

**MINUTES**  
**UMATILLA COUNTY BOARD OF COMMISSIONERS**  
Board of Commissioners' Meeting of November 25<sup>th</sup> and 26<sup>th</sup>, 2013  
9:00 a.m., Room 114, County Courthouse  
Pendleton, Oregon

Monday, November 25, 2013

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**COMMISSIONERS PRESENT:** Bill Elfering, Vice Chair

**COUNTY COUNSEL:** Excused

**MEMBERS & GUESTS PRESENT:** Bob Heffner

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**CALL TO ORDER**

The meeting was called to order at 9:00 a.m. Vice Chair Elfering reminded all present that the meeting was a public forum and announced that the meeting would be continued to Tuesday, November 26, 2013 at 9:00 a.m. in Room 114 of the Pendleton Courthouse due to the lack of a quorum at the present meeting.

The meeting was recessed at 9:01 a.m.

Tuesday, November 26, 2013

**Reconvened Board of Commissioners Meeting**  
**Tuesday, November 26, 2013**  
**9:00 a.m., Room 114, County Courthouse**  
**Pendleton, Oregon**

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**COMMISSIONERS PRESENT:** Larry Givens, Chair; Bill Elfering, Vice Chair

**COUNTY COUNSEL:** Doug Olsen

**MEMBERS & GUESTS PRESENT:** Bob Heffner, Umatilla County Budget Officer; Kim Weissenfluh, Umatilla County Youth Services Program Manager; Phil Wright, East Oregonian Reporter; Mark Royal, Umatilla County Community Justice Department Director; Daniel Primus, Umatilla County District Attorney; Neal Simpson, Round Up Athletic Club Director

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**Reconvene Meeting:** Chair Givens reconvened the meeting at 9:03 a.m. and reminded all present that the meeting was a public forum. He took note of the quote from Will Rogers at the bottom of the agenda. “[e]ven if you are on the right track, you’ll get run over if you just sit there,” and commented that Oregon State University Ed Ray used it during his presentation at the AOC conference.

## BUSINESS ON AGENDA

**Approval of Minutes:** None

**Additions to the agenda:**

EOTEC office building discussion

**Public Input:** None.

**Consent Agenda:** None.

**Agenda Items:**

1. **Update fund structure guidelines:** Bob Heffner reported that the update was necessary due to standards changes within the Government Accounting Office. The changes were intended to help improve reporting accuracy by bringing process into alignment with the GAO's practices. Commissioner Givens commented that the intent behind the standards was to keep governmental entities from hiding money. Bob Heffner responded that could be said of the purpose. **Commissioner Elfering, in the matter of establishing fund structure guidelines for the financial account of county resources and expenditures for FY 2013-2014, moved approval of Order Number BCC2013-091. Commissioner Givens seconded. Commissioner Elfering and Commissioner Givens voted in favor of the motion and the motion carried 2 to 0.**
2. **Appointment to Planning Commission:** Commissioner Givens commented that both candidates were very good and it was a difficult decision between them. Commissioner Elfering agreed. **Commissioner Elfering, in the matter of appointment of Cecil R. Thorne to Umatilla County Planning Commission, moved approval of Order Number BCC2013-090. Commissioner Givens seconded and both Commissioner Elfering and Commissioner Givens voted in favor of the motion. The motion carried 2 to 0.**
3. **CCO Advisory County Appointment:** Commissioner Givens commented that the appointment was for two additions to the council. **Commissioner Elfering, in the matter of appointments to the Umatilla County Local Community Advisory Council to Eastern Oregon Coordinated Care Organization, moved approval of Order Number BCC2013-089 appointing Heidi Eidler and Albert J. Plute. Commissioner Givens seconded and commented that Commissioner Murdock supported the appointments. Commissioner Elfering and Commissioner Givens voted in favor of the motion and the motion carried 2 to 0.**
4. **Supplemental budgets:** Commissioner Givens opened the public hearing at 9:12 a.m. Bob Heffner presented the staff reports as related below for each supplemental budget. Commissioner Givens opened the floor at 9:16 a.m. for public comment, and hearing none, closed the floor within the minute.
  - a. **Community Service and CCF, Budget Order 2014-18:** Bob Heffner reported that the state dissolved the Commission on Children and Families and the supplemental budget was necessary in order

to effect adjustments to the appropriations for the programs served by CCF. **Commissioner Elfering, in the matter of adopting a supplemental budget pursuant to ORS 294.473 for the fiscal year ending June 30, 2014, moved adoption of Budget Order 2014-18. Commissioner Givens seconded. Commissioner Elfering and Commissioner Givens voted in favor of the motion and the motion carried 2 to 0.**

b. **Youth Services and CCF, Budget Order 2014-19**: Bob Heffner reported that the supplemental budget for youth services and CCF was presented for the same reason as the Community Service and CCF supplemental budget and was part of the dissolution of the commission. **Commissioner Elfering, in the matter of adopting a supplemental budget pursuant to ORS 294.473 for the fiscal year ending June 30, 2014, moved approval of Budget Order 2014-19. Commissioner Givens seconded and Commissioner Elfering and Commissioner Givens both voted in favor of the motion. The motion carried 2 to 0.**

c. **Mediation Services, Budget Order 2014-20**: Bob Heffner reported that the program learned that it needed to maintain its fee revenue in a separate account. So, in preparation for closure of the general fund program, a supplemental budget was necessary to establish a separate fund. **Commissioner Elfering, in the matter of a resolution adopting a supplemental budget pursuant to ORS 294.473 for the fiscal year ending June 30, 2014, moved approval of Budget Order 2014-20. Commissioner Givens seconded. Commissioner Elfering and Commissioner Givens each voted in favor of the motion. The motion carried 2 to 0.**

d. **Corps of Engineers, Budget Order 2014-21**: Bob Heffner reported that an oversight in classifying personnel costs in the previous year caused a larger than expected cash carryover. The grantor will allow the correction to be made in the current year, which requires a supplemental budget. **Commissioner Elfering, in the matter of a resolution adopting a supplemental budget pursuant to ORS 294.473 for the fiscal year ending June 30, 2014, moved approval of Budget Order 2014-21. Commissioner Givens seconded and Commissioner Elfering and Commissioner Givens each voted in favor of the motion. The motion carried 2 to 0.**

5. **Authorizing additional time for position to full time – Youth Services**: Mark Royal reported that the request to incrementally move an employee from part time to full time was partially the result of the impending retirement of another employee and of the development of a truancy program within youth services. The program was intended to intervene with youth before delinquency became entrenched. The employee would move to 32 hours per week in January when the truancy program was to begin operations and, as of March 1, 2014, he would move into a full time position.

In January, the truancy program focus would begin in Pendleton, which was why an employee would be needed at 32 hours per week by then. There were additional funds available for the program and staffing.

Commissioner Elfering asked if there was no truancy program in the past. Kim Weissenfluh replied that there was not, but that the goal of the program was to work toward reduction of, and elimination of, delinquency. Truancy was the first step toward delinquency and the supportive programs used in conjunction with the truancy program were geared toward teaching the families of truant students and the students necessary life skills to discourage truancy.

Commissioner Givens commented that truancy was not a new problem. Kim Weissenfluh added that the schools, especially Hermiston, were in the practice of citing the parents of truants. Those cites were handled through the municipal courts, but there was no case management piece to work toward eliminating the truancy. Fines alone were not helping to eliminate the problem.

Commissioner Givens commented that the worst part, in his experience, was not being able to get hold of the parent and he hoped the program would engage the parents. Kim Weissenfluh commented that the program hoped to also engage the kids.

Commissioner Givens added that he noted that the problem was especially prominent in the west and north ends of the county where a large part of the population consisted of migrant workers. Many of the families would leave for the holidays to visit home, resulting in students' absence from Thanksgiving to February. He noted that most school districts had a policy of dis-enrolling a student after 10 absences.

Commissioner Elfering commented that he hoped to see a more complete presentation on the program. Kim Weissenfluh stated that by April 1, they expected to have more structure developed on the prevention process. Mark Royal added that they had identified the number of kids in the county who were truant at about 1% of the student population, which was significant.

Kim Weissenfluh commented a 1% reduction in students equaled a \$900,000 reduction in funding for the county's schools.

**Commissioner Elfering moved to approve moving from a .5 FTE to a .8 FTE during the period of January 1, 2014 through March 31, 2014 and effective April 1, 2014 move to a 1 FTE. Commissioner Givens seconded. Commissioner Elfering and Commissioner Givens voted in favor of the motion and the motion carried 2-0.**

6. **Purchase server and work stations:** Dan Lonai reported that the two servers that powered records' programs, one for the database and one for the archives, were both reaching the end of their effective service. Dan Lonai reported that he would prefer to combine the two servers. Additionally, the elimination of support for the Microsoft XP operating systems in the spring would require that all the desktop systems in records be upgraded to Microsoft 7. Only one of the current desktop systems was upgradable, requiring the program to replace 6 of its 7 desktops. By merging the server functions onto one server, Dan Lonai reported that he was able to reduce the total cost of the upgrades and server replacement to just under \$16,000 from \$19,000. Commissioner Elfering asked if there would be additional software needed. Dan Lonai replied that the records program was written in house, but it was MS compatible. However, the upgrade to SQL license that would be necessary for that was included. **Commissioner Elfering moved to approve the purchase of a new server and workstations for the records office in the amount of \$15,803.67. Commissioner Givens seconded. Commissioner Elfering and Commissioner Givens each voted in favor of the motion. The motion carried 2 to 0.**

7. **Authorize copier lease for Veterans' Services Office:** Doug Olsen reported that the lease was being brought to the board due to the cost of the 5 year lease. Commissioner Elfering asked how many impressions the V.A. program went through. Doug Olsen replied that he did not have that information and that the machine proposed would produce 35 pages per minute. **Commissioner Elfering moved to approve the lease and authorize the chair to sign the purchase order. Commissioner Givens seconded and**

**Commissioner Elfering and Commissioner Givens voted in favor of the motion. The motion carried 2 to 0.**

8. **Request to place employee on part-time (Post-PERS request)**: Sheriff Rowan reported that the request was to hire Tim Roberts part time as a post-PERS employee. He reported that Tim Roberts had tendered his retirement papers as a result of changes in PERS. During their conversation about his retirement, the sheriff determined that Tim Roberts would be willing to return to manage the ATV and snowmobile patrol program for at least a year. This would be beneficial to the program because Tim Roberts had managed all aspects of the program for many years and had the necessary knowledge from the grant application and funding stream through the practical applications in the field. A portion of his wages as a full time deputy were funded by the ATV and snowmobile grants and that would continue, resulting in no reduction of funds available to the program. Further, finding qualified personnel for the ATV and snowmobile patrols was difficult due to the specialized training that was necessary.

Commissioner Givens asked if Tim Roberts was made aware of the rule restricting him to 1,039 hours per year. Sheriff Rowan confirmed that and noted that Tim Roberts might be called upon for other events from time to time, as well.

Commissioner Elfering commented that the retirement would move funding back into the departmental budget and that there some budget adjustments would be done. **Commissioner Elfering moved approval of the request to hire Tim Roberts as a post-PERS employee effective December 1, 2013. Commissioner Givens seconded. Commissioner Elfering and Commissioner Givens each voted in favor of the motion. The motion carried 2 to 0.**

9. **Authorization for reclassification – DA Office Assistant III**: Dan Primus reported that the employee had been in the office for five years and currently acted as the lead worker, training new office assistants. The reclassification would have the effect of moving into a range consistent with a competitive wage. The cost for the reclassification would represent an increase of about \$400 per month in wages plus another third of that in position costs, which would total approximately \$4,800 for the remainder of the fiscal year. That would be covered by the savings from the position vacancy since the beginning of the fiscal year.

Commissioner Givens asked if the duties would change. Dan Primus answered that she would be doing similar work, but instead of working for one supervising attorney, she would be dealing with 4 supervising attorneys. Commissioner Givens commented that the request seemed to be part of the restructure and noted that the department was still one employee short of a full work group.

Commissioner Givens asked if the funds were in the budget. Boh Heffner stated that the District Attorney's office was well within its budget.

Commissioner Givens asked if there was any issue with the reclassification taken out of the usual order, since the past policy was to entertain reclassifications only in the early spring. Doug Olsen replied that he saw no real issue as other reclassifications had been addressed out of season as well. Commissioner Givens commented to Doug Olsen that it would be a good idea to review the old reclassification policy.

**Commissioner Elfering moved authorization for reclassification of Office Assistant III Range 12 to Office Assistant IV Range 16. Commissioner Givens seconded. Both Commissioner Elfering and Commissioner Givens voted in favor of the motion and the motion carried 2 to 0.**

**Other Discussion:**

**Public Input:** Neal Simpson, who missed the public input portion near the beginning of the meeting, asked if he could address some concerns brought up by the East Oregonian's weekend article about EOTEC. Specifically, he expressed concern over the last page of that article where it implied that the fair and rodeo were not getting the buy in that was needed for them. He felt that the event center was becoming the driver for the project rather than relocation of the fair and rodeo and that the event center would and should be Hermiston's project.

Commissioner Givens responded that he had not yet read the article, but that the EOTEC Board was run with 2 county representatives, 2 city representatives and 2 others. He added that the county owned an outstanding grant to replace an exhibition hall which it was allowed to carry to 2016. That hall was to be part of the grounds.

Commissioner Givens understood that it was the EOTEC Board's number one goal to move the fair and rodeo and, then, if they had the funds to expand the project, it would be done. He thought that the feeling was that the funding to move the fair and rodeo would be dedicated first and then add an event center. The commissioner also stated that the county did not intend to tax for the center.

Neal Simpson commented that EOTEC would be going head to head with the TRAC Center, which operated upside down at a \$1 million contribution annually from Benton County. Commissioner Elfering pointed out that the TRAC Center went into operation with a bond debt load which adds significantly to its costs. He added that the consultants had indicated what events would be sufficient to support the center but that the fair and rodeo would come first. He had attended the meetings with the consultants and the information from them would indicate that the event center was a viable option to consider.

**Truancy program:** Neal Simpson commented that, with respect to the development of a truancy program, he had some conversation about the eventuality and offered that the Round Up Athletic Club would be interested in acting as a partner for the program. He was thanked for the offer.

**EOTEC office/mobile shelter unit:** Doug Olsen reported that the heat pump for the EOTEC office had failed, and although the facility had heat at the moment, the air conditioning would not run without the heat pump. The EOTEC Board had two bids for the repair of the system, both around \$4,000. The facility was leased to the board as is with EOTEC responsible for the upkeep. The EOTEC Board was requesting half the cost to repair the system, roughly \$2000.

Commissioner Givens commented that he was disinclined to agree to share because the board already received the unit with no rental charge.

Commissioner Elfering commented that when the building again became available, it would have more value if it were kept up and asked what the original purpose of the unit had been. Doug Olsen replied that, since the end of the CSEP Program, it was used for storage.

Commissioner Givens agreed that it was better to maintain the value of the property. **Commissioner Elfering moved to expend \$2,000 to assist the EOTEC Board in the repair of the heating and cooling system in the mobile shelter unit used as the EOTEC offices. Commissioner Givens seconded and Commissioner Elfering and Commissioner Givens both voted in favor of the motion. The motion carried 2 to 0.**

**Parking spaces:** Doug Olsen reported that the EOTEC Board requested permission to use the two parking spaces allotted to them to extend the parking area onto the land next to their office unit. They proposed to clear enough space and add gravel to add five parking spaces.

Commissioner Givens was supportive of the proposal because it would also add to the fire buffer surrounding the Stafford Hansell Building.

Commissioner Elfering commented that there seemed to be no negatives to the proposal and that the project would balance the \$2,000 the county agreed to contribute to the heating and cooling system repairs. **Commissioner Elfering moved to approve EOTEC's request to utilize its two existing parking spaces for improving the parking near the EOTEC offices. Commissioner Givens seconded. Commissioner Elfering and Commissioner Givens each voted in favor of the motion and the motion carried 2 to 0.**

#### **Commissioners' reports:**

**Commissioner Elfering:** The commissioner reported that while at AOC Conference, he focused on the law enforcement and water policy forums.

Commissioner Elfering reported that the senate was expected to present a piece of legislation on legalization of recreational use of marijuana. The legislation looked to be poised for passage. There were, apparently two initiatives that Senator Prozanski said he wanted to put a referendum to the public to allow the legislature to write the bill rather than an outside source which can get rather confusing. Apparently the indication would be that it would still have a local option allowing counties and municipalities to opt out of the law. The marijuana program was expected to be managed by the OLCC. He believed, if the proposal came to a general election, that eastern Oregon would not support it.

Commissioner Elfering noted that at the forest session he attended, the presentation was very one-sided with 1 forest service representative and a conservationist leading the discussion. Commissioner Givens commented that the legislative committee heard complaints about that presentation and there was some discussion in the legislative committee about making sure that both sides of issues were presented.

Commissioner Elfering reported that there was not much new on the water process. CRUST was to continue.

He noted that there was a new leadership program for those who had completed County College and he expected that all three of the commissioners would enroll.

**Commissioner Givens:** The commissioner reported that the Energy and Environment Committee discussed the initiatives that were proposed to move hydro power into the renewable portfolios. The proposal

created great concern from CREA, who proposed a resolution opposing adding hydro power to the portfolios.

The Energy and Environment Committee passed it to the legislative committee along with a resolution supporting federal HR1522 and SR1612 which would provide relief to those homeowners whose property rights were grandfathered in the flood plain areas as recently designated by FEMA. Those resolutions would keep the existing homeowners' flood insurance premiums at current rates, the average being \$300 per year, rather than increasing them based on the new flood plain map designations which would increase those premiums to approximately \$12,000 per year for many.

The resolution supporting the federal resolutions passed unanimously and the resolution opposing adding hydro power to the renewable portfolio was tabled.

The governor's proposed consolidation of many of the state's boards and commissions into the solutions teams included a proposal to extend compensation to the remaining board and commission members.

**Election of Commissioner Givens to AOC 2<sup>nd</sup> Vice President:** Commissioner Elfering reported that Commissioner Givens had been elected to the position of second vice president of the Association of Oregon Counties and added his congratulations.

**Calendar review:** There was a brief review of the calendar for the remainder of the week. The senior managers' meeting of November 27, 2013 was cancelled. No commissioners would be available on Wednesday, November 27, 2013. The following week's calendar was reviewed and Commissioner Elfering announced that he would be adding a collaborative meeting between the district attorney and sheriff in the near future, similar to that between planning and economic development. Commissioner Givens announced that he would not be able to attend the Milton-Freewater Head Start Open House due to the NEACT meeting in La Grande.

**Scheduling of Next Meeting:** The next meeting will be held December 4, 2013.

## **ADJOURNMENT**

The meeting was adjourned at 10:33 a.m.

Respectfully submitted,

Laura Headley  
Executive Secretary  
Umatilla County  
Board of Commissioners