

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS
Board of Commissioners' Meeting of December 18, 2013
9:00 a.m., Room 114, County Courthouse
Pendleton, Oregon

COMMISSIONERS PRESENT: Larry Givens, Chair; Bill Elfering, Vice Chair;
George Murdock, Commissioner

COUNTY COUNSEL: Doug Olsen

MEMBERS & GUESTS PRESENT: Bob Heffner, Umatilla County Budget Officer;
Robert Pahl, Umatilla County Finance Officer; Janet Jones, Umatilla County Public Health
Community Health Systems Developer; Gina Miller, Umatilla County Code Enforcement Assistant;
Cameron Anderson, CPA, Barnett & Moro, Umatilla County Auditor; Jennifer Blake, Umatilla
County Pay and Benefits Specialist; Tamra Mabbott, Umatilla County Land Use Planning Director

CALL TO ORDER

The meeting was called to order at 9:01 a.m. Chair Givens reminded all present that the meeting was a public forum.

BUSINESS ON AGENDA

Approval of Minutes: The minutes of the Board of Commissioners Meeting of August 1, 2013 were presented for approval. Commissioner Elfering moved to approve the minutes of August 1, 2013 as written. Commissioner Murdock seconded. The motion carried 3-0 with Commissioner Murdock, Commissioner Elfering and Commissioner Givens each voting in favor.

Public Input: None.

Agenda Items:

1. **Supplemental Budgets (3) - Public Hearing:** Commissioner Givens opened the public hearing at 9:03 a.m. Bob Heffner presented the staff report as related below for each supplemental budget. Commissioner Givens opened the floor for public comment at 9.06 a.m. and hearing none, closed the floor at 9:06 a.m.
 - a. **CYF Flex Program, Budget Order 2014-26:** Bob Heffner reported that funds were to be carried over to the current fiscal year instead of closing them out from the previous year because they were state

generated grant funds and not part of the general fund. This action required an increase which was supported by the cash carryover. **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 2014-2. Commissioner Murdock seconded. Commissioner Elfering, Commissioner Murdock and Commissioner Givens all voted in favor of the motion, which carried 3-0.**

b. **Community Services Development Reserve Fund, Budget Order 2014-27:** Bob Heffner reported that the fund received an additional increase in state funding requiring a supplemental budget. **Commissioner Murdock, in the matter of a resolution adopting a supplemental budget pursuant to ORS 294.473 for the fiscal year ending June 30, 2014, moved for adoption of Budget Order 2014-27. Commissioner Elfering seconded. The motion carried 3-0 with Commissioner Murdock, Commissioner Elfering and Commissioner Givens each voting in favor.**

c. **Juvenile, Budget Order 2014-28:** Bob Heffner reported that the juvenile program was receiving several new grant streams in response to the state’s reorganization. Commissioner Murdock asked if the money was from the juvenile development fund. Bob Heffner confirmed that the funds were from juvenile development. **Commissioner Elfering, in the matter of a resolution adopting a supplemental budget pursuant to ORS 294.471 for the fiscal year ending June 30, 2014, moved approval of Budget Order 2014-28. Commissioner Murdock seconded. Commissioner Murdock, Commissioner Elfering and Commissioner Givens each voted in favor of the motion which carried 3-0.**

2. **Ratification of UCLEA contract:** Doug Olsen reported that the county and the association had reached a tentative agreement on a three year contract going through 2016. Some aspects of the contract would be retroactive and the fiscal impacts were outlined in the memorandum circulated to the commissioners with the proposed contract. Commissioner Givens asked for the fiscal impacts. Doug Olsen replied that the current fiscal year terms matched the county’s other contracts. There were new special incentive pays in the contract. **Commissioner Elfering moved for ratification of the new UCLEA contract for the years 2013 through 2016. Commissioner Murdock seconded. Commissioner Elfering, Commissioner Murdock and Commissioner Givens all voted in favor of the motion which carried 3-0.**

3. **Appointment to Hospital Authority Board, Order No. BCC2013-098:** Commissioner Murdock moved for appointing Beth M. O’Hanlon and James W. Wallis to the Umatilla County Hospital Authority Board, effective January 1, 2014 and expiring December 31, 2016. Commissioner Elfering seconded. Commissioner Murdock move to amend his motion to include approving Order Number BCC2013-098. Commissioner Elfering seconded. Commissioner Elfering, Commissioner Murdock and Commissioner Givens each voted in favor of the motion. The motion carried 3-0.

4. **Appointment to Eastern Oregon Human Services Consortium, Order No. BCC2013-097:** Commissioner Murdock in the matter of appointment of the Umatilla County representative to the Eastern Oregon Human Services Consortium Board, moved adoption of Order No. BCC2013-097, which appointed Carolyn Mason, Umatilla County Human Services Director, to the board until further order. Commissioner Elfering seconded. The motion carried 3-0 with Commissioner Elfering, Commissioner Murdock and Commissioner Givens each voting in favor.

5. **Comprehensive Fee Amendment, Ordinance No. 2013-10:** Doug Olsen reported that the changes to the fee ordinance for the first reading of the fee amendment came from public health because the department learned that environmental health would need to license facilities for all entities, including schools and events as a result of the state's legislation. This will increase the number of entities required to submit to inspection. The proposed amendment also increased from non-profit license fee to \$34, both annual and temporary. The department was asking to begin charging for not for profit licenses for special events to cover costs. The inspection and fees for the program would cover the cost to the county for the inspection. Commissioner Murdock commented that some of the changes resulted from the reorganization of the education department. Commissioner Elfering asked if that would result in fees for donut and coffee services after church. Doug Olsen responded that the inspection and fees would apply only if the event was a fund raiser and open to the public. Commissioner Murdock referred to the Senate Bill that predicated the changes to the fee ordinance and noted that the county protested the changes. Commissioner Givens commented that had Senator Hansell known the reaching effects of the bill, he likely would not have supported it. Doug Olsen stated that the action required of the board was to hold the first reading of the ordinance and to set the second reading, which could be done at the next board meeting. Commissioner Murdock suggested that there be some discussion of the applicable Senate Bill. **Commissioner Murdock performed the first reading of Ordinance Number 2013-10, reading it by title only and moved to set the second reading on January 2, 2014 in Room 114. Commissioner Givens opened the floor for public comment at 9:21 a.m. and hearing none closed the floor at 9:21 a.m. Commissioner Elfering seconded.** Commissioner Givens suggested that if Commissioner Murdock would prefer to be present, it could be sent for the second meeting of January on the 14th. Commissioner Murdock declined. **Commissioner Elfering, Commissioner Murdock and Commissioner Givens each voted in favor of the motion, which carried 3-0.**

6. **Ordinance to prohibit smoking & tobacco use on county property, Ordinance No. 2013-11:** Janet Jones reported that the smoking/tobacco ban was to be phased in with the target date of all smoking prohibited by March 1, 2014, and all tobacco use prohibited as of July 1, 2014. Commissioner Givens asked how to monitor and police the policy. Janet Jones explained that the start of the process would be to address the new ordinance with the senior managers who would be charged with ensuring it trickled down to staff. The program would offer assistance in quitting. However, just like any other ordinance, since it was only on county property, it would not be necessary to inspect people for the process. Jennifer Blake expressed some concerns about enforcement of the ordinance. Janet Jones replied that was why assistance was to be offered in learning how to encourage compliance. Commissioner Givens commented that the ordinance would also have to be incorporated into personnel policy. Doug Olsen added that the personnel policy would also be updated so that staff would be subject to discipline for a violation. Commissioner Givens asked if that meant that the county would go the full gamut in disciplining a staff member who violated the ordinance or policy. Doug Olsen commented that it was more likely that the employee would need to start with a plan of assistance. Commissioner Givens commented that the ordinance would be a way to address a health issue within the county structure. Janet Jones added that it provided real room for education. **Commissioner Murdock performed the first reading of the ordinance by title and number for Ordinance No. 2013-11 and moved to set the second reading on January 2, 2014 in Room 114 at 9:00 a.m. Commissioner Elfering seconded. The motion carried 3-0 with each Commissioner Murdock, Commissioner Elfering and Commissioner Givens voting in favor.** Commissioner Givens commented that it would be set for January 2nd, adding that smoking contributed to the second leading cause of death, heart disease.

7. **Road sign order, Order No. RD2013-03:** Doug Olsen reported that the order was to place a stop sign to replace a yield sign at the intersection of Campbell and Fulton Roads. **Commissioner Elfering, in the matter of replacing a yield sign with a stop sign at the intersection of Campbell Road (County Road No.**

983) and Fulton Road (County Road No. 1006) approximately 4.5 miles north of the City of Pendleton, moved adoption of RD2013-03. Commissioner Murdock seconded. Commissioner Murdock, Commissioner Elfering and Commissioner Givens each voted in favor of the motion, which carried 3-0.

8. **Appointment to AWERE Board, Order No. BCC2013-099:** Doug Olsen reported that the order would be appointing Gerald W. Copeland and William S. Hansell to the board effective January 1, 2014 through December 31, 2014. **Commissioner Murdock moved adoption of Order No. BCC2013-099. Commissioner Elfering seconded. Commissioner Murdock, Commissioner Elfering and Commissioner Givens each voted in favor and the motion carried 3-0.**

9. **Temporary part-time employee:** Commissioner Murdock commented that he had read through the pinkie and would move to approve the creation of a temporary, part-time, hourly only, without benefits position working within the existing budget for the planning office. Commissioner Elfering seconded. Commissioner Givens asked whether the position would be contracted. Doug Olsen replied that the position would be part-time because it was very difficult to make a former employee an independent contractor. Commissioner Givens asked how the part time designation would affect benefits. Doug Olsen replied that there would be none. The hourly employees paid for their own PERS contributions. Commissioner Elfering asked if someone would explain the purpose of the position. Tamra Mabbott replied that the department needed assistance on the annual code update and that they were still waiting for final approval on the emergency plan as well as the work on aggregate quarry site. To have the former employee available in some capacity would ensure that the code was current with the updates to make them consistent with statute. Commissioner Elfering asked that if the position was a temporary part time one, was the department anticipating replacing the full time function. Tamra Mabbott stated that she would expect that once they started advertising the position, the part time function would be reevaluated and noted that she realized that budget approval was needed to continue if the part time position was to remain after the full time permanent position was filled. **Commissioner Murdock moved to approve the creation of the temporary, part-time position in the Planning Department; Commissioner Elfering seconded. Commissioner Murdock, Commissioner Elfering and Commissioner Givens each voted in favor and the motion carried 3-0.**

10. **Report on Highway 395 Focused Code Enforcement Project:** Tamra Mabbott introduced the report and update on the code enforcement focused program on Highway 395, which the Board approved August 21, 2013. Gina Miller presented a memorandum showing the time line for the project. Following approval 2 days later mailed letters to property owners from Punkin Center to Klaus Road along Highway 395 explaining the vision and objectives of the project. Staff conducted site visits and took photographs. Phone calls were received from some of the contractor businesses related to outdoor storage, and staff explained the code requirements. Additional site visits were made in September, with follow up letters approximately a week later to violations. On October 1 made a presentation to the Solid Waste Committee. Letters were sent to 114 properties. Some responded with phone calls to learn what was necessary to come into compliance, some made application for zoning permits. Disposal coupons were issued to 10 properties, with 2 being utilized to date. A remainder letter will be sent in January, in addition to thank you letters to those in compliance. In January one more day trip is planned to assess progress, with final notice to non-compliant property owners being notified in February, 2014. Learned two important things: 1. Lack of notice to occupants resulting from absentee owners; 2. Program should start in spring rather than fall to take advantage of better weather. Commissioner Elfering commended staff for the efforts made as part of the program. Gina Miller noted that there has been a very positive response. Tamra Mabbott added that the feedback has been pretty positive. The next step bigger hurdle would be to make changes to achieve a more professional look. Commissioner Murdock indicated that the City of Hermiston was encouraged the county attention to the

property outside its boundaries. **Commissioner Murdock moved to accept the report with appreciation to all of the staff; Commissioner Elfering seconded. Commissioner Murdock, Commissioner Elfering and Commissioner Givens each voted in favor and the motion carried 3-0.**

11. **Audit Report for Fiscal Year 2012/2013:** Cameron Anderson of Barnett & Moro, CPAs, presented the audit report for the fiscal year 2012/13. The audit included a week in July and in August. On page 6 of the auditor's report, changed the format to clarify standards and showing responsibilities. Page 7 includes opinion statement. On page 10 is the June 30 snapshot of county status net position, including \$75 million in capital assets, with unrestricted fund of \$11 million. Page 11 outlines the change in net position resulted in a decrease of \$4 million, resulting from the sale of the fairgrounds and transfer of funds to EOTEC. Page 12 sets out the overall government funds, showing cash status. Page 13 is the reconciliation. Page 14 is the government fund statement of revenues, which went down by \$1.7 million with the \$3 million transfer to EOTEC. The fund balance actually increased by \$500,000. There are not any internal control or financial assistant report deficiencies. Pages 143-44 report on the statement of compliance from review of two major programs for additional testing – Block grants substance abuse and Byrne grant programs. Letter is required to be presented to board, which has breakdown of the report and there is not anything that needs to be brought to the attention of the board. Robert Pahl thanked Cameron and staff, which have been good to work with during the audit. ; Commissioner Murdock noted that the audit report indicates that the fiscal management of the county has been doing good work, and in the production of a clean audit. Commissioner Givens extend appreciation to Robert Pahl and Bob Heffner. **Commissioner Elfering moved to move accept the audit report. Commissioner Murdock seconded. Commissioner Murdock, Commissioner Elfering and Commissioner Givens each voted in favor and the motion carried 3-0. Commissioner Murdock moved to acknowledge the efforts of the fiscal officers resulting in a clean audit, with a letter to that effect from chair; Commissioner Elfering seconded. Commissioner Murdock, Commissioner Elfering and Commissioner Givens each voted in favor and the motion carried 3-0.**

Commissioners' Reports:

Commissioner Elfering. He will attend the Christmas buffet at Community Justice, and then Jack Remillard and he will leave for the meeting in Portland

Commissioner Givens will be out for the afternoon due to illness

Other Discussion: None.

Scheduling of Next Meeting: The next meeting will be held January 2, 2014.

ADJOURNMENT

The meeting was adjourned at 10:31 a.m.

Respectfully submitted,

Laura Headley
Executive Secretary
Umatilla County
Board of Commissioners