

**MINUTES**  
**UMATILLA COUNTY BOARD OF COMMISSIONERS**  
Administrative Meeting of March 19, 2014  
9:00 a.m., Room 130, County Courthouse  
Pendleton, Oregon

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

**COUNTY COUNSEL:** Doug Olsen

**MEMBERS & GUESTS PRESENT:** Dr. Rudy Stefancik; Paul Chalmers, Director of Assessment and Taxation; Tom Fellows, Director of Public Works; Robert Pahl, Director of Finance; Dave Price, Blue Mountain Alliance; Cindy Severe, Blue Mountain Alliance; Mike Conners, Attorney on behalf of Space Age Fuels; Jim Dulcich, Attorney on behalf of TA/Petro.

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**CALL TO ORDER**

The meeting was called to order at 9:01 a.m. Chair Elfering reminded all present that the meeting was a public forum and read the Mission of Umatilla County.

**BUSINESS ON AGENDA**

Commissioner Givens wanted to let the public know the Board is using technology to improve the way things are done. He stated in the 8 years of being a Commissioner we have never done this but he would like us to start by recognizing why we are here today. Commissioner Givens asked Chair Elfering to lead us in the pledge of Allegiance.

The room stood and Commissioner Elfering led us in the Pledge of Allegiance.

**Approval of Minutes:** The minutes of the March 11, 2014 Board of Commissioners meeting were presented for approval.

**Commissioner Murdock moved to approve the minutes of March 11, 2014. Commissioner Givens seconded. Commissioner Murdock, Commissioner Givens, and Commissioner Elfering each voted aye. The motion carried 3-0.**

**Additions to agenda:** None

**Public Input:** None

**Agenda Items:**

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1. **Marijuana Dispensary Ordinance (continued):** Commissioner Elfering stated the Marijuana Dispensary ordinance needed continued to April 2, 2014.

**Commissioner Givens moved to continue the discussion on the marijuana dispensary moratorium to April 2. Commissioner Murdock seconded. Commissioner Murdock, Commissioner Givens and Commissioner Elfering each voted aye. The motion carried 3-0.**

Commissioner Elfering moved item 3 next due to Dr. Stefancik's need to be at another meeting.

2. **County Medical Examiner:** Commissioner Elfering explained due to Dr. Diehl's passing there is a vacancy in the position of County Medical Examiner. There is a need to appoint someone on an interim basis.

Doug Olsen stated the statute states that each county shall have a medical examiner.

Commissioner Givens stated the previous examiner in the position for 32 years. Commissioner Givens asked Doug if there are term limits set or standards. Doug Olsen stated the best practice would be to appoint someone under a personal services contract so there are guidelines for both parties. There are many options for term limits.

Commissioner Givens asked Doug if they can develop those while the interim is serving. Doug Olsen affirmed.

Dr. Stefancik stated he has discussed with State Medical Examiner Dr. Gunson. She explained to him that the nomination is made by the State Medical Examiner to the County Commissioners and then they vote on the nomination. He asked specifically about term limit to give some degree of independence to the medical examiner, so they could not be dismissed unless there were some extremely valid reasons. Dr. Gunson told him there are no term limits in the statute. He asked specifically how he could be removed. Dr. Gunson told him, essentially, if she gets complaints she speaks to the Commissioners about replacing the County Medical Examiner. It would be up to her to approve the removal or not. He suggested some contact between Dr. Karen Gunson and the Commissioners. Dr. Stefancik is more than happy to abide by what this body decides.

Doug Olsen stated he was not sure of the statutory basis for the comments from Dr. Gunson. Under the statute there is a County Medical Examiner and a District Medical Examiner. If it is a District examiner, the State Examiner does appoint with the County Commissioner's approval. He will check with the State for clarification.

Dr. Stefancik stated he had an addition to his resume. He is board certified in anatomical and clinical pathology. The anatomical covers the actual physical exam and microscopic part and the clinical covers the toxicology part.

Commissioner Murdock stated there are 2 issues at hand. One is the immediate need for an interim

appointment and the other would be a direction to Doug Olsen to prepare a recommendation for long term proposal.

**Commissioner Murdock moved to appoint Dr. Stefancik as the interim medical examiner for Umatilla County until a permanent solution is found. Commissioner Givens seconded. Commissioner Murdock, Commissioner Givens and Commissioner Elfering each voted aye. The motion carried 3-0.**

**Commissioner Murdock moved to direct legal counsel to prepare a recommendation for a permanent solution. Commissioner Givens seconded.** Givens assumes that includes a contract with a term limit to which Mr. Olsen affirmed. **Commissioner Murdock, Commissioner Givens and Commissioner Elfering each voted aye. The motion carried 3-0.**

Commissioner Murdock suggested the Board should thank Dr. Stefancik for his willingness to step in. Commissioner Elfering stated his service was appreciated.

Dr. Stefancik stated Dr. Diehl served for a long time. He feels it is a good idea for the Board to recognize his service in some form that his widow and children could have. Commissioner Elfering stated that certainly is a good recommendation for the Board to consider. Commissioner Givens recommends, by consensus, staff prepare a letter honoring and recognizing his service to be sent to the family. Commissioner Murdock agreed.

3. **Blue Mountain Alliance:** Dave Price reported he is representing Blue Mountain Alliance. He really appreciates the time given to discuss their concern. The relationship of the Board in the role of special advisory group with Energy Facility Siting Committee. BMA and the people of Umatilla County appreciate the expense and time put into revising the County ordinance 152.616HHH, which deals with permitting process for wind projects in Umatilla County. The County has a big investment in the “new rule” BMA has a large investment as well. The ordinance revision came from a concern for siting of past wind projects in Umatilla County. Over the process of time issues developed that needed addressed in the ordinance. Anything that takes that much effort and expense is considered a valuable asset.

Mr. Price stated the Blue Mountain Alliance is concerned about the process of EFSC siting projects in Umatilla County and how the new rule fits into this processes. The Special Advisory Committee, the Board of Commissioners, recommends the applicable substantive for wind projects being issued by EFSC.

The wind situation today is fairly quiet. There are quite a few requests by wind industries for an extension of time, mostly due to the economic situation. Should the situation change they will be in a position to move forward fairly quickly. The latest Land Use Board of Appeals decision, Hatley vs. Umatilla County, demonstrated the importance of SAC’s roll in the siting process.

Two issues really floated to the top in the update of the ordinance, the 2 mile setback and the Walla Walla Watershed. The Walla Walla Watershed became an important issue and the concerns ranged from water quality to critical habitat for threatened and endangered species. It resulted in setback

requirements from critical fish habitat and restrictions on highly erodible soils as it all relates to the water quality issue. Cindy Severe has information to present on the 2 mile setback.

Cindy Severe thanked the Board for their time today. She reported her presentation is scientific data and not an opinion. She believes the SAC should have this information. She thanked the Board of Commissioners for the extraordinary dedication to seeing the new wind siting ordinance to fruition. She thanked to Commissioners Givens and Doherty for having the wisdom to legislate the 2 mile set back ordinance in 2011. She thanked the planning commission as well. In 2011 Commissioners heard voluminous testimony from both sides. Residents were overwhelmingly in favor of the 2 mile setback from wind turbines. The wind industry was not. The stance of wind industry is wind turbines are not a danger to public health and safety. The decision to legislate the 2 mile setback was the correct decision for resident's safety. The Board of Commissioners is mandated by ORS as the Special Advisory Group. As the SAC, the Board's job is to recommend applicable substantive criteria to EFSC. Oregon Administrative Rule 345-022-0030 Land Use 2B3 reads the applicable substantive criteria are criteria from the affected local government's acknowledged comprehensive plan and land use ordinances that are required by the statewide planning goals and that are in effect on the date the applicant submits the application. If the special advisory group recommends applicable substantive criteria, as described under OAR 345-021-0050, the Council shall apply them.

She is submitting documents not already in the record for the 2011 wind siting record. This documentation confirms setbacks from turbines are in the best interest of public health and safety. Submitted are 2 documented studies; one document on Wind shear; one wind industry document; a copy of Oregon Administrative Rule 340-035-0035 or better known as the DEQ noise rule; and an article examine the current noise software use by the wind industry. The first document is "A proposed metric for accessing the potential of community noise from wind turbine low frequency noise emissions" commissioned by the US Department of Energy and presented at a wind power expo in San Francisco, CA in 1987. It is over 28 years old and has been challenged repeatedly by the wind industry. It concluded low frequency noise is a danger to human health and safety. It has never been successfully refuted it.

Commissioner Elfering requested she hand the documents to the Board so they may review as she reads. Ms. Severe did so.

Ms. Severe continued. The second document is called "A cooperative measurement survey an analysis of low frequency and infrasound at the Shirley Wind farm in brown county Wisconsin. It was commissioned by the State of Wisconsin Public Utilities Commission. Its authors are 4 experts in the field Channel Island Acoustics; Hessler Associates Incorporated; Rand Acoustics and Shomer and Associates Incorporated. The study was released December of 2012. The study was commissioned because several homes were abandoned during the project. People could not sell their homes and could not live in them either. The study concluded all 4 acoustic firms in agreement that low frequency noise was present in homes at the Shirley wind Farm with the abandoned homes at the highest level. Health issues were also documented.

Document 3 titled “Problems related to the use of the existing noise measurement standards when predicting noise from wind turbines and wind farms”. This documents authors are turbine manufacturer Vestas, and wind energy companies Bonus Energy and Delta. Generated in 2004. Conclusion was International Electro-technological Commission 61400-11 model based on the International Organization for Standardization 96132 model which is what the World Health Organization uses for human health and safety on noise. It is not validated for measuring turbine noise. Noise data is flawed due to restrictive parameters of the model. Final noise prediction for a wind project siting is without certainty when the IEC 61411 model is used.

Document 4 is the DEQ noise rule. As you will see the noise rule is currently used by EFSC. That is the IEC 61400-11 model when siting projects in Oregon. Great concern since Vestas and Bonus Energy Project stated it was a problem. Also, the Computer aided noise abatement software (CADNA/A) the wind industry uses for noise prediction and noise modeling maps is also not validated for measuring turbine noise as it is based on the ISO 9613 ground test standard. The inventor of the software has confirmed the measurement of wind turbine noise is out of parameters of the software. In 2011 the Commissioners had the noise modeling map supplied by Iberdrola.

Document 5 is titled “Neglect of wind shear in assessing long range propagation of wind turbine noise”. Its author is a retired nuclear scientist. The slide has diagrams showing how the ISO 9613 ground test model is not effective measurement for wind turbine noise. Low frequency noise travels faster and is generated above parameters of the ISO standard. It is 30 meters and below and does not account for turbulent wake or wind shear. This will continue to be a problem as they use these parameters for noise modeling. In 2011 the wind industry insisted the DEQ noise standard was adequate protection for Umatilla County residents. We now know that is not true. With legislating the new ordinance of the 2 mile set back, the County Commissioners will not find themselves in the position the Morrow County court has with noise violations and law suits that occurred at the Willow creek project.

Ms. Severe concluded by stating she was impressed that the Commissioners had the foresight to avoid this sort of fiasco in this county. These documents expressly recommend setbacks in protection of public health and safety. She thanked the Commissioners again for their work.

Dave Price wrapped it up by stating the information given today will hopefully be of use to the Board with future projects. They want to protect the new rule and make sure it is part of the siting process. Problem might come if EFSC does not accept the Board’s substantive criteria. If that should happen, BMA is willing to participate and support the criteria.

Commissioner Givens thanked the Blue Mountain Alliance for the presentation. It has been a long and contentious battle. He stated the legislature recently passed a law to develop a task force advisory committee for EFSC’s rule making. He asked Tamra Mabbott if that was the correct wording. Tamra Mabbott stated she was not sure where the process is on the ruling. Commissioner Givens stated he has not heard from the Department of Energy or EFSC since it was passed and he is trying to stay on top of it.

Commissioner Givens continued that the Board appreciates and understands the role of Blue Mountain Alliance and will be looking out for the interest of all citizens. Dave Price stated he is on the committee and there has not been any information since last September.

Richard Jolly with BMA stated they attended many EFSC meeting recently and the Department of Defense had four attorneys present and they did not meet the timelines set forth by EFSC. They are now in a contested case status over the radar and security in these projects. A newer project is siting and having radar issues as well. BLM, the national parks service and fish and wildlife have issues as well. BLM sited a 10 mile setback for some of their areas. EFSC is finally starting to take a look and using the accumulated effects.

4. **Pup trailer:** Tom Fellows stated this was continuing the equipment updating. It is a nice unit and meets the needs of the department.

**Commissioner Givens moved to authorize the purchase of the used End Dump Pup trailer in the amount of \$10,500. Commissioner Murdock seconded. Commissioner Givens, Commissioner Murdock, and Commissioner Elfering each voted aye. The motion carries 3-0.**

5. **Board of Property Tax Appeals:** Commissioner Murdock stated the Board of Property Tax Appeals met, deliberated and concluded its work.

**Commissioner Murdock In the matter of acceptance of summary of actions by Board of Property Tax appeals, moves to adopt BCC2014-017. Commissioner Givens seconded. Commissioner Murdock, Commissioner Givens and Commissioner Elfering each voted aye. The motion carried 3-0.**

6. **Proposals for electronic tax payments:** Commissioner Murdock read the request. Paul Chalmers reported this was done in 2007 to allow electronic funds transfers. Official Payments has been purchased by another company. He has had some demonstrations from other providers. The request is for an RFP to determine if there are other companies that could provide these services.

**Commissioner Murdock moved to authorize issuance of request for proposals for electronic tax payment provider. Commissioner Givens seconded. Commissioner Murdock, Commissioner Givens, and Commissioner Elfering each voted aye. The motion carried 3-0**

7. **Continuation of public hearing:** Commissioner Elfering stated the purpose was to approve a development agreement with Travel America, previously Petro. Commissioner Elfering opened the public hearing at 10:03 and called for the staff report.

Doug Olsen reported this issue was before the board for consideration and approval of an agreement with TA. This relates to an Ordinance adoption in 2003. At that time the County allowed for some exceptions for siting standards. One of the conditions was a development agreement with the property owner outlining improvements and responsibilities, including realigning Livestock Road. Once that is done, the exceptions can be used for siting TA's new stopping center. At the February

19<sup>th</sup> hearing a continuation was requested by Mr. Conners on behalf of Space Age Travel. The purpose today is to further consider the development agreement and the requirements under the development agreement for the developer for improvements to Westland Road and Northwest Livestock Road.

Commissioner Elfering requested to hear from those in favor.

Jim Dulcich representing TA/Petro. Dave Summers region construction manager is in the back of the room. They submitted a letter last week. Yesterday he received a letter from the opponent, Space Age Fuel as well as a letter from Lancaster Engineering. One of the issues deals with the lapse of time between the time the LUBA remanded and today. TA made it clear in the letter economic reasons was the delay. Money was spent on a traffic study and attorney's fees for the development agreement. Why would they do that if they do not know for sure they are financially able to complete the project? Now they know they are and now they are moving ahead. Opponent sites two issues. The first is an impermissible amendment of the Ordinance from January 2004. The second is the development agreement is not consistent with the Ordinance. Is anyone trying to amend the 2004 ordinance? The answer is absolutely not. Does the proposed development agreement comply with the Ordinance from 2004? The answer is yes it does.

Mr. Dulcich continued by explaining why the proposed development agreement complies with the ordinance. He read from the Ordinance's page 2 section 2. "At such time as a development agreement is executed with the property owner outlining improvements and responsibilities (including realigned Livestock Road)". The proposal addresses Westland Road, access points and realigning Livestock road. Section 5 states "County road improvement work will be performed in lieu of any alignment of the county road as such alignment is referenced in the Ordinance or on Exhibit 13 of the Kittelson analysis". The Ordinance does not say TA or Petro has to realign the road or pay for the realignment of the road. It only says the development agreement has to deal with the realignment of Livestock road. TA is going to pay for the majority of the improvements to Livestock Road.

The rest of paragraph 2 of the Ordinance states "The Umatilla County transportation system plan and the Umatilla County comprehensive plan will be amended to provide an exception to the Westland area plan north of I84, to allow for local access improvements outlined in Figure 13 of Exhibit 62". Figure 13 is a diagram prepared by Kittelson in 2003-2004.

The Development Agreement sections 1 deals with automobile access point. "The automobile access point will be constructed by TA, at TA's sole expense, in accordance with Figure 13 of the Kittelson analysis and applicable County standards". The next paragraph states "The truck access point will be constructed by TA, at TA's sole expense, in accordance with Figure 13 of the Kittelson analysis and applicable county standards". The development agreement complies with the Ordinance. There is no attempt to amend. Mr. Conners raised an issue of a three legged intersection versus four legged intersection. The bottom line is the ordinance says the access points will comply with the Kittelson analysis.

Mr. Dulcich requested the record remain open for 7 days to submit a response to a letter they received from Mr. Connors yesterday. One issue raised is ODOT's position on access spacing standards. According to Kettelson, ODOT is in concurrence with the recommendations for TA's access on Westland Road at 605 feet and 1105 feet for auto and truck access respectfully. The recommendations are consistent with the previous access management plan prepared by Umatilla County. ODOT has reviewed their 2012 study and concurs the Westland Road traffic system will operate acceptably.

Commissioner Givens asked if County Counsel and Public Works has had a chance to go over the agreement. He asked if there were any questions. Tom Fellows stated he did not have any questions as this is what was discussed.

Commissioner Elfering called for further proponents, seeing none he called for opponents:

Mike Connors is here on behalf of Space Age fuels. He first confirmed a letter emailed yesterday was received and is part of the record.

**Commissioner Givens moved to enter March 18, 2014 letter from Hathaway Koback Connors LLP with the attached letter from Lancaster Engineering as well as the March 10, 2014 letter from Schwabe, Williamson & Wyatt. Commissioner Murdock seconded. The motion carried 3-0.**

Mr. Connors continued by stating there are three main legal issues for the Board to consider. The first is if the condition to Ordinance 2003-09 is still a valid condition. As a condition to the amendment, Petro was required to enter into an agreement to effectuate the specific local access exceptions. Under county code, conditions must be satisfied within a reasonable time frame. Space Age's position is that the time is not reasonable. It has been 10 years since the amendment and the conditions went into effect and six and one half years since the appeal before Petro was able to move forward. The reason for the time frame is so conditions do not last in perpetuity. Circumstances can change.

Since the condition was imposed, a FedEx property and truck terminal and a Flying J Travel Center, and amendments to the County's own development code. Based on that it is not a reasonable time frame. He feels they should go through a new process. He understands TA's point about economics, but that is not an excuse for the County to ignore its requirements. TA should have moved forward with the development agreement and then considered its financial status.

The second issue is whether or not the development agreement amends or changes the plan approved by ordinance 2003-09. It is important for Board to understand in 2009 the County received from Petro a detailed traffic impact analysis from Kittelson Associates. Part of that was a specific plan referred to as Figure 13 that was proposed for the County to adopt. Mr. Dulcich read a portion of the ordinance, but if you read the remainder of section 2 at the end it reads "transportation system plan and county comprehensive plan will be amended to allow for local access improvements outlined in Figure 13 of Exhibit 62. Figure 13 of Exhibit 63 is Figure 13 of the Kettelson analysis. Specific

improvements were incorporated as part of the ordinance. The next question is “Is what they are proposing today different than what was proposed in the ordinance?” The answer is unquestionably yes. He read from Mr. Dulcich’s March 10 letter, page 3 “the present development agreement is consistent with purpose and intent of ordinance. The minor differences between the road improvements contemplated in the ordinance and those set forth in the proposed development agreement are based on current traffic data and needs and do not represent a significant or substantial departure from the previous planned improvements.”

The development agreement section 5 page 3 talks about the improvements to Livestock Road. The last paragraph reads “The County road improvement work will be performed in lieu of any realignment of county road as such realignment is referenced in ordinance or on Exhibit 13 of the Kittelson analysis” Their own development agreement and March 10 letter acknowledge there are differences. He feels they are not minor differences. It is a completely different location and realignment of Livestock Road. Left hand turn lane is now changed. They changed the obligations in regards to Stable Road. There is no dispute they are not consistent with the specific plan the County approved with the 2009 ordinance. They should have to go through the amendment process. Simply adopting the development code as a way to get around the process is not legally permissible, nor is it a good policy.

The last issue pertains to traffic. Lancaster engineering reviewed the traffic analysis of December 2013 and noted a number of flaws. They failed to account for the NW Livestock auctions on Tuesday. That is where heavy traffic is in that area. The traffic analysis was done on a Wednesday, under reporting peak traffic. They failed to account for future growth, and failed to account for the Flying J approval. They failed to account for full development potential of the adjacent 57 acre property. They failed to address what they call queuing analysis. Pretty significant issues and the reason he asked for a continuance.

What you have is TA coming 10 years later asking the board to ignore the conditions of the ordinance, ignore the fact they are basically amending the transportation plan. He asked the Board to deny and require TA to go through the correct process.

Mr. Connors asked to have 7 days to submit a rebuttal to the new information provided while the record stays open.

Commissioner Elfering called for other opponents and hearing none he called for public agency comments.

Commissioner Elfering asked for rebuttal testimony.

Mr. Dulcich came forward again and stated Mr. Connors presented no evidence that circumstances have changed such that the traffic study is not still valid after 10 years. The traffic counts were done very recently. There has not been an amendment of the ordinance.

Commissioner Givens asked Doug Olsen if there was a time limit in the ordinance. He stated there

is not a time limit in the ordinance itself. He clarified the permit for the Flying J development has expired . They will have to come back with another application if they want to develop that property.

Commissioner Givens asked Tom Fellows what effect the improvements with Lamb Walker have on this proposal. Tom Fellows did not see those improvements having impact one way or another on this proposal.

Commissioner Givens asked Doug Olsen how the described changes could possibly change the ordinance. He explained the ordinance allows accesses that were not allowed under the new standards. Under the proposed agreement, the access points are still the same and did not change at all. The only slight difference is Livestock Road, rather than coming up and through the center road will now come to the north road. The center road is still in existence and already has access permits on it. The access points under the original agreement are the same as the proposal.

Commissioner Givens clarified this is not an attempt to change the ordinance? To which Doug Olsen replied no it is not.

Commissioner Elfering asked clarifying questions as to the process for leaving the record open. Doug Olsen and Tamra Mabbott discussed the process. Mr. Conners asked if the idea was to make a tentative decision today and then leave the record open. He stated it does not make sense to leave the record open. Doug Olsen stated it would just put your responses on the record.

Mr. Conners stated anything submitted after the final decision would be irrelevant. He does not see the need if the final decision is made today.

Mr. Dulcich stated if there cannot be a final decision today, he would withdraw the request to keep the record open.

Commissioner Givens stated he was ready to move to approve the development.

Doug Olsen asked if Mr. Dulcich would like to withdraw his request. Mr. Dulcich withdrew his request

Commissioner Elfering closed the hearing at 10:45am

**Commissioner Givens moved to approve the development agreement submitted by TA Delaware Unlimited and close the record. Commissioner Murdock seconded.**

Commissioner Murdock commented he is familiar with traffic on the livestock sale day but that would only skew statistics 20-30 cars per hour at best. In response relative to reasonable length of time, the answer is by virtue of monumental changes and conditions. The presence of the Fed Ex distribution center increases truck traffic but he would not see that as a negative towards the development of a truck stop. The new intersection would be a positive contribution not a negative change. He stated he has not heard significant issues to defer moving forward.

Commissioner Elfering also stated he did not hear anything significant in the changes incorporated. It is consistent with the earlier action taken. Planning and Public Works are in agreement as well.

**Commissioner Givens, Commissioner Murdock, and Commissioner Elfering each voted aye. Motion carried 3-0**

8. **Sale of Tax Foreclosed properties:** Doug gave the staff report. The request today is to set a minimum bid and to set a real market value of what is on the tax rolls but the Board does have the discretion to set a lower or higher amount. If there is a particular piece of property the Board would like to continue to own they can consider that as well. Doug Olsen went through the foreclosed properties.

**Commissioner Givens, In the matter of the sale of property acquired by Umatilla County, moved to adopt order Tax No 2014-06. Commissioner Murdock seconded. Commissioner Givens, Commissioner Murdock, and Commissioner Elfering each voted aye. The motion carried 3-0.**

9. **Employment waiver:** Doug Olsen explained the request and stated Tom Fellows supports the hiring due to the length of time since the occurrence of the conviction in 1993.

**Commissioner Givens moved to approve the Criminal History waiver. Commissioner Murdock seconded. Commissioner Givens, Commissioner Murdock, and Commissioner Elfering each voted aye. The motion carried 3-0.**

Doug Olsen asked if the Board would like to look at the policy again. Commissioner Givens would like to consider parameters or guidelines for history. Commissioner Elfering prefers the histories come to the board. Commissioner Murdock agrees with Commissioner Givens for DUI's but would be nervous for more serious histories. The consensus of the Board was to leave the policy in place without changes.

10. **Pendleton Auto Body payable:** Commissioner Elfering stated the vehicle was damaged during the course of duty. The Reserves will pay 50% of the bill. Commissioner Murdock stated for the record the deputy was driving vehicle #328 and hit black ice. The vehicle flipped and slid on its side.

**Commissioner Murdock moved to approval the payable in the amount of \$6653.32. Commissioner Givens seconded. Commissioner Murdock, Commissioner Givens, and Commissioner Elfering each voted aye. The motion carried 3-0.**

11. **Exempt Salaries:**

**Commissioner Murdock moved to increase Exempt salaries 2% for 2014-2015 Fiscal year. Commissioner Givens seconded. Commissioner Givens, Commissioner Murdock, and**

**Commissioner Elfering each voted aye. The motion carried 3-0.**

12. **MF downtown alliance payable:** Doug Olsen explained this is before the board due to the dollar amount. **Commissioner Givens moved to authorize the payable to \$12,000 for program costs. Commissioner Murdock seconded. Commissioner Givens and Commissioner Murdock each voted aye. The motion carried 3-0.**

13. **Eastern Oregon Regional Airport payable:** Commissioner Murdock read the request for improvement upgrades to Eastern Oregon Regional Airport.

**Commissioner Murdock moved approval to Eastern Oregon Regional Airport in the amount of \$15,000. Commissioner Givens seconded. Commissioner Givens, Commissioner Murdock, and Commissioner Elfering each voted aye. Motion carried 3-0**

**New Business: None**

Commissioner Reports:

Commissioner Murdock likes the opening of the meeting with a flag salute. Commissioner Givens asked if there was an issue legally. Doug Olsen stated the Board could not compel people to do it.

**Commissioner Givens moved to begin the meetings with a flag salute and recitation of the Pledge of Allegiance. Commissioner Murdock seconded. Commissioner Givens, Commissioner Murdock, and Commissioner Elfering voted aye. The motion carries 3-0.**

Commissioner Murdock suggested we occasionally have BCC meetings at the Stafford Hansel Government center. If we know a hearing would involve a large number of citizens perhaps the Board could move to that area. Commissioner Givens would also like to include that in Milton-Freewater area but there is not a facility.

Doug Olsen stated Mike Robinson requested the April 3<sup>rd</sup> land use hearing be moved to the Milton-Freewater area. A discussion was held as to what building would have space available.

**Commissioner Givens moved to move the April 3<sup>rd</sup> land use hearing for the gun club appeal to Milton-Freewater. Commissioner Murdock seconded. Commissioner Givens, Commissioner Murdock and Commissioner Elfering each voted aye. The motion carried 3-0.**

**ADJOURNMENT**

The meeting was adjourned at 11:30 am.

Respectfully submitted,  
Deserae Hall  
Specialist  
Umatilla County

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## Human Resources