

**Morrow County Board of Commissioners Meeting Minutes**  
**August 5, 2020**  
**Bartholomew Building Upper Conference Room**  
**Heppner, Oregon**

**Present In-Person**

Staff: Darrell J. Green, Lindsay Grogan, Kate Knop, Richard Tovey, Ken Matlack

**Present Via Zoom**

Chair Melissa Lindsay, Commissioner Don Russell, Commissioner Jim Doherty (from his office in the Bartholomew Building); Staff: SaBrina Bailey Cave, Mike Gorman, Gayle Gutierrez, Eric Imes, Diane Kilkenny, Roberta Lutchter, Sandi Pointer, Linda Skendzel, LeAnn Wright. Non-Staff: Robert Echenrode, Torrie Griggs, Leah Harris, Heppner Chamber of Commerce, Randy Jones, Erika Lasater, Karen Pettigrew, Kathy Street, Dave Sykes

**Call to Order & Pledge of Allegiance:** 9:02 a.m.

**City & Citizen Comments:**

Greg Sweek, Enterprise Zone Manager, asked who will be taking minutes at tomorrow night's joint meeting with the Port of Morrow (discussion of proposed Columbia River Enterprise Zone III with taxing districts located within the proposed boundary). Chair Lindsay said she would coordinate that today.

Justin Hoeft referenced yesterday's article in the East Oregonian about what he called "a Commissioner talking down on the residents." He said he wanted to assure the Commissioners that the residents are listening and reading. He said he didn't agree with one particular comment and termed it as "hazing that's being done toward our residents," and the Commissioner "should probably make sure he understands what's going on before he continues to haze us. Thank you."

Commissioner Russell said the comments were directed at him. He then went on to discuss how a lengthy interview can result in one quote or soundbite that doesn't reflect the true nature of the conversation. He said it wasn't his intent to talk down on anybody but when he was asked who was to blame, he said we have to blame ourselves. He then listed some of the reasons he came to that conclusion. He said he was sorry if he offended anyone.

Donna Morrison said the Boardman marina had an influx of people from outside the community and it appeared to be "party central" on the weekends. She said she wasn't convinced that the people visiting the area were even aware of what the situation was for Morrow County as far as the Coronavirus. She questioned whether they were given any information when they checked in at the office about the County's phases, etc. She said visitors should go by the same rules as residents but it didn't appear that was happening. She said this was setting up the people working in the businesses in Boardman and sent a mixed message to the entire community. She said the locals have rallied and were doing a good job even though they were slow to wear face masks in the beginning.

Commissioner Doherty said he welcomed the input and encouraged Ms. Morrison to contact the municipality in charge.

Ms. Morrison said she already called the City of Boardman and was referred to someone else but didn't get a response. She said she would try again today.

**Open Agenda:** No items

### **Consent Calendar**

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

1. *Accounts Payable, July 30<sup>th</sup> - \$922,276.67; August 6<sup>th</sup> - \$356,264.18; July 29<sup>th</sup> - \$4,227.80; August 4<sup>th</sup> - \$24,429.26. Seven Payroll Payables: June 2<sup>nd</sup> - \$174,162.58; June 17<sup>th</sup> - \$189,612.04; June 24<sup>th</sup> - \$192,339.15; July 1<sup>st</sup> - \$167,774.50; July 15<sup>th</sup> - \$165,319.62; July 24<sup>th</sup> - \$10,908.49; July 28<sup>th</sup> - \$178,162.77*
2. *Minutes: May 20<sup>th</sup>, May 27<sup>th</sup>, June 1<sup>st</sup>, June 3<sup>rd</sup>*
3. *Department of Administrative Services, Amended and Restated Grant No. 1025, Coronavirus Aid, Relief and Economic Security (CARES) Act for Coronavirus Relief Funds for expenditures incurred due to COVID-19 from March 1, 2020 – December 30, 2020; effective when fully executed with a start date as of March 1, 2020, expiring on December 30, 2020; and authorize Commissioner Doherty to sign on behalf of the County.*
4. *Acknowledgement of ODS Community Health, Inc., Participating Provider Agreement; effective when fully executed by all parties for an initial term of one year and then automatically renews for consecutive one-year terms; signed by Administrator Darrell J. Green*
5. *Petition and Order No. OR-2020-7 to Cancel Personal Property Taxes as Described in Exhibit A*

*Commissioner Doherty seconded. Unanimous approval.*

### **Roll Call**

#### **Business Items**

##### Purchase Pre-Authorization Request, Public Works, Bobcat V723

Eric Imes, Assistant Road Master

Mr. Imes outlined the benefits to many operational needs in the Department by replacing an aging forklift with the requested Telehandler. He said it was in the replacement plan for this budget cycle and he estimated it would last longer than 10 years (the Department has a 10-Year Replacement Plan).

*Commissioner Doherty moved to approve the Purchase Pre-Authorization Request from Public Works – Road Department for a new 2020 Bobcat V723 Telehandler from Bobcat of Pasco in the amount of \$79,962.17. Commissioner Russell seconded. Unanimous approval.*

##### Award Asphalt Bid & Sign Contract

Eric Imes, Assistant Road Master

Mr. Imes explained a request for quotes was issued and there were two respondents. He recommended Blue Line Transportation as the provider for emulsion asphalt. Brief discussion.

*Commissioner Russell moved to approve Blue Line Transportation as this year's supplier for emulsion asphalt. Commissioner Doherty seconded. Discussion: Mr. Green asked if the contract was to be signed today. Chair Lindsay suggested that electronic signatures be approved or authorize Commissioner Doherty since he was on-site. Commissioner Russell said he wanted to add to the motion that Commissioner Doherty be authorized to sign on behalf of the County. Commissioner Doherty seconded. Vote on the amendment: Unanimous approval. Vote on original motion to award to Blue Line Transportation: Unanimous approval.*

#### Eastern Oregon Counties Association Dues Invoice

Commissioner Doherty provided a brief summary of EOCA's past initiatives and dues history. He said the group developed new bylaws and has grown to include 14 counties east of the Cascade Mountain Range that face similar challenges. Brief discussion.

*Commissioner Russell moved to authorize the payment of membership to EOCA for \$2,500. Commissioner Doherty seconded. Discussion: Chair Lindsay asked about the items described as "optional" to pay. Commissioner Doherty said his recollection was the County already put something toward the Eastern Oregon Economic Summit, which was now going to be held virtually, but he would follow up on the summit itself. Finance Director Kate Knop verified the County paid \$2,500 last spring for the Economic Summit. Unanimous approval.*

#### Internet Task Force Update

Chair Lindsay said everyone invited to last week's Task Force meeting attended and a great deal of time was devoted to building the foundation for the next phases to action. Schools became the first focus to find a way to service every student. She said a smaller group of Task Force members will meet this week to focus on short-term goals, and then again the following week to discuss long-term goals. Discussion.

Commissioner Russell said he wanted to make sure people knew he had a financial interest in one of the companies at the Task Force and would not be weighing in much on this in order to protect his conflict of interest. He said Windwave was happy to have a representative attend and help but he needed to be cautious.

#### Emergency Management Internship

Darrell Green, Administrator

Sheriff Ken Matlack

Mr. Green said he became aware of the SkillBridge program through Kalie Davis, Port of Morrow Workforce Training Coordinator. SkillBridge is a Department of Defense program for military members nearing the end of their military duty and matches them with civilian job training and work experience opportunities. He then discussed the resume of Elizabeth Shultz and said she would like to use this program to intern (unpaid) in Emergency Management with the County. A brief discussion took place and the Commissioners agreed by consensus to move forward with the internship.

#### Hutchison Property Tax Litigation – Joint Legal Defense Approval

Richard Tovey, County Counsel

Mr. Tovey said this was a follow-up to the July 22<sup>nd</sup> discussion - excerpt from those minutes:

“Mr. Tovey provided the following summary – A group filed a class action suit against all counties in Oregon alleging counties were unlawfully able to make a profit off selling foreclosed properties that exceed the amount of delinquent property taxes owed. He said county counsels have been meeting regularly and decided to retain an outside law firm to represent all counties since this was outside the scope of local county counsels. He reviewed the payment plan that has each county paying an equal amount up to \$10,000 and if more is needed, a percentage would be paid based on population. Mr. Tovey asked for approval to move forward.

After a brief discussion about where the funding would come from, it was decided to schedule this again on the August 5<sup>th</sup> agenda to allow time to research funding options.”

Mr. Tovey said Finance Director Kate Knop informed him a line item (personal services) was available for situations such as this.

*Commissioner Doherty moved to approve the joint legal defense for the Hutchison litigation, up to \$10,000 if attorney fees exceed \$360,000 and review further, if needed. Commissioner Russell seconded. Unanimous approval.*

Oregon Department of Agriculture Presentation on the Proposed Permit and Process for Easterday Farms Dairy LLC Confined Animal Feeding Operation (CAFO)

Wym Matthews, ODA, CAFO Manager and Fertilizer Program (via Zoom)

Mr. Matthews provided an update on the CAFO permit application from Easterday Farms Dairy LLC, the new owners of the former Lost Valley Dairy. He outlined Easterday’s plans for both the dairy operations and the farming operations on the 7,000-acre property. Mr. Matthews listed the agencies involved in the process – ODA, Department of Environmental Quality, Oregon Water Resources Department and Oregon Health Authority (OHA). There will eventually be a 35-day public hearing and comment period, but the dates have not yet been established, he said. Multiple topics were covered as Commissioners and staff asked questions of Mr. Matthews. At the conclusion of his presentation, he was asked how the County can obtain information about permits in general, including reporting data on the monitoring wells, for instance. Mr. Matthews said those things were available through a State public records request but he would work with the County on a request that could provide the information on any facility within the County’s jurisdiction.

**Break:** 10:47-10:56 a.m.

Irrigon Building Update

Darrell Green, Administrator

Mya Paluch, CIDA, (via Zoom)

Ms. Paluch, as a representative of the architecture and engineering design firm CIDA, displayed the proposed exterior design of the building and said it was driven by community standards, set-back requirements and by the solar panels that will be on the roof. The budget will be reviewed for efficiencies to bring costs down and for constructability, she said. Ms. Paluch also reviewed

a material board, or sample of products for the building exterior. Brief question and answer period.

#### Morrow County Government Command Center Update

- Mr. Green commended staff in the Public Health Department (Diane Kilkenny, Shelley Wight and Ian Murray) for responding quickly to contact everyone in a timely manner after an outbreak in south County.
- Mr. Green said at this week's meeting, the Command Team discussed a variety of resources that could be used to get the best information out to the public without pulling Public Health Department employees away from their other responsibilities. The priorities and roles of the Command Team were also discussed, as was the possible impact to County employees as we move back to Phase I.

#### Acknowledgement of Retirement of Public Health Department Employee, Shelley Wight

- Chair Lindsay took the opportunity to publicly thank Shelley Wight, Communicable Disease & Emergency Preparedness Coordinator, whose last day will be Friday. Chair Lindsay said during this pandemic, Ms. Wight worked 24/7 and she wished her the very best going forward.
- Interim Public Health Director, Diane Kilkenny, also expressed her thanks to Ms. Wight for her dedicated service to Public Health, and she meant that from every community resident and the region. She said it had been an honor to serve with her and she would be hard to move on from. She wished her the best and thanked her for serving Morrow County residents.

#### Command Center Update, continued

- The Commissioners tentatively scheduled a Work Session for August 12<sup>th</sup> to discuss the potential impact to employees in moving back to Phase I.

#### **Department Reports – Written**

The following written reports were reviewed:

- Sheriff's Office Monthly Report submitted by Administrative Lieutenant Melissa Ross
- Assessment & Tax Quarterly Report submitted by Mike Gorman, Assessor/Tax Collector
- Treasurer's Monthly Report submitted by Gayle Gutierrez
- Finance Department Quarterly Report submitted by Kate Knop, Finance Director

#### **Correspondence**

- U.S. District Court for the District of Oregon, Opinion & Order, Michael R. McCarter, President of Move Oregon's Border, Plaintiff, vs. Kate Brown, Governor of Oregon, et al., Defendants
- OHA Ready Schools, Safe Learners: Community COVID-19 Metrics
- Letter from the Association of Oregon Counties to the Administrator of the Oregon Occupational Safety and Health Administration, Michael Wood, about OSHA's rulemaking for agricultural and food processing workers implemented in response to COVID-19.
- Notice of Intent to Award State of Oregon COVID-19 Emergency Business Assistance Grant Fund to Morrow County

- Update on the Matlock Fire from the Northeast Oregon Interagency Type 3 Incident Management Team

### **Commissioner Reports**

Each Commissioner provided a report of activity.

The Commissioners and County Counsel Richard Tovey discussed virtual-only BOC meetings and whether or not they should go that direction. Chair Lindsay said she would bring forward more detailed information for a decision.

### **Signing of Documents**

Discussion took place on how to sign documents since the Commissioners were not physically present in the same location.

*Commissioner Russell moved to allow Commissioner Doherty to be the single signer for the County on all things requiring signature today since the Commissioners attended virtually. Commissioner Doherty seconded. Unanimous approval.*

**Adjourned:** 12:40 p.m.