

Regular Commission Meeting
August 9, 2023 – 1:30 pm
2 Marine Drive, Boardman, Oregon 97818

I. CALL TO ORDER AND INTRODUCTIONS

Joe Taylor called the meeting to order at 1:30 p.m.

Commissioners Present: Rick Stokoe, Joe Taylor, John Murray, and Kelly Doherty

Staff Present: Lisa Mittelsdorf, Eileen Hendricks, Mark Patton, Jason Hendricks, Jeff Montgomery, Anna Browne, Erika Lasater, Brandy Warburton, Travis Coffelt, Jacob Cain

Visitors Present: Torrie Griggs, Karen Pettigrew, Brandon Hammond, Beau Glenn, Chief Mike Hughes, Jerry Reitman

By Zoom Meeting: (Staff) Tim Patton
(Guests) Candy Chick, Kirby Garrett, Kim Cutsforth, Aaron Palmquist, Debbie Radie, “Citizen”

Joe read the following letter from Jerry Healy.

I have made the difficult decision to retire from the POM Commission effective August 8, 2023 at 1:00 pm. I plan to use the newfound time to spend more time with my family, especially my four grandchildren.

It has been a privilege working with all the employees, staff and management over these past 29 years. Starting with the 15-20 port employees in 1994 to the 150+ employees today. During this time, I always appreciated the can-do attitude and dedication these individuals gave to the Port and community.

I have had the opportunity to work with great fellow commissioners from John Bristow, Dan Creamer, Dean Seeger, Marvin Padberg, Rick Stokoe, Joe Taylor and of course the honor of serving with Commissioner Larry Lindsay for over 25 years.

All the individuals mentioned above have worked as a team to accomplish amazing growth at the POM. With billions in investments, job, wage and tax base growth we have had a positive impact which has led to the transformation of Morrow County into a major economic engine impacting not only Morrow County, all Eastern Oregon and the State of Oregon.

Although, I am retiring, I will continue to be a dedicated supporter of the POM and the Morrow County community as a whole. I also want to thank the citizens of Morrow County for their support of the Port of Morrow over these past 29 years and ask that they continue to support the POM, hard working staff and commissioners working everyday to build a better community.

Sincerely,

Jerry M Healy, POM Commissioner July 1994-August 2023

Joe stated that he only had good words to say about Jerry. It was a pleasure and honor to work with him and he wishes Jerry the best in his retirement. Rick said Jerry will certainly be missed after 29 years of volunteer service. Joe said the commission will look at the bylaws and what the next step will be to appoint a replacement under “New Business, Other” on the agenda.

II. PUBLIC COMMENT PERIOD - None

III. CONSENT AGENDA

A. July 12, 2023 Regular Commission Meeting Minutes

Rick made the motion to approve the consent agenda items. John seconded the motion. No further discussion was had. The motion passed unanimously.

IV. LEGISLATIVE UPDATES

A. Federal – Kirby gave an update with good news regarding congressionally directed spending. Included in the Senate’s Financial Services Appropriations Bill are the \$1.5 million request for the City of Boardman’s business incubator building and \$1.3 million for Morrow County’s drinking water infrastructure. He thanked senators Merkley and Wyden for their support along with the Port staff. He stated it’s still a long way from being final because the bill moves forward to the other branch. He summarized additional items underway at the Senate.

V. OLD BUSINESS

A. CDA Update – Lisa said the CDA board has discussed a master planning session. There are multiple business proposals to consider, but there is still much to do with planning and determining the next steps forward. Anderson Perry is the engineer on record. It was clear at the last meeting that the road funding would be divided equally between the two counties. Joe talked about two small buildings on the Morrow County side that are in good condition and would warrant insurance coverage. Lisa said it would be a good idea to arrange another tour. Brandy summarized an email from Debbie Pedro stating that the CDA was in the process of setting up an agreement with Boardman Fire for fire protection

services similar to the one they did with Umatilla County Fire District 1. It was agreed that Lisa would write up a formal offer for the Port to purchase the 640 acres.

- B. Policy Update – Executive Session Policy** – Rick said that he doesn't feel the commission is in a place to implement a policy at this time. He said the biggest concern is a guarantee of privacy during the executive sessions. It isn't a move to exclude media. John said his reason for tabling it last month was a belief media should be included. He stated that after the July commission meeting, he received correspondence from several people including a letter sent to DA Justin Nelson from Susan Meyers with the Oregon Government Ethics Commission stating the executive sessions should also be open virtually to the reporters. He said that wasn't information they had last month, but that it should be part of the discussion now. Kelly added information she received from the ethics training this weekend and presented the letter John mentioned. The presenter had the exact same opinion as Susan Meyers: if we open it up to anyone via Zoom, we open it up to everyone or we face ethics charges. Brandy said that she reached out to other agencies through SDAO and no one has a policy yet. The only reason we would want or need a policy is if we were going to limit executive sessions to in-person attendance only.

Rick recommended tabling this policy for now. The law is still too new, and more research is needed. The policy was tabled for further research.

- C. Audit Contract** – Eileen recommends the contract be approved with a 5% COLA increase. John made the motion to approve the contract for this year with Connected Professional Accountants LLC for audit services. Kelly seconded the motion. The motion passed unanimously.

With Jerry's retirement, a new representative is needed. The auditors will be here the week of August 22-24 and the audit committee will meet with them on that Wednesday. Joe and Kelly are willing to serve on the committee.

D. Other

No other old business was discussed at the time.

VI. NEW BUSINESS

- A. New leases** – Lisa said there are no new leases.

- B. Paid Leave Oregon Policy** – Brandy stated this new Oregon law becomes effective September 3. We started taking deductions from employees on January 1. The policy is from HR Answers, who is contracted by SDAO, and is what they recommend. Kelly asked if employees were aware of this option and Brandy responded yes and explained what notifications have been and will be given. Brandy and Eileen explained how the new Paid Leave Oregon is supposed to work and answered questions.

Rick made the motion to approve the Paid Leave Oregon Policy as presented. John seconded the motion. No further discussion was had. The motion passed unanimously.

- C. IGA – SIP Distribution of Community Service Fee** – Kelly said she attended the meeting on behalf of the Port. The amount was more than everyone expected. The group met again later without Morrow County for additional discussion of their concerns. The consensus of the group was to move forward with this agreement, but they would like more information at future meetings for SIP agreements. They also talked about regular meetings to talk about these agreements to be better prepared in the future.

John made the motion to approve the IGA for SIP Distribution of Community Service Fee under ORS 285C.609(6)/285C.623(6), as presented. Rick seconded the motion. No further discussion was had. The motion passed unanimously.

- D. Revision of Wastewater Ordinance 90-3** – Mark stated that this is just to provide the commission notice that staff will be working on revising and updating the wastewater ordinance. A combination of consultants and staff will be working on the updates.

E. Other

Resolution 2023-11 – Rick made the motion to approve Resolution 2023-11, authorizing signatures, and online banking on all accounts at the Bank of Eastern Oregon, Boardman Branch. John seconded the motion. No further discussion was had. The motion passed unanimously.

Commission Vacancy - Joe read the relevant ORS and bylaws to the commission. The commission will appoint someone to fill the vacant seat. The commission decided to receive the letters of interest by the close of business on September 11, to review the applications on September 13, interview the top candidates, and select a replacement at the October meeting. Joe directed staff to start the invitation process.

VII. STAFF REPORTS

- A. Project Updates** – Jacob and Mark provided updates for current projects.

- B.U.I.L.D. – Good progress has been made on BUILD with the bridge beams being set last week. Jacob summarized tasks moving forward.
- The digester project is moving ahead. Lagoons 2 and 3 were commissioned. Lagoon 1 has been covered and should be commissioned in the next couple of weeks. We're producing enough gas to keep the flare burning 80% of the time.
- Secondary treatment design is at 90% and has been submitted to DEQ.
- Winter storage design is 60% complete.

- B. Maintenance Update** – Mark and Jacob talked about the photos. Anna talked about the NBT Camp photos and thanked all the Port staff and industry partners who helped make it successful.
- C. Financial Update** – Eileen gave the financial update.
- D. Usage Reports** – Commissioners reviewed the usage reports in the packet.
- E. Other**
Torie talked about the last SciFri camp and the new EV chargers that are complete and waiting to be commissioned.

VIII. OTHER REPORTS

- A. Willow Creek Valley Economic Development Group / Heppner Chamber** – Kim provided an update for Heppner. They're looking for funding for infrastructure updates. There are 14 housing lots with a wait list waiting to be developed.
- B. Boardman Chamber Update / BCDA** – Torrie summarized the report in the packet and highlighted upcoming events. Chamber membership is growing.

BCDA continues moving forward with the incubator building. They're waiting for the funding to come through. The homebuyer grant remains popular. A contribution was made towards the new lighting on the RHS football field, which supports incoming visitors to the area.

- C. ICABO** – Jerry Reitman gave an update regarding a flash flood in Ione on Monday. ICABO will provide funding to help with clean up. He thanked the Port for sending the vac truck to help. John asked when the ICABO meetings are. Jerry replied they are the third Thursday of each month at 7 AM. He gave an update on their sewer project update.

D. City Updates

Aaron gave an update for Irrigon. \$1 million for the incubator building has been received and they are excited to move forward with their business incubator building. Additional sidewalks are being installed on the south side of HWY 730, several roads are being paved, a food pod is going in, and road improvements near the school. Lisa asked about the status of the pickleball courts. He replied that he knows work is being done but didn't have a specific update.

Brandon, the new city manager for Boardman, gave a few highlights. He's working on making connections with the community. Moving forward in the very near future, he will be working on starting a master plan for Boardman.

- E. County Updates** - None present.

- F. **Other** – John asked about the WIFIA loan. Mark replied that it should be submitted this week.

IX. FOR THE GOOD OF THE ORDER

X. UPCOMING EVENTS:

September 13 9AM-2PM SDAO Board Member Relations, Expectations, and Ethics
September 13 1:30pm POM Regular Commission Meeting

Rick asked about the City/County/Port meeting. Brandy replied that it's been scheduled for September 20 and the City will be hosting.

Lisa said there's a conflict on the 13th with the SDAO meeting and we should push the commission meeting back to 2:30 PM. All commissioners would like to attend the SDAO meeting.


XI. EXECUTIVE SESSION

The Port will hold an executive session meeting for the permissible reason(s) stated below under ORS 192.660(2). Representatives of the news media and designated staff and other persons shall be allowed to attend the executive session in-person. All other members of the audience will be asked to leave the room. The public virtual Zoom Meeting link will be closed during the executive session as permissible executive session meetings are not subject to HB2560. Representatives of the news media are specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. No decision will be made in this executive session. At the end of the executive session, we will return to open session and welcome the audience back into the room in-person and open the public virtual Zoom Meeting link again.

- A. For the Purpose of Consideration of Deliberations with the Port's Executive Director and Other Staff Members Who Have Been Designated by the Port to Negotiate Transactions Related to the Sale or Lease of Real Property – ORS 192.660 (2)(e)**
- B. For the Purpose of Consultation with Counsel Concerning the Legal Rights and Duties of a Public Body with Regard to Current Litigation or Litigation Likely to be Filed – ORS 192.660 (2)(h)**

No decision will be made after the executive session and the regular meeting was adjourned at 3:38 PM.

Submitted by:



Joe Taylor, Commission President



Lisa Mittelsdorf, Executive Director

PORT OF MORROW
Regular Commission Meeting
August 9, 2023

SIGN-IN SHEET

NAME PLEASE PRINT	COMPANY REPRESENTING	PHONE NUMBER	EMAIL ADDRESS (If we don't have it)
Anna Brown	POM		
Torie Briggs	SAGE/Chamber		
Beau Glynn	EO Media Group	(971) 275-5763	
Siff Montgomery	Pom		
Karew Pettigrew	City Council		
Brandon Hammond	City of Boardman	541-303-5557	
Jerry Rietman	RA BO	541-329-2818	