

Smith, the Port and the CDA

minate the grant but that a phone call with Wilson confirmed flexibility to extend the 10-day deadline by as much as 30 days.

“He thought that was a perfectly reasonable request,” said Mittelsdorf.

The Port commissioners supported requesting the 30-day extension to explore other options.

“I personally don’t have a lot of hope that things will change, but I’m open to trying,” said Murray.

Mittelsdorf said it was clear that the Port needed to prioritize future federal funding eligibility.

“If termination is the only option, that is what we would seek,” she said.

The loss of the grant raises questions about how the CDA will continue its work, as well as possible sources of alternative funding.

One option proposed by POM secretary/treasurer Rick Stokoe was to have another of the CDA’s five entities manage the grant, especially since the Port’s role as fiscal agent has been brought into question because of oversight failures.

The POM also discussed a proposed sale of 100 acres of CDA property to offset the loss of grant funding, but the commission decided not to support the resolution as written, preferring more details.

There were also lingering questions about the government’s full perspective and whether more information might change the OLDCC’s mind.

“Did we really answer their questions? Is there any more information we could pass along?” asked Stokoe.

POM commissioner Kelly Doherty said she thought the CDA would be looking for answers at its next meeting.

“Whether the funding is there or isn’t there, they need to know,” said Doherty.

POM commissioner Joel Peterson said the CDA also needs to participate in decision making.

“There’s no discussion headed toward a solution,” said Peterson. “That’s what needs to happen.”

The Columbia Development Authority

The Columbia Development authority did indeed address the issue at the meeting the following day. Smith was present at the Feb. 25 meeting and gave the CDA board a recap of events to that date.

Specifically, Smith said the Base Realignment and Closure (BRAC) organization was unaware of the Feb. 21 letter and was in the process of organizing a meeting with other entities, including the OLDCC and the Army.

Meanwhile, CDA board member JD Tovey, who represents the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) on the board, said he was concerned that the board hadn’t been notified of the Jan. 13 letter until after it received media coverage.

“I found out about the letter through the media that weekend,” said Tovey. “My first email that I received from anybody in the CDA was Friday at 3:37 p.m. about the response from OLDCC saying they’re going to terminate our grant.

“I’m just wondering, why did that happen, when did people know what they knew, and why didn’t anybody else know?” he added. “The *Eastern Oregonian* knew about it before I even



CTUIR representative JD Tovey at the Feb. 25 CDA meeting. -Contributed photo

got a notification of it.”

He also pointed out that the January CDA meeting had been canceled, supposedly due to lack of items for the agenda, but that the letter could have been addressed at that meeting.

“I think that was a pretty important agenda item,” Tovey said.

Much of Tovey’s confusion seemed to stem from the timing and nature of the response. Smith said he did not see the letter until Tovey forwarded it to him, but that he had been in communication with the Port and knew there was some kind of issue with the OLDCC.

Mittelsdorf clarified that the Port of Morrow, responsible for the grant, had responded to the compliance review but did not communicate with the CDA board, as they did not consider it necessary.

The compliance review response was initially seen as routine, with no issues anticipated, since the POM had previous reviews with no problems.

“When we got the request for the compliance review, there was no reason to assume that we were going to do anything other than respond and have a similar result,” Port Chief Financial Officer Eileen Hendricks said. “I have never had correspondence with any CDA board member, and it didn’t cross my mind to do so.”

Tovey didn’t agree.

“That’s a lot of information and a lot of time and pretty serious accusations, I think, that should have been elevated to the board,” he said. “Somebody’s at fault. A lot of people are at fault, and so I want somebody to take responsibility for it.”

“At the end of the day, I’m responsible,” replied Smith.

The Port of Morrow is taking responsibility as the fiscal agent, but the question again arose whether they should continue in that role.

“If the Port of Morrow is now the bad guy, perhaps one of the other partners can step in,” said Hendricks.

CDA Board Chair, Port of Umatilla representative Kim Puzey, said further conversations during a 30-day extension would hopefully show the CDA a path forward.

“We’re hopeful that that can take place and, if that doesn’t, then that speaks to part of the conversation we’ll be having in the budget meeting,” said Puzey, “where we have a discussion about resources and requirements, and this may no longer be a resource that is available to the CDA.”

“And the Port’s position is that if they aren’t going to allow some change, we have to cancel before they cancel,” said Hendricks. “And we will do so.”

Tovey said he appreciated the Port’s willingness to take responsibility and try to fix the grant problem, but he felt there was a larger problem at the core.

“We have an obligation to all our constituents for all this, and I just want to make that clear, that this isn’t a small thing,” said Tovey. “This is a million dollars.

This is the operating grant.”

Tovey suggested accepting a resignation from the Port of Morrow as the CDA’s fiscal agent that day, but Puzey asked that the Port be allowed to follow through with the process before taking that step.

“It’s not my place to say it, but I’m going to say it anyway,” put in Hendricks. “I guarantee you that as soon as this gets resolved, we will resign as fiscal agent. I just don’t think it’s appropriate to do it today.”

Smith’s Response

Greg Smith recently issued his own response to what he termed a “bizarre” “ambush.” In it, he said he was hired as the CDA Executive Director in 2016 and had not received a merit pay raise since 2017. In 2023, according to Smith, the CDA board conducted staff evaluations and directed him to investigate salaries for comparable positions and negotiate the highest possible grant award with the OLDCC.

Smith said he did so, finding an average salary of \$245,065 compared to his salary of \$129,027. He said he initially asked for \$238,000 from both the OLDCC and the CDA board, but the OLDCC imposed a salary cap of \$195,000, with \$123,350 to be paid by the OLDCC grant and \$71,650 paid by the CDA.

“As I was in frequent discussion with the CDA Board Chair about the salary negotiation, I naturally reported this to the Chair who responded approvingly,” Smith wrote in his statement.

Key to Smith’s frustration seems to be the fact that the loudest complaints regarding the pay increase came from Tovey and Doherty, both of whom joined the CDA board after Smith said he received direction about his pay increase. Because his performance review and the salary discussion took place in executive session, there are no minutes to reflect what took place.

On Sept. 20, a meeting at which board chair Kim Puzey was apparently absent, and Umatilla County Commissioner John Shafer was acting chair, Smith said he was surprised to see media presence at the meeting.

“When I entered the room I was surprised to see representatives of the media in attendance because the media rarely attended CDA board meetings and nothing on the agenda seemed to warrant media attention,” said Smith.

The *Gazette-Times* was not present at the meeting.

Smith said Tovey and Doherty “leapt to the conclusion” that he had inserted certain wording into the OLDCC grant to “deceive not only them, but also the federal government into awarding me a pay increase.”

Without prior notice to prepare a response, and unwilling to discuss certain aspects in open session,

Smith said he had no choice but to “own it,” but that Tovey and Doherty were apparently dissatisfied with his response and continued to “maliciously” Smith.

“Neither suggested a thorough investigation before accusing me of deceit,” wrote Smith. “Neither appeared to consider that their lack of historical knowledge of the budget process or of past board directives might inform their opinions. Neither appeared to consider that Chair Puzey, who was absent, might have additional insights including the nature of my ongoing open communication about the matter.”

In fact, the *Gazette-Times* has received a copy of a letter that shows Smith was upset enough to threaten legal action against his accusers.

In December of last year, Smith’s attorney, Amanda Gamblin, sent a letter to the Port of Morrow lawyers threatening legal action if mediation did not produce results. The letter stated that Smith intended to pursue claims against the Port for “denial of his constitutional rights, defamation, invasion of privacy, and intentional infliction of emotional distress.”

Among other things, the letter referred to a “conspiracy” by three CDA board members—POM Commissioner Kelly Doherty, Umatilla County Commissioner John Shafer, and Confederated Tribes of the Umatilla Indian Reservation (CTUIR) representative JD Tovey.

According to the letter, the three “intentionally ambushed Mr. Smith in open session of a CDA Board meeting and made false accusations against his professional integrity and competence which have been widely shared and predictably and irrevocably damaged Mr. Smith’s reputation.”

The letter also stated that the CDA Board failed to give Smith notice or an opportunity to be heard before supposedly defaming Smith’s reputation, voting 3-2 to reduce Smith’s pay, and refusing to continue the discussion during closed session.

“Ms. Doherty and Mr. Tovey then continued unabated for another 20 minutes until Mr. Smith’s reputation was destroyed,” said Gamblin’s letter.

The Port later replaced Doherty on the CDA board, but Gamblin wrote that it was too little, too late.

The letter also said Smith hoped to come to a “reasonable resolution” with the Port and Doherty, but that he would pursue legal claims if such steps didn’t repair Smith’s damaged reputation and place him back at his previous financial standing.

Meanwhile, despite hopes for the 30-day extension from the OLDCC, tensions continue to ride high, while the future of the CDA’s federal funding looks uncertain at best.

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