" However, the dates were handwritten over with "April 1984" and "Lane" was replaced

with “Road” and initialed “DCM” for Donald C. McElligott, the County Judge at the time.

- It was explained the 1992 Road Naming & Rural Addressing Ordinance, among other things, stated “Roads running predominantly north-south shall be known as a ‘Road’ ...and Roads running predominantly east-west shall be known as a ‘Lane.’” Laurel Lane was changed to Laurel Road at that time.

Chair Doherty said he was sympathetic to the original deal that the street be named “Laurel Lane,” and Mr. Glenn later verbally agreed to “Laurel Lane Road,” but it was not memorialized in writing.

Various discussions ensued, including the County’s official procedure to change street names.

*Commissioner Lindsay moved to name the street “Laurel Lane Road” with the County being responsible for the process to change the name. Chair Doherty seconded. Discussion: County Counsel Justin Nelson noted the process will include public meetings. Chair Doherty said the name could ultimately change during the public process, and added he was in favor of designating lanes and roads uniformly throughout the County; Commissioner Lindsay agreed. Unanimous approval.*

**Break:** 11:13-11:20 a.m.

#### Justice of the Peace Vacancy Process

The process through the Governor’s Office to fill a Justice of the Peace vacancy was reviewed by Mr. Green. The Board had several questions about the extent to which the County should be involved and opted to gather additional information and then have a full discussion with Commissioner Russell present.

#### Irrigon Building Update

Mr. Green said the Request for Proposals and Request for Qualifications processes are underway. In addition, he discussed the public hearing of August 21<sup>st</sup> regarding the Progressive Design-Build exemption from competitive bidding requirements.

#### Bartholomew Building Lower Level Remodel Update

Mr. Green explained that after twice publicly seeking bids for the project, one bid was received. However, that bid exceeded the estimated cost of \$65,000-75,000. Mr. Green worked with the bidder to lower the bid from \$88,000 to \$77,629. He then received approval from the Deputy State Chief Procurement Officer that Morrow County could proceed with the bid of \$77,629.

*Commissioner Lindsay moved to award the bid for the Bartholomew Building Lower Level Remodel Project to Kirby Nagelhout in the amount of \$77,629. Chair Doherty seconded. Unanimous approval.*

## **Department Reports, continued**

### Administrator's Monthly Report

Mr. Green reviewed his report of activity for the month of July.

### Assessment & Tax Quarterly Report

Mike Gorman, Assessor/Tax Collector

Mr. Gorman's report included a Summary of Taxes Collected for Tax Year 2018-19 as of June 30, 2019; Summary of Uncollected Balances by Roll Type; and the Tax Account Foreclosure List. He also discussed activity by staff for the quarter.

### Sheriff's Office Monthly Report

The report submitted by the Sheriff's Office was reviewed.

### Finance Department Quarterly Report

Kate Knop, Finance Director

Ms. Knop review her report, which stated her efforts for the quarter focused on budget preparation, fiscal year-end close, new biennial contracts and retirement plan redesign. Tentative dates for Long Range Planning Work Sessions were presented (September 25<sup>th</sup>, October 16<sup>th</sup>, November 6<sup>th</sup>, December 18<sup>th</sup> and January 15<sup>th</sup>). She said the dates should allow all Department Directors the opportunity to be part of the work sessions.

### Discussion of HK Complex Fire

Chair Doherty asked for clarification on the process for basing firefighting operations on County property, such as is occurring at the OHV Park. The Oregon Department of Forestry and the U.S. Forest Service are staging assets there to fight the HK Complex Fire. He said the County is always happy to accommodate but he asked for a future discussion on the notification process and agreements needed or already in place.

## **Correspondence**

- Jerry Rietmann's email and attached letter from the Department of Defense to Ms. McLane and Commissioner Russell, as discussed under City and Citizen Comments at the beginning of today's meeting.
- Memorandum of Agreement between the Columbia Development Authority (CDA) and the Confederated Tribes of the Umatilla Indian Reservation; effective date April 1, 2019. A discussion transpired about the CDA, such as its origins, authorities, and involvement after the land is transferred. Commissioner Lindsay said Commissioner Russell, as Chair of the CDA Board of Directors, could answer many of the questions when he returned.

**Lunch break:** 12:19-1:30 p.m.

Commissioner Lindsay referred to the Resolution adopted earlier in the meeting, (Resolution No. R-2019-17: A Resolution Adopting the Morrow County Community Wildfire Protection Plan

Update and Incorporating said Plan into the Natural Hazard Mitigation Plan Wildfire Annex), and stated the Plan was a guidance document and the County did not open any roads via this Resolution; Ms. McLane and Public Works Director Matt Scrivner agreed.

### **Commissioner Reports**

- Commissioner Lindsay said she will request an upcoming agenda item to consider how the County wants to proceed with the Local Public Safety Coordinating Council (LPSCC) Coordinator position.
- Chair Doherty said the minutes of the meetings of the Columbia River Enterprise Zone II Board are still not available through the County website. He said he spoke to CREZ II Manager Greg Sweek about the importance of making them available as they are public meetings. He asked him to send them to the BOC Office's Executive Assistant, but that has not happened. Discussion.

**1:45 p.m. Executive Session** - Pursuant to ORS 192.660(2)(e) – To conduct deliberations with persons designated by the governing body to negotiate real property transactions

**2:02 p.m. Closed Executive Session** – No decisions

**2:03 p.m. Executive Session** - Pursuant to ORS 192.660(2)(g) – To consider preliminary negotiations involving matters of trade or commerce in which the governing body is in competition with governing bodies in other states or nations

**2:22 p.m. Closed Executive Session** – No decisions

### **Signing of documents**

**Adjourned:** 2:28 p.m.