

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS

Meeting of August 3, 2022
9:00 a.m., Room 130, Umatilla County Courthouse
Pendleton, Oregon

Commissioners Present: Chair John Shafer, Vice-Chair Dan Dorran, and Commissioner George Murdock

County Counsel Doug Olsen

Guests Present: Mark Tanner, Facilities Manager; Richard Jolly, citizen; Robert Pahl, Chief Finance Officer; Bob Waldher, Planning Director

Video link or Calling in: Jennifer Blake, Human Resources Director; Dan Lonai, Administrative Services Director; Tom Roberts, Emergency Manager; Vincent Papol, Local Emergency Planning Committee *(+see list of attendance, copy on file)*

CALL TO ORDER: Chair Shafer called the meeting to order at 9:00 a.m. He reminded all that the meeting is a public forum and there is a call-in option provided. There is time on the agenda to provide input (or for hearings) to provide comment. The meeting is being video and audio recorded and minutes will be taken. Also, meetings are now live-streaming. Comments will become part of the meeting record. If persons wish to speak before the Board, please identify yourself and state where you live in order to be heard on the record – also note if you are speaking on behalf of others.

Pledge of Allegiance

Awards/Correspondence/Recognitions. – none.

Minutes – Commissioner Dorran moved to approve the minutes of the meetings of 7/6/22 and 7/19/22. Seconded by Commissioner Murdock. Carried 3-0.

Additions to Agenda – None.

Public Comments – None.

Business Items

1. **EFSC Case.** Presented by Doug Olsen. The Energy Facility Siting Council closed its public hearing on June 24, 2022, on the proposed application for the Nolin Hills wind power project. The next step in the process will be for the council to issue its Proposed Order on the project. Once the order is issued a notice will be sent to those commenting or participating of the right to a contested hearing. At this time, the order includes the position that EFSC does not need to include a setback as a substantive criteria for the project. The County did provide timely comment to EFSC, so it will have standing to request a contested case hearing. Timing for a hearing is not available in the rules at this time.

Commissioner Dorran thanked Bob Waldher, Doug Olsen, and BMA representatives who have spent a lot of time with this. He's in favor of Mr. Olsen's recommendation that the county look at outside counsel with preliminary information Mr. Waldher has received (EFSC won't recognize the 2-mile setback -- local ordinance). He feels a long-term remedy will be legislative fix. Commissioner Murdock agreed with all Commissioner Dorran's comments. Objecting is a risky step, but if the county doesn't take the opportunity, a precedent could be set (non-compliance with local ordinances). Chair Shafer is on the same page. He also

thanked the BMA and asked Mr. Jolly to pass that on to the group. This has been on the forefront; the county needs to defend it. **Commissioner Dorrان moved to approve authority to secure outside counsel for this purpose (to follow county criteria for the Nolin Hills project). This includes authority to proceed to a contested case hearing if it comes to that. Seconded by Commissioner Murdock. Carried, 3-0.** Mr. Olsen clarified, Board action is regarding the EFSC ruling, not objection to the project. **Agreed by all commissioners.**

2. Copier Purchase. Presented by Bob Waldher, Planning Director. The Planning Department is seeking replacement of its copy machine. The current equipment is well used and needs replacement in order to support the large volume of copies the department processes (planning commission meeting packets, board packets for meetings, reports, etc.) The Planning Department received two quotes from vendors for a Canon DX C5850 copier. Staff recommends selecting Canon Solutions America who provided the lowest quote at \$8,650. In response to Commissioner Dorrان, Mr. Waldher noted the current copier (with color option) is owned. It still has some life in it and could be used by a department with less demands. **Commissioner Murdock moved to approve the purchase. Seconded by Commissioner Dorrان. Carried, 3-0.**
3. Maintenance HVAC Request. Presented by Mark Tanner, Facilities Manager. The Administrative Services Department is seeking to issue a request for proposals for a new HVAC unit at the jail kitchen. The existing unit is no longer able to function and keep the kitchen cool. In response to Commissioner Dorrان's question, Mr. Tanner advised a ballpark cost figure of \$70,000-80,000 range, possibly. **Commissioner Dorrان moved to approve issuing a request for proposals. Seconded by Commissioner Murdock. Carried, 3-0.**
4. Pendleton Lawn Services. Presented by Mr. Tanner. The county recently has employed seasonal workers to assist in lawn maintenance. At this point, the county has been unable to fill the position for the Pendleton area facility. The request before the Board is to increase the rate of hourly pay (currently \$13), or pursue other options for lawn care at Pendleton facilities. Budget is available – he would like to bump up to \$17/hour for the rest of the season.

Chair Shafer asked about the service recently contracted for in Hermiston. Mr. Tanner advised they are keeping up with that (although the weeding is done using Community Corrections). Discussion continued about a similar service in Pendleton, possibly price checking, concern about bumping up the position 40%; current staff doing the work is roughly \$24/hour to \$26/hour (but it is plus benefits for a county employee). Reminder that Pendleton includes, guardian care, courthouse, health department (weeds only no yard), juvenile, community corrections and jail, as well as Milton-Freewater. Suggestion was made for possibly a hybrid – hire out in Pendleton, and for Milton-Freewater, look at contract service there? Maybe an entity in Milton-Freewater could be contracted for the one county building there. Importance of taking care of buildings was noted. **Commissioner Murdock moved to approve increase in rate of pay or authorize alternative yard maintenance – Pendleton and Milton-Freewater, as outlined. Seconded by Commissioner Dorrان. Carried, 3-0.**

5. Maintenance Payable - Electrical. Mr. Tanner presented. Approval is sought for a payable for electrical connections for the courthouse HVAC project. The payable to Double S Electric is before the Board for approval due to the amount of \$6,567.58. **Commissioner Murdock moved to approve the payable. Seconded by Commissioner Dorrان, Carried, 3-0.**
6. Maintenance Payable – Air Conditioning. Presented by Mr. Tanner. Approval is sought for a payable for repairs to ducting and air conditioning at the juvenile facility (repairs to keep current a/c cooling until the new coil arrives) and maintenance shop. The payable to Murphy's Heating & Air LLC is before the Board for approval due to the amount of \$11,275. The new coil will be installed by Murphy's, so those additional charges will be forthcoming. **Commissioner Murdock moved to approve the payable. Seconded by Commissioner Dorrان. Carried, 3-0.**

Commissioner Murdock asked to reflect into the record the value of getting clarification of what installation and costs look like. Mr. Olsen explained, rooftops units (at the courthouse) excluded any link site power modifications. Commissioner Dorrان agreed with the need to look at full installation packages. Mr. Tanner explained usually cost is higher with someone coming from Portland (no local vendor is available) – some items are excluded. Commissioner Dorrان remarked about competitive bid process and issues with local availability. Chair Shafer asked about the question noted regarding the Juvenile portion of work. Mr. Tanner advised he will get pricing after discussing with Kim Beck for those needs (after today’s Board meeting).

7. Maintenance Payable - Painting. Presented by Mr. Tanner. Approval is sought for a payable for painting at the CDDP/juvenile facility. This is on the regular preventative repairs list. The payable to A Sharp Painter is before the Board for approval due to the amount of \$11,281. **Commissioner Murdock moved to approve the payable. Seconded by Commissioner Dorrان. Carried, 3-0.**
8. Maintenance Payable – Chiller Repair. Presented by Mr. Tanner. Approval is sought for a payable for chiller repairs at the Stafford Hansell Government Center. The payable to HMS Commercial Service, Inc. is before the Board for approval due to the amount of \$9,807.82. Chair Shafer noted Commissioner Dorrان’s prior idea of possible option of not going with lowest bid – it may not be the best way to go. Mr. Tanner pointed out this same issue at Guardian Care. Mr. Olsen advised it is the law to go with the lowest bid, but timing can be made a part of the proposal so it’s not just price; it must be included in the request for proposals. Commissioner Murdock added the county must be good stewards of the buildings and grounds and sometimes it is contrary with accepting low bids. **Motion was made by Commissioner Dorrان to approve the payable. Seconded by Commissioner Murdock. Carried, 3-0.**
9. Sheriff’s Office Payable. Presented by Doug Olsen. Approval is sought for a payable for vests for the Sheriff’s Office. The payable to 911 Supply is before the Board for approval due to the amount of \$11,904.34. This is separate from the vests approved at a previous Board meeting (it was for different employees). **Commissioner Dorrان moved to approve the payable. Seconded by Commissioner Murdock. Carried, 3-0.**
10. Emergency Management Grant. Presented by Tom Roberts, Emergency Manager. Previously, Umatilla County was awarded a State grant for a commodity flow study. A consultant for the work was unable to be located. The proposal is to reallocate the grant funds for a crisis communication workshop/training/exercise. The workshop has been tentatively scheduled for April 2023. The grant requires a 25% local match. Approval is sought to accept reallocation of a state grant (through the State Fire Marshal’s office) to a crisis workshop and authorize the chair to sign the agreement for up to \$26,040. In response to Commissioner Dorrان’s question regarding approval from PHEMSA (Pipeline and Hazardous Materials Safety Administration) for this action, Mr. Roberts noted the county is a sub-applicant below the State Fire Marshal’s Office, and it has been approved by PHEMSA. Vincent Papol, NOAA, Local Emergency Planning Committee Chair (calling in), advised he’s been working with Mr. Roberts/Emergency Management to put together the workshop in April and is supportive of Mr. Roberts and thanked the Board for its involvement. **Commissioner Dorrان moved to approve and accept reallocation of a State grant and authorize the chair to sign the grant agreement as outlined. Seconded by Commissioner Murdock. Carried, 3-0.**
11. Public Health Payment. Presented by Joe Fiumara, Director. UCo Health is an active member of CLHO (Coalition of Local Health Officials). The CLHO is a 501(c)(6) non-profit organization that represents all of Oregon’s 33 local public health departments (LPHAs) where staff supports local public health officials through workforce development, communications, advocacy, and works closely with OHA and other partners to ensure LPHAs have resources. Per UCo Health’s cost allocation policy this will be split between all budgets, including some general funded budgets. Approval is sought for payment of the 2022-’23 annual CLHO dues in the amount of \$6,708.70. **Commissioner Murdock moved to approve the payable, noting highly important with the engagement with CLHO. Seconded by Commissioner Dorrان.** Chair Shafer expressed appreciation for Mr. Fiumara’s involvement/participation. **Carried, 3-0.** Commissioner Murdock commended UCo Health and stressed the Board’s desire for staff to be involved in policy and being at the

table. Commissioner Dorran added health department staff is active and he thanked Mr. Fiumara and staff for expeditiously getting out nitrate billboards. There has been very good public response.

12. CDDP Payable. Presented by Kim Beck, DDP Manager. Permission is requested to pay Therap \$15,400.28 for the annual fee for the software program (electronic case management system). In a couple of years, state DDP will take over the system – so she’s looking to phase this out in 3-4 years. Responding to Commissioner Dorran’s question about the case management program, Ms. Beck advised there are 18 current staff; this system allows access to provider agencies whereby staff can use it for monitoring/oversight for residential programs. That is the actual benefit of this program. The new state program is being developed for case management. All is considered regarding transferring down the road (no physical files any more – all digital). Transition should be seamless. The program is supported by the Therap company – tech assistance is only through them and the system is always up and running. **Commissioner Dorran moved to approve the payable. Seconded by Commissioner Murdock. Carried, 3-0.**
13. Foreclosure Notice. Presented by Mr. Olsen. The annual foreclosure sale for delinquent property taxes will begin in the near future. One of the statutory requirements is to publish a notice in the local newspaper. The order designating the newspaper is before the Board for consideration. **Commissioner Dorran moved to adopt Order No. TX2022-03. Seconded by Commissioner Murdock. Carried, 3-0.**
14. Flood Repair Payable. Presented by Mr. Olsen. Previously, the Board authorized funding for the repairs caused by the recent flooding near Echo. The payable for the material and equipment for the repair is before the Board for approval due to the amount. Commissioner Murdock asked about bills periodically submitted by the City of Echo; he wanted to make sure they are tracked to be in line with the up to \$400,000 previously approved for the purpose by the Board. Mr. Pahl advised he is coordinating with Echo City Administrator Dave Slaght. He believes billing is up to date. Both Commissioners Murdock and Dorran wanted assurance that invoices are going directly and only to county finance office and not to a variety of individuals (commissioners). Mr. Pahl expressed concern that other vendors may be involved with charges unknown at this time. He will monitor this. **Commissioner Murdock moved to approve the payable to HNS Inc. in the amount of \$246,924. Seconded by Commissioner Dorran. Carried, 3-0.**
15. Anderson-Perry Payable. Presented by Mr. Olsen. Previously, the Board authorized funding for the repairs caused by the recent flooding near Echo (as with the previous agenda item). The payable for engineering services required for the repair is before the Board for approval due to the amount. **Commissioner Murdock moved to approve the payable to Anderson-Perry & Associates in the amount of \$7,811.31. Seconded by Commissioner Dorran. Carried, 3-0.**

Executive Session – none.

Commissioner Reports

Commissioner Dorran: The Umatilla County Fair is next week. Don’t miss it!

Mr. Jolly asked to make public comments – he had missed the call for it earlier in the meeting. Chair Shafer authorized the comments at this time. Richard Jolly, 54462 Upper Dry Creek Rd., Weston. He commended the county for its due diligence in the EFSC item. He asked if the issue had been brought to the attention of the Association of Oregon Counties? Each commissioner advised, not their knowledge, since there has been nothing official from EFSC. Secondly, he spoke to a fire map and letters have gone out to public regarding wildfires, criteria for decisions – not readily available. It is raising insurance rates now. Oregon has different issues than California (much more severe). Chair Safer noted state legislators are taking up the fight on it. He read from an email regarding wildfire maps and issues, adding that he is well aware of the matter and in conversations with legislative representatives.

Commissioner Murdock: nothing.

Chair Shafer noted the kick-off fair parade is on Saturday, August 6, starting at 6:30 p.m.

Meeting adjourned at 9:50 a.m.

Melinda Slatt

Executive Secretary – Board of Commissioners