

**MINUTES**  
**UMATILLA COUNTY BOARD OF COMMISSIONERS**

Board of Commissioners' Meeting of January 3, 2013

9:00 a.m., Room 114, County Courthouse

Pendleton, Oregon

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**COMMISSIONERS PRESENT:** Larry Givens, Acting Chair; Bill Elfering, Commissioner; Dennis D. Doherty, Commissioner Pro Tempore

**COUNTY COUNSEL:** In Court

**MEMBERS & GUESTS PRESENT:** Connie Caplinger, Umatilla County Executive Assistant; Genni Lehnert-Beers, Umatilla County Public Health Administrator; Jack Esp, constituent; Dan Lonai, Umatilla County Administrative Services Director; Phil Wright, East Oregonian Reporter; Jay Steiner, Umatilla County Maintenance Manager; Bob Heffner, Umatilla County Budget Officer; Timothy C. Guild, constituent; Lt. Glen Diehl, Sheriff's Office; Sarah Williams, Umatilla County Public Health; Jason Hogge, Umatilla County Maintenance; Tom Glover, Walla Walla Joint Community Development Agency

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**OATH OF OFFICE**

Dan Lonai administered the oath of office to Dennis D. Doherty, installing Commissioner Doherty as commissioner pro tempore in commissioner position 1 to maintain a full quorum until after the special election to be held in May, 2013.

**CALL TO ORDER**

The meeting was called to order at 9:03 a.m. Acting Chair Givens reminded all present that the meeting was a public forum.

**BUSINESS ON AGENDA**

**Employee of the Month:** Due to scheduling, the employee of the month presentation was postponed to January 16, 2013.

**Approval of Minutes:** None

### Additions to agenda:

AWERE Board appointment

### Consent Agenda:

1. Authorization of advance per diem for Jeff Brown
2. Authorization of payment to Perkins Coie - \$12,786.94
3. Authorize renewal of the annual maintenance agreement for the Courthouse elevator
4. Authorization of payment to Kadlec Regional Medical Center - \$20,617.23
5. Authorization of funds from Umatilla County to the Local Government Investment Pool for the EOTEC account - \$3,006,618.96
6. Waive hiring freeze, authorize recruit and hire clinic nurse (add on)

Commissioner Doherty moved to approve the consent agenda as presented. Commissioner Elfering seconded. The motion carried 3-0.

### Agenda Items:

1. **Sign off of the Public Health Annual Plan:** Genni Lehnert-Beers presented the annual plan, stating that the approval by the board was an annual event addressing the statutory duties and plan for the next biennium. **Commissioner Doherty moved that the board acknowledge and approve the public health plan, Commissioner Elfering seconded and the motion carried 3-0.**

2. **Temp ½ time schedule for Jason Hogge:** Connie Caplinger, in her capacity as the human resources director, reported that Jason Hogge presented a request supported by his department head to drop to ½ time for about six months to address some personal matters. He was an exemplary employee and the board had on a case by case basis through the years done some schedule adjustments to accommodate a number of life activities that employees have had to experience. Therefore, it was not a highly unusual request and the human resources staff was careful to review them on their individual merit so as to not develop an unwritten policy. As such, she, as HR Director, was supportive of approval.

Dan Lonai noted that Jason Hogge saved the county a lot of funding when rewiring the courthouse for the energy efficiencies as a result of his certifications. He needed to take time at home to make necessary modifications. The department would need someone to fill in part time due to the work load, but the arrangement would still result in savings of \$8,000 over the six months. Connie Caplinger explained that this was because the fill in would be classified as a non-benefitted position.

Commissioner Elfering asked for the start and end dates for the leave. Dan Lonai answered that it would take place from April 1 to October 1. Connie Caplinger emphasized that the temporary position would be non-benefitted. Commissioner Doherty was supportive. Commissioner Givens

emphasized that the arrangement was on a case-by-case basis and, as such, was supportive. **Commissioner Elfering moved that the Board approve the request. Commissioner Doherty seconded. The motion carried 3-0.**

3. **Election of officers:** Connie Caplinger presented the order specifying the officers of the Board of Commissioners as nominated for the 2013 calendar year. The nominations set Commissioner Givens as the chair and Commissioner Elfering as the vice-chair. **Commissioner Doherty, in the matter of designation of Chair and Vice-Chair of Board of Commissioners for 2013, moved adoption of Order Number BCC2013-001. Commissioner Elfering seconded and the motion carried 3-0.**

4. **City of Athena Conveyance:** Connie Caplinger reported that the property in Athena was foreclosed on for delinquent taxes. The city was willing to accept the tax lot in exchange for its clean-up of the property. The order presented was a result of an October 9, 2012 offer from the Board to the city. If the board approved, both the order and deed would need approval. Commissioner Elfering requested information on the property characterization the valuation and the process applied and Connie Caplinger explained the tax foreclosure process to him. **Commissioner Doherty, in the matter of conveying to the City of Athena property acquired as a result of delinquent property taxes, moved adoption of Order Number BCC2013-006. Commissioner Elfering seconded. The motion carried 3-0.**

5. **EOTEC Authority Board Appointments:** Connie Caplinger reported that the board interviewed 4 candidates during December and that the selection was a long process due to the difficulty in scheduling the interviews. All the candidates were well qualified and she spoke to all the candidates the previous day and thanked them for their participation in the process. She then spoke to Mr Puzey who was very enthusiastic. Commissioner Givens commented that it was a very tough decision as all the candidates were exemplary and met the criteria. The selection process became a balancing act as to who reached the criteria most thoroughly. Commissioner Doherty commented that he had been through the selection process numerous times and that the most recent was the most protracted and thoughtful ever. Commissioner Elfering added that it was a very deliberate process and noted that all the candidates were very talented and well qualified. **Commissioner Elfering, in the matter of appointment of Kim S. Puzey to the Eastern Oregon Trade and Even Center Authority Board of Directors, moved approval of Order Number BCC2013-007. Commissioner Doherty seconded and the motion carried 3-0.**

6. **Hospital Authority Board Appointments:** Commissioner Givens reported he was termed out of the Board and could no longer serve. Commissioner Doherty commented that the commissioners were already aware that the persons under consideration were Susan L Bower, Commissioner Elfering and Glen Chowning and that he was prepared to make a motion. **Commissioner Doherty, in the matter of appointment of Susan L. Bower, William J. Elfering and Glenn S. Chowning to Board of Directors of Hospital Facility Authority, moved adoption of Order Number BCC2013-009. Commissioner Elfering seconded. The motion carried 3-0.**

7. **Authorization to purchase vehicle:** Connie Caplinger reported that this item was deferred to a future meeting as there was no documentation available as yet. The board briefly discussed the authorization for the vehicle management plan for the law enforcement department at the previous meeting. The committee developing the plan took it back and performed some restructuring. It was believed that county counsel's intent was to re-authorize the policy and return this item to the agenda following that action.

8. **AWERE Appointments:** Commissioner Elfering, in the matter of appointment of John M. Shafer to the Athena-Weston Education and Resource Enhancement (AWERE) Board, moved approval of Order Number BCC2013-004. Commissioner Doherty seconded with a question regarding the effect the reappointment of David Lynde would have on the appointment of his replacement. Connie Caplinger explained that the appointment of John Shafer would be treated as though Dave Lynde had resigned, making John Shafer eligible for reappointment without waiver by the board. **The motion carried 3-0.**

9. **Budget Committee:** Commissioner Doherty reported that following the two term limit principle for the committee members meant that since Chet Prior served 6 years, he was termed out. Nancy Mabry was recommended as his replacement in order to try to keep a geographical balance within the committee and Nancy would fill the west county position. **Commissioner Doherty, in the matter of appointment of Nancy A. Mabry to the Umatilla County Budget Committee, moved adoption of Order Number BCC2013-008. Commissioner Elfering seconded and the motion carried 3-0.**

**New Business:** None.

**Public input:**

Tim Guild commented that the Cold Springs Loop matter was occurring again and related the history of the matter to the board. He stated that he spoke with the Sheriff Elect and provided the documents that the Board was provided. He recently asked the camp to close the gate again. It was eventually closed, but recently the camp re-opened the gate and asked the groomer to go through. He claimed that the snowmobile club had no insurance and that the riders pass "right next to house - .4 of a mile," from it. The Sheriff-Elect would look into the reports. He added that he appreciated the Board's help and repeated his claim that he could not obtain liability insurance because of the snowmobile club's trail and that it was using ORS 821.010 and 020 to circumvent the problem. Commissioner Givens stated that he would check with the Sheriff Elect. Commissioner Doherty asked if the resolution that was worked out before was on the table, would your position be that you were in agreement and none of this would be occurring? Tim Guild stated that he refused to deal with Tim Roberts and would rather deal with Terry Rowan. Commissioner Elfering commented that as Tim Guild was presenting materials, he would request copies of the letters that were received

from Mr. Guild's insurance company where the company stated that it could not provide liability insurance.

**Tom Glover on the Walla Walla Metropolitan Planning Organization:** Tom Glover stated that he was reporting on and checking for the sign off on the agreement with the board. Commissioner Doherty moved to continue the Walla Walla Metropolitan Planning Organization hearing to January 16, 2013. Commissioner Elfering seconded. The motion carried 3-0.

**Commissioners reports:**

Commissioner Givens commented that with his colleagues' approval he would go to the briefing at the emergency operations center related to the bus accident and brief them on the status afterward.

**Scheduling of Next Meeting:** The next meeting will be held January 16, 2013.

**ADJOURNMENT**

Commissioner Elfering moved to adjourn the meeting. Commissioner Doherty seconded and the motion carried 3-0. The meeting was adjourned at 9:53 a.m.

Respectfully submitted,

Laura Headley  
Executive Secretary  
Umatilla County  
Board of Commissioners