

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS
Meeting of December 16, 2015
9:00 a.m., Room 130, Umatilla County Courthouse
Pendleton, Oregon

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Commissioners Present: Chair George Murdock, Vice-Chair Larry Givens and Commissioner Bill Elfering (appearing by telephone)

County Counsel: Doug Olsen

Members and Guests Present: Scott Stanton, Hermiston Fire Chief; Fred Bradbury, PDA President; Ed Brookshier, EOTEC Chair; Mike Graber, Community Justice/Human Services Operation Manager; Kim Puzy, EOTEC Member; Don Partis, Pendleton; Kathy Lieuallen, UCSO Captain; Lora Franks, UCSO Administrative Assistant/Office Manager; Ed Taber; Cameron Anderson, Barnett & Moro (auditor); Jennifer Blake, HR Director; Marie Jones, Finance/Budget Assistant Director; Robert Waldher, Planner; Sally Sundin, Addict Advocate; Nate Rivera, EOTEC; Rob Dreier, EOTEC; Dan Dorran, EOTEC; Dale Primmer, Community Justice Director; Dan Lonai, Administrative Services Director; Tom Fellows, Public Works Director.

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CALL TO ORDER

The meeting was called to order at 9:00 a.m.

Pledge of Allegiance was led by Commissioner Givens.

Chair George Murdock welcomed all and reminded those present that the meeting is a public forum. It is being recorded (video and audio taped) and minutes will be taken. Comments will become part of the meeting as the public record. If persons wish to speak before the Board, please come to the podium, identify yourself and state where you live for the record.

Recognitions: Chair Murdock read recognition from the Enforcement Command Council naming Sheriff Terry Rowan as Enforcement Commander of the Year for 2015 at a statewide meeting in Bend on 12/9/15. Congratulations! Secondly, the Sheriff's Office relayed information of a phone call from Sam Stills expressing appreciation for deputies being out and around where he lives in East Umatilla County. He appreciates deputies not just patrolling on the main highways and freeway all the time.

Acknowledgment of Minutes of Previous Meetings. Commissioner Givens moved to approve the meeting minutes of 9/22/15, 11/4/15 and 11/9/15. Seconded by Commissioner Elfering. Carried, 3-0.

Additions to Agenda. None.

Public Recognition/Input. Nate Rivera, Hermiston (EOTEC volunteer and member of fundraising committee) introduced Byron Smith, Hermiston City Manager and Ed Brookshier, EOTEC Chair, Hermiston. Mr. Rivera started on behalf of fundraising committee advised they are looking to close the funding gap. The committee has met over last 2 months and have identified if donations could be spread out over 2-5 years and to work within budgets, that may be the best type of program for fundraising. Part of process is the need to have commitments within a short time. They want to spread out donations of

\$25,000 over 3 years and \$10,000 over 2 years. Commitments would be used to borrow against the 5-year commitment. The suggestion is that EOTEC land would be a guarantee (collateral) on a loan (if approved). This was approved by City of Hermiston at its meeting earlier that week. Ed Brookshier clarified that it is pursuant to a term in the Intergovernmental Agreement. Hermiston and the County would need to approve this action. Commissioner Givens asked if this would be brought before EOTEC Board. Mr. Rivera and Mr. Smith said the EOTEC Board is meeting tonight and an update/progress report will be made. Also the Fundraising Committee will present. Mr. Brookshier advised it is a special EOTEC meeting with a recommendation about the fundraising piece. EOTEC will have a regular board meeting on Friday. Commissioner Givens added, to be clear, the City of Hermiston and the County are not being asked to be “on the hook” for borrowing – it would be a loan with collateral being EOTEC land (if needed). Mr. Smith confirmed. The Hermiston City Council approved that action at their Tuesday meeting.

Commissioner Elfering asked Mr. Rivera if this process was similarly used for the Hermiston School District project about spreading donations over a 5-year period. Mr. Rivera confirmed that is was the same process, which was very successful. This is a regional project. In the worst case, if using a 5-year agreement, what would happen if commitment could not be made? Mr. Rivera responded they will be signing a commitment; the fundraising committee will follow the 5-year process with payments. The committee would look to raise more funds to complete the commitment if it could not be made.

Mr. Smith advised one different piece of the School District project was they had funds on-hand; in this case, EOTEC does not have cash on hand. Mr. Olsen asked if the banks need collateral? Counties are different from schools and cities in the available methods for financing. Mr. Rivera responded the banks felt comfortable about a guarantee with land as collateral. Funding would be spread over 2-3 financial institutions and a private entity. They have been assured.

Mr. Olsen advised the County may not have that authority. The Oregon State Constitution is limited on debt. Mr. Brookshier asked about the property being in EOTEC’s name. Mr. Olsen advised that if the County does not have authority, EOTEC does not either. Mr. Brookshier advised the City and County would need to agree to some type of collateral. The EOTEC project still must have upwards of \$1.5 to \$2 million; there is no way to do it without capitalizing at the front-end.

Mr. Olsen elaborated if it is just the land. If it is a debt that exceeds \$5,000 and not payable within the year, the State Constitution limits the County. Mr. Olsen agreed to send the information to Mr. Rivera. He noted the lending institution and USDA were comfortable with the collateral.

Chair Murdock advised the next regular Board of Commissioners meeting is 12/30. He asked legal counsel and CFO (Robert Pahl) to work with EOTEC Board and representatives to put together a proposal for presentation on 12/30. Commissioner Givens agreed with that action. He then asked if Hermiston City’s legal counsel had researched the collateral issue. Mr. Smith said their legal counsel said it was ok. Chair Murdock noted this item will be an agenda item for discussion on 12/30/15.

Other Public Comments. Sally Sundin came to the podium. She talked about a commitment of funds for a program at BMCC for a drug counseling program. Statewide, there is only 1 program available (at Portland Community College). They would like to see a rural program. The drug counseling program would be integrated at BMCC – criminal justice students would have the added drug treatment aspect. Secondly, why is there still not medical opiate detox at the jail? She believes it is breaking the 8th Amendment of the Constitution. Because it is not provided, the County is growing criminal drug addicts. Thirdly, why was the criminal investigation of three employees in the A&D program? Why were people fired in June and why was everything switched to criminal justice? She is looking at budgets for a

discussion later. Back to the BMCC drug counseling program, it is important to look at preventative measures. She is concerned about lack of services for drug treatment. A last question, please explain the commissioners' parity raise – why did they receive an 8% raise? She noted she had read an EO article and it was not clear. Mr. Olsen advised this is a public comment period only. She then asked what tasks were added and why was there an 8% raise? Mr. Olsen advised this is for comments only – not for a question-answer period.

Agenda – Business Items

1. Land Use Hearing – Webb Slough Aggregate Site. Chair Murdock opened the public hearing at 9:25 a.m. and read the required statement. He outlined the proper proceedings format – to start with a staff summary of application to be followed by public comments for and against and questions. Staff report was provided by Bob Waldher, Planning Department. The Planning Commission met and has worked with the applicant (not present today or ODOT representatives). No questions. None for or against. The hearing was closed at 9:29 a.m. **In the Matter of Amending the Comprehensive Plan and Adding the Site to Goal 5 Aggregate Resources Inventory for the State of Oregon, ODOT for Webb Slough Quarry Expansion, Commissioner Givens moved to approve Ordinance No. 2015-09. Seconded by Commissioner Elfering. Carried, 3-0.**

2. Land Use Hearing - Weston Mountain Aggregate Site. Chair Murdock opened the public hearing at 9:30 a.m. Bob Waldher gave the staff report. There were no comments for or against. Commissioner Givens asked Mr. Waldher if there were any questions or concerns about water? Mr. Waldher responded no concerns were heard at the Planning Commission. Commissioner Elfering asked about any concerns with the nearby cemetery? Mr. Waldher advised it is a separate matter. The hearing was at 9:33 a.m. **In the matter of Amending the Comprehensive Plan and Adding the Site to Goal 5 Aggregate Resources Inventory Comprehensive Plan and Adding the Site to Goal 5 Aggregate Resources Inventory for the State of Oregon, ODOT for Weston Mountain Quarry Expansion, Commissioner Givens moved to approve Ordinance 2015-10. Seconded by Commissioner Elfering. Carried, 3-0.**

3. Audit Presentation. Robert Pahl, CFO, introduced Cameron Anderson from Barnett & Moro to present the County 2014-15 audit. Cameron Anderson, 230 SE Crestline Dr, Hermiston. Financial statements were presented to the Commissioners. Independent auditor report is to state an opinion of financial statements – it was found they were presented fairly, cash position, etc. as of 6/30/15 are materially correct. He then provided highlights = total assets are \$97 million; about \$75 million is equipment and infrastructure, the remainder are county roads. Total liabilities are \$16 million including bonded debt and few smaller loans for construction and similar items. He also went over restricted items of net position and depreciation on roads and equipment (assets). Cash position outlines governmental funds, broken out by two major funds and aggregate funds. There was \$4.9 million of unassigned cash. Fund balance was \$20.3 million as of 6/30/15. The audit found nothing significant to be brought to the Board; it is unmodified opinion.

Mr. Anderson briefly described the audit process; it is a risk-based approach. He meets with the finance officer and staff to go over possibly risky sections of the county's process. Then controls are identified and a sample is select of property tax revenues used to test against controls to verify proper signatures and authorities were used. Then he moved to a more substantive approach,

looking at financial statements, debts (confirming bank balances, to determine they are materially correct).

Commissioner Givens asked about the biggest part of change regarding depreciation. Mr. Anderson responded if you take out depreciation, you come to the financial position/debt. He discussed net change in balances of various funds and noted the General Fund went down by \$500,000; Public Works went down by that, but others increased for total of \$233,000. **Commissioner Givens moved to accept the audit report for period ended 6/30/15 from Barnett & Moro. Seconded by Commissioner Elfering. Carried, 3-0.**

4. **Supplemental Budgets.** The staff report was made by Robert Pahl, CFO. There are ten supplemental budgets to consider, primarily for housekeeping matters adjusting budgets as needed for: Program 9001-General County (Order 2016-11) decrease Undesignated Fund Balance \$81,132 and Contingency decreased \$81,132. Program 1013-Transportation Fund (Order 2016-12), increase Undesignated Fund Balance and increase Contingency by same amount. Program 1029- Econ Development (Order 2016-13) decrease Undesignated Fund Balance \$132,514 and decrease Contingency \$132,514. Program 1562-Marine Patrol (Order 2016-14) decrease Undesignated Fund Balance \$5,825 and decrease Contingency \$5,825 (Order 2016-15). Program 4024-EOTEC Reserve (Order 2016-15) decrease Undesignated Fund Balance \$11,903 and decrease Materials and Services appropriations \$11,903. Program 4521-Public Land Corner Preservation (Order 2016-16) decrease Undesignated Fund Balance \$82,821 and decrease Materials & Services appropriations \$82,821. Program 5515-Environmental Health (Order 2016-17) decrease Undesignated Fund Balance \$64,382 and decrease Contingency \$64,382. Program 5772-Veterans Expanded Outreach (Order 2016-18) decrease Undesignated Fund Balance \$12,536 and decrease Materials & Services \$12,536. Program 9084-Stafford Hansell Government Center Improvements (Order 2016-19) decrease Undesignated Fund Balance \$61,995 and decrease Contingency \$61,995. Program 9088-Milton-Freewater Facility Improvements (Order 2016-20) increase Undesignated Fund Balance \$45,820 and increase Contingency \$45,820.

There were no other questions or comments and the hearing was closed at 9:47 a.m.

In the matter of Approving a Supplemental Budget Pursuant to ORS 294.471 for Fiscal Year ending 6/30/16, Commissioner Elfering moved to approve Order No. Budget 2016-11. Seconded by Commissioner Givens. Carried, 3-0.

Commissioner Givens moved to approve Order No. Budget 2016-12. Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Elfering moved to approve Order No. Budget 2016-13. Seconded by Commissioner Givens. Carried, 3-0.

Commissioner Givens moved to approve Order No. Budget 2016-14. Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Elfering moved to approve Order No. Budget 2016-15. Seconded by Commissioner Givens. Carried, 3-0.

Commissioner Givens moved to approve Order No. Budget 2016-16. Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Elfering moved to approve Order No. Budget 2016-17. Seconded by Commissioner Givens. Carried, 3-0.

Commissioner Givens moved to approve Order No. Budget 2016-18. Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Elfering moved to approve Order No. Budget 2016-19. Seconded by Commissioner Givens. Carried, 3-0.

Commissioner Givens moved to approve Order No. Budget 2016-20. Seconded by Commissioner Elfering. Carried, 3-0.

5. Initiation of New Fire District. Mr. Olsen advised this is to set the first hearing for a new fire district. Scott Stanton, 320 S First St, Hermiston Fire Chief, came to the podium. He noted Hermiston and Stanfield have worked for many years together. In 2001, they brought in a consultant to confirm their findings about combining together for one new fire district. First is an administrative merger and the next step is to officially combine the districts. After initial failure to pass in 2014, the proposal has been revamped except the requested tax rate will be \$1.75/\$1,000 rather than \$2.00/\$1,000. Emergency response is critical and funding is not adequate running as is. To keep up services, there is need to work together for the west county area. Commissioner Givens asked to clarify -- the process is to have required hearings so this can be brought before the voters. Chair Murdock understands the proposal was vetted about 18 months ago. Stanton agreed. It is hoped to have budget, so as not to bond. Capital reserve schedule should be adequate.

In the Matter of Initiating and Setting Hearing on Formation of Umatilla County Fire District #1, Commissioner Elfering moved to adopt Order No. BCC2015-095 and to set the first hearing for January 20, 2016. Seconded by Commissioner Givens. Carried, 3-0. [Hearing was later reset to January 19, 2016]

6. Reclassification Position – Assessment & Taxation. Jennifer Blake, HR Director reported. Approval is sought to reclass position in A&T to make an Appraisal Tech position to Registered Appraisal position (for mobile homes assessment). There will be total savings to the county of about \$18,000. **Commissioner Givens moved to approve reclassification to Registered Appraisal position for A&T effective 1/1/16. Seconded by Commissioner Elfering. Carried, 3-0.**
7. Copier Purchase/Lease - UCSO. Lora Franks, Administrative Assistant at Umatilla County Sheriff's Office, gave the staff report. They have five copiers that need replacing; they have budgeted for continuing leases but have since learned the County wishes to purchase copiers vs. leasing. Canon had best deal. Purchasing all 5 copiers would cost about \$21,000. In the long run, it will be a savings. Funds would come out of capital improvement fund. She worked with Mr. Pahl, CFO, prior to coming before the Board. Ms. Franks responded to questions to clarify -- one machine gets high constant use and it would be better to buy new; by purchasing, the county will save about \$2,800 over term of the leases. **Commissioner Elfering moved to approve purchasing five copiers as outlined (Sheriff's Office, Dispatch, Civil, Jail Reception and Jail Book-In). Seconded by Commissioner Givens. Carried, 3-0.**
8. Elections Payable. Dan Lonai, Administrative Services Director, gave the staff report. The payable for the Elections department is for postage for upcoming primary in May. Funds need to be in advance – this is a standard procedure and it is budgeted = \$15,000. **Commissioner Givens**

moved to approve the \$15,000 payable to the USPS. Seconded by Commissioner Elfering. Carried, 3-0.

9. Reuse of Foreclosed Property in Milton-Freewater. Mr. Lonai reported. The location is not very good for a residence. When foreclosed, properties are broken into and vandalized. There is an expense to fix it, and he proposes to lease it for a nominal amount. In return, the property could be repaired and restored for value. This property is not part of a county auction? No, it was not. The intent was to keep for future county use. Chair Murdock noted he had discussed this potential action with Mr. Lonai about 1 year ago. Commissioner Elfering asked about lease and improvements, would they become part of the property? Would the leasing agency be able to remove improvements? Mr. Lonai advised the property would need to be improved, unless a handicap access ramp would be added. The appraised value is \$99,950. **Chair Murdock moved to approve the reuse by leasing the property. Seconded by Commissioner Givens. Carried, 3-0.**

10. Radio District Space Use. Mr. Lonai reported. The Umatilla-Morrow Radio & Data District is looking to expand its presence at the Justice Center/Sheriff's Office. It would be \$363 more for monthly rental. He spoke to Undersheriff Littlefield, who agreed the use of space works well. Their Board met and they are fine with lease amount – need to move forward with contract unless objections are voiced. **Commissioner Elfering moved to approve authorize Amendment to Use of Space Agreement for an additional 230 feet of space as outlined. Seconded by Commissioner Givens. Carried, 3-0.**

11. New Software Purchase – Alcohol & Drug. Michael Graber, Community Justice/Human Services Operation Manager presented. Request is made to purchase software and enter into a contract with Credible Behavioral Health Software for an updated Electronic Health Record. The old system is not as effective and a lot of data is not being tracked and thus cannot be billed for. Clinical aspects are redundant and make for delay – it is inefficient. This would be to upgrade electronic health records and is recommended by GOBHI. Must be able to have proper software for effectiveness of program. Mr. Pahl advised finance has been vetted and budget is available. Commissioner Givens asked if purchase/reimbursement would be an option. Mr. Graber advised GOBHI will be asked to help with the upgrade; but money is available in the current budget. They definitely will ask GOBHI to contribute for improvement of services by way of reimbursement for purchase via incentive funds held by GOBHI. Chair Murdock pointed out the current system is not compatible, according to GOBHI to which Mr. Graber agreed. Demographic information is not available and is definitely needed as a top priority. Commissioner Elfering mentioned the billing module for services – with the new system there will be a way to capture revenues in billing process. **Commissioner Elfering moved to approve and enter into a contract with Credible Behavioral health Software for a total cost of \$56,700 (includes initial software purchase, training and data transfer [\$48,350 one-time cost] and billing module along with software escrow [\$8,350 annual amount]). Seconded by Commissioner Givens. Carried, 3-0.**

12. Payable to Sun Ridge Systems. Capt. Kathy Lieuallen, 911 Dispatch, reported. The request is for payment to Sun Ridge Systems of Hermiston PD maintenance fees for RIMS (records management system). Funds are available from the Dispatch Reserve fund and agreed to by Sheriff Rowan and Hermiston Police Chief Edmiston. Capt. Lieuallen advised work continues on

the records system. **Commissioner Elfering moved to approve the \$12,658 payable to Sun Ridge systems. Seconded by Commissioner Givens. Carried, 3-0.**

13. Appointment to Local Community Advisory Council. Mr. Olsen advised approval is sought to appoint Meghan DeBolt and Shelley Liscom to the LCAC. **Commissioner Givens moved to approve/adopt Order No. BCC2015-092. Seconded by Commissioner Elfering. Carried, 3-0.**
14. Payable EO Business Source. Mr. Olsen reported. This is for last two months; there is one more billing to come separately. **Chair Murdock moved to approve the \$19,200 payable to Eastern Oregon Business Source. Seconded by Commissioner Elfering. Carried, 3-0.**
15. Pendleton Round-Up Recognition. Chair Murdock read Resolution #2015-094 setting out the Commendation and Recommendation for Round-Up day for being named the Outdoor Rodeo of the Year by the Professional Cowboys Association and winner of the Outstanding Remuda Award for 2015, ordering that Thursday, 12/17/15, is designated as Pendleton Round-Up Day in Umatilla County with a formal celebration honoring the accomplishments. The celebration will be at Roy Raley Room, Round-Up Grounds, from 4 to 6 p.m. **Commissioner Elfering moved to approve/adopt Order No. BCC 2015-094. Seconded by Commissioner Givens. Carried, 3-0.**
16. Adoption of Harris Park Master Plan. Presented by Tom Fellows, Public Works Director. Public works took over the parks in the last year. Before the Board was the Park Master Plan, paid for in 2001 and approved of by the Park Board at the time. However, the Plan did not come before the Board of Commissioners for review and action. Mr. Fellows noted Planning Department is suggesting this Plan be part of the County Comprehensive Plan. First, it is presented for review and in the future to move toward that step. Chair Murdock asked Mr. Olsen if action today is the need to formally adopt the plan and then to address Planning Department concerns regarding the Comp Plan. Mr. Olsen agreed – this is to formalize and accept the Park Master Plan at this time. Discussion went on about information in need of updating (since 2001) – Mr. Fellows agreed an update process of the Master Plan is needed and he plans to work with Jason Hogge (Park Manager) and staff in the near future. At this time, amendments can be made in his opinion. Bob Waldher, Planning Department, noted the Park Master Plan will eventually need to be adopted into the Comp Plan to meet state and local land use regulations. Commissioner Givens added that Oregon Parks Department is also requiring adoption relating to ability to apply for grant funding. Mr. Fellows noted he is not looking at grant funding at this time. The next grant cycle is 1 ½ years out for Parks funding. **Commissioner Givens moved to approve/adopt Order No. BCC2015-093. Seconded by Commissioner Elfering. Carried, 3-0.**
17. Park Board Appointments. Mr. Olsen noted this is to appoint members to the Park Board as explained in Order No. BCC2015-091. Commissioner Givens added there are Park Board five members split out regionally -- two from Milton-Freewater, one from Hermiston, one from Pendleton, and one more either from the south end or another west-end county representative. **Commissioner Elfering moved to approve/adopt Order No. BCC 2015-091, naming John Boston, John Ehart, Lawrence Widner and Karie Walchli. Seconded by Commissioner Givens. Carried, 3-0.**

18. Public Works Employment. As previously discussed by Jennifer Blake in Human Resources at BCC staff meetings, **Commissioner Givens moved to approve employment for the Road Department position. Seconded by Commissioner Elfering. Carried, 3-0.**

Commissioner comments. None.

The meeting adjourned at 10:27 a.m.

Respectfully submitted,

Melinda Slatt

Executive Secretary,
Umatilla County Board of Commissioners