

VOL. 139 NO. 31 8 Pages Wednesday, July 29, 2020 Morrow County, Heppner, Oregon

# Morrow County won't see any more federal coronavirus funds

*'It is never going to be properly sent down,' says Doherty*



**Umatilla Electric Co-op General Manager Robert Echenrode (center) gives a presentation to the Morrow County Commissioners on the proposed new power line construction near Boardman.**

**By David Sykes**

Morrow County and other local governments are never going to see their fair share of the \$1.6 billion in coronavirus relief funds sent from the federal government to be distributed by the state, County Commissioner Jim Doherty said last week. “The state is just not going to send that money down,” Doherty said at a July 22 meeting.

Doherty has been working diligently the past several weeks trying to get Governor Kate Brown to disburse over \$400 million in federal funds as was intended to the local governments. "I worked overtime on this," said Doherty, who is president of the Association of Oregon Counties (AOC), one of the groups who urged the governor to do the right thing and distribute the money. "But it is never going to be properly sent down and allowed to be used the way it was intended," he says.

The \$1.6 billion was Oregon's share of the \$2 trillion federal CARES Act approved by congress to aid local governments hit by COVID-19 costs. A federal directive said the money sent to the states was supposed to be distributed to local governments, but in a June 26 letter to Brown AOC said the state has only sent \$200 million of the money. The group asked the governor to send the remaining \$424.8 million in "accordance with the U.S. Department of the treasury guidance." The money has never come and Doherty, for one, has given up hope local governments will ever see any of it.

Under the federal government disbursement formula local governments with populations above 500,000 received the money directly. In Oregon, three local governments qualify so Multnomah County received \$28 million directly, Portland \$114 million and Washington County \$105. The guidelines say 45 percent of the remaining \$1.4 billion or \$624 million should go directly to local governments on a population basis. So far local governments have only been able to get \$200 million of their owed funds.

Doherty laid part of the blame for not getting

the money at the feet of state representatives and senators who he says never "went to bat" for the local governments. "It's pretty discouraging when our state representatives and senators grudgingly agree that those are county dollars, but then they are happy to spend them and not get behind us," Doherty said. "Without them behind us and the federal government sending the direct funding to Portland and the two metro counties and the legislature being made up of 90 percent metro folks, they are just taking the balance of the \$600 million that is ours and diverting about 80 percent to metro," he added. "It is never going to be properly sent down and allowed to be used the way it was intended," Doherty added.

In addition the legislature dipped into the pool of money when in special session July 14 it voted to spend \$200 million of the relief money on several initiatives including \$62 million to aid black owned businesses and individuals, \$50 million to backfill cultural and arts groups budgets, \$35 million in \$500 checks to residents waiting on unemployment claims, \$30 million for workers infected with the virus who are quarantined, and 25.6 million for small businesses having problems because of the virus.

When asked by other commissioners if the county would ever see any more of the money Doherty was not optimistic. "That ship has sailed," he said.

## Looking at budget changes

In other business at the July 22 meeting commissioners began discussing possible adjustment to the 2020-21 budget to add funding to the health department for unforeseen COVID-19 costs. In addition to a need for more health funding the county expects to see a drop in state lottery funds, predicted to be around 23 percent.

The commission wants to make plans and budget adjustments now to cover the unforeseen changes since the budget was adopted earlier this year. Two places they are initially looking to cut is the aid to cities program where they


















distribute \$1 million to the five incorporated cities in Morrow County. There is \$379,000 budgeted in the general fund this year for the cities. Also being looked at is money to the Morrow County Tourism Committee which receives \$15,000, the Extension Agent at \$23,680, Rodeo \$10,000, Museum \$11,000, Willow Creek Valley Economic Development Group \$25,000 and Lexington Airport \$30,000. The commission instructed Finance Director Kate Knop to only pay one third of the funding requests from nonprofit groups who have already sent in invoices for the whole upcoming year.

Commissioners want to see the “big picture” before they begin making cuts. “It’s hard to look at just one piece of the budget instead of the whole budget,” Commission Chair Melissa Lindsay said. She said to be fiscally responsible the commission needs to have a big picture and that those affected be consulted during the process. “I think everyone needs to be part of this analysis,” she said of redoing the budget and possible cutting department budgets. The commissioners seemed to favor across the board cuts when adjustments are being made. “Do you give everyone a little bit of a haircut and then nobody gets their ears chopped off?” Commissioner Don Russell asked. The commission said it would plan a workshop to talk about the budget.

## County named in lawsuit

In other business, the commission discussed a recent class-action lawsuit filed against Morrow County and all other 35 counties in Oregon. The lawsuit challenges how counties foreclose and sell properties to collect delinquent taxes. The lawsuit alleges Deschutes County made a profit of \$65,827 when it foreclosed on property with \$4,172 in back taxes and sold the property for \$84,827. Rather than return the surplus Deschutes County “deposited it in various county funds to be used for county projects.” The suit also includes a person in Lane County who had their property foreclosed for \$2,033 in

# Heat advisory in effect

26	27	28	29	30	31	1
 <b>Mostly Sunny</b> Actual: 93°   54°  0 in	 <b>Mostly Sunny</b> Actual: 100°   61°  0 in	 <b>Mostly Sunny</b> Forecast: 102°   66°  0 in	 <b>Sunny</b> Forecast: 104°   68°  0 in	 <b>Mostly Sunny</b> Forecast: 108°   70°  0 in	 <b>Sunny</b> Forecast: 103°   65°  0 in	 <b>Partly Cloudy</b> Forecast: 95°   63°  0 in
Forecast: July 30, 2020						
	<b>Mostly Sunny</b> <a href="#">View more history data</a>		Temperature Forecast: 108°   70° Average 92°   57°		Precipitation  0 in  0 in	

**The forecast for Heppner shows the temperature could reach 108 degrees on Thursday.**

A heat advisory for Heppner and the surrounding areas will be in effect from noon Wednesday, July 29 through 8 p.m. on Thursday. The National Weather Service in Pendleton reported expected temperatures from 99 to 106 degrees, with the possibility of 110 degrees.

According to the weather service, the areas affected in Oregon include the John Day Basin, foothills of the Southern Blue Mountains, North Central Oregon and Central Oregon. According to the report, overnight low temperatures may struggle to drop below 70 degrees in some areas.

Residents are advised to take precautionary/pre-

paredness actions as prolonged exposure to the heat will cause heat illnesses to occur. Residents should drink plenty of fluids, stay in an air-conditioned room, stay out of the sun and check up on relatives and neighbors. Young children and pets should never be left unattended in vehicles under any circumstances.

People should take extra precautions if they work or spend time outside. When possible, reschedule strenuous activities to early morning or evening. Know the signs and symptoms of heat exhaustion and heat stroke. Wear lightweight and loose-fitting clothing when possible. To reduce risk during outdoor work,



**Monday's temperature reached 100 degrees according to the display at Bank of Eastern Oregon..**

the Occupational Safety and Health Administration recommends scheduling frequent rest breaks in shaded or air-conditioned environments. Anyone overcome by heat should be moved to a cool and shaded location. Heat stroke is an emergency. Call 911.

delinquent taxes and the county sold that parcel for \$58,000 resulting in a profit of \$56,000 which it also kept. The plaintiff asserts that Oregon's counties keeping the excess funds beyond the amount of taxes and fees owed, violates the prohibitions on "the taking of private property for public use without just compensation." Morrow County was not named in the lawsuit for actually doing this practice but was named along with all 36 counties in the state as part of the class action suit.

At its July 22 meeting the commission agreed to commit up to \$10,000 in legal fees to the joint defense of the lawsuit. County Counsel Richard Tovey reported that several counties are taking the lead heading up the defense and they are currently interviewing two law firms to represent the counties in the suit. Each county was asked to commit up to \$10,000 each. Tovey admitted \$360,000 could be “eaten up real quick” with the specialized legal fees the firm needed to fight the lawsuit will charge. He said once the initial legal money pot, where each county puts in the same amount, is gone the counties will move to a tiered system of paying ongoing legal fees based more on population. “My hope it will never get to the \$10,000, but after looking at the fees they do charge more (than regular council)” Tovey said of the specialized law firms.

## Hears report from UEC Manager

The commissioners also heard from Umatilla Electric Co-op (UEC) General Manager Robert Echenrode who gave a report on the proposed new power line construction project near Boardman. The

project became controversial after UEC filed with the Public Utility Commission (PUC) to allow for possible property condemnation to construct the line. The electric co-op says the new line is needed to service a surge in customer growth in the area, however critics say the line is mainly to service one customer, Vadata, a subsidiary of Amazon which is building a new data facility in the area and needs the additional power. The co-op is currently in negotiations with affected property owners about easements to put in the line. A public hearing with the PUC has already been held on the project and talks are on-going.

Echenrode gave a presentation to the commissioners using Google Earth to show the various alternative routes considered that would not have required condemnation, and he went over the major technical difficulties with each one coming back to the same conclusion that the proposed route is the best.

The county also owns property in the area of the powerline construction but is not in line to have property condemned to construct the new line. The PUC is still considering UEC's application for ability to condemn property for the project, however in the meantime Morrow County has requested the PUC that it be added as a legal party to the action.

## New OSHA agriculture rules a concern

In other business the commissioners discussed new temporary rules imposed by Oregon's Occupational Safety and Health Administration (OSHA) that agricultural counties, especially those with migrant farm workers and food processing plants, are

finding particularly onerous.

North Morrow County has a large number of migrant and food processing plant workers and commissioners feel that the county health department has been working hard to make these workers COVID-19 safe, but still keep people working. “We have challenges that we have been facing to keep our necessary workers that have to get together to make this state work, to make this state move,” Commissioner Doherty said. We are getting beat up on social media for being less than intelligent for our response. We are also getting beat up by the state,” Doherty said.

Commissioners were especially concerned that in the name of emergency OSHA has sidestepped the normal rule making process, to implement inflexible emergency rules without consulting either the workers or industry members. In a letter to OSHA the Association of Oregon Counties (AOC) said industries are suffering under the new rules and the organization asked OSHA to “engage in a transparent, public rulemaking process to allow those being impacted by the proposed rules to have the ability to voice their concerns.”

Especially at issue are what are considered extreme COVID-19 rules and punishment, when the county is currently working to protect its workers now. Commissioner Russell said the county is doing lots of testing and other sanitary measures. "The counties are capable of protecting their workers and doing it very effectively," he said.

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