

**MINUTES**  
**UMATILLA COUNTY BOARD OF COMMISSIONERS**  
Meeting of July 6, 2016  
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

**County Counsel:** Doug Olsen

**Members and Guests Present:** Scot Attrioge, CFO St. Anthony Hospital; Doug Goe, Attorney for Catholic Health Initiatives; Jesse Shaw, Milton-Freewater; Dale Primmer, Community Justice Director; Tom Fellows, Public Works Director; Tracie Diehl, GIS Manager; Riley Wortman, CIS/IT; Robert Pahl, CFO; Paul Chalmers, Assessment & Taxation Director; Sheriff Terry Rowan; Brandon Miched; Tamra Mabbott, Planning Director; Israel Agosto, Admin. Services-Stafford Hansell Government Center; Jolene Meadows, Admin. Services; Bob Stoltz, GIS; Jennifer Blake, H.R. Director; Debbie Swenson, Admin. Services-Switchboard.

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**CALL TO ORDER**

The meeting was called to order at 9:00 a.m. Chair George Murdock welcomed all.

**Pledge of Allegiance.** Led by Commissioner Givens.

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

**Awards/Recognitions.** Chair Murdock presented the 3<sup>rd</sup> quarter Employee Excellence Award; he read the nomination letter of Israel Agosto. Congratulations and thank you for outstanding customer service in the Stafford Hansell building in Hermiston. Israel came forward to accept his award and Bob Stoltz took pictures. Debbie Swenson presented him with balloons and candy.

**Acknowledgment of Minutes of Previous Meeting.** None.

**Correspondence:** Commissioner Elfering presented. The County recently sponsored (in part) the “Me and My Prince Ball” in Hermiston. The Girl Scouts sent a special thank you – in form of a picture of the event.

**Additions to Agenda.** None

**Public Comments.** None

**Business Items**

1. **CHI Bonds** – The public hearing was called to order at 9:05 a.m. by Chair Murdock. Doug Olsen introduced Doug Goe, from the Portland law firm of Orrick Herrington & Sutcliffe who

represents Catholic Health Initiatives and St. Anthony Hospital. Mr. Goe noted CHI presents bonds for financing about every 3 years – the last time was August 2013. It previously went through the Hospital Authority, but for more efficiency, bonds are issued through the Colorado authority. Local elected officials have jurisdiction to hold public hearings and approve bonds, which is the purpose today, pursuant to federal tax law requirements. The bond amount is not to exceed \$35 million. There is no obligation or legal responsibility by Umatilla County, which provisions of the bonds expressly state. Chair Murdock commented that St. Anthony Hospital's new facility is a wonderful addition to Pendleton. There were no questions. Chair Murdock closed the hearing at 9:12 a.m. **Commissioner Elfering moved to approve/adopt Order No. BCC2016-054. Seconded by Commissioner Givens. Carried, 3-0.**

2. Annexation to Livestock Districts. Chair Murdock called the public hearing to order at 9:13 a.m. Doug Olsen advised Mr. Renne was not present, but the Board can go forward. He noted two livestock districts are East Umatilla County Livestock District and the Dry Creek Livestock District are sought to be annexed by property owned by Mr. Renne. Statutory requirements were met and notice was published. In response to a question about total acreage, Mr. Olsen noted it is about 200 acres (he referred to a map projected on the monitor along with two Board Orders). Mr. Renne's property is in CRP and he wants to make sure he can take necessary action to protect his CRP from problems with other people's livestock. There were no public comments. Chair Murdock closed the public hearing at 9:15 a.m. **Commissioner Givens moved to approve/adopt Order No. BCC2016-052 (EUCLD). Seconded by Commissioner Elfering. Carried, 3-0. Commissioner Givens moved to approve/adopt Order No. BCC2016-053 (DCLD). Seconded by Commissioner Elfering. Carried, 3-0.**
3. ATV Use on County Roads - Ordinance. Chair Murdock called the public hearing to order at 9:16 a.m. He asked for proponents. Jesse Shaw, Ward Street, Milton-Freewater, came to the podium. From the last meeting he attended, he pointed out all riders should have the same rights – but he feels that is not true. He asked why farmers appear to run ATVs that are not up to code? He asked about monitoring – perhaps it is farmers/ranchers tearing up property? That may be unknown since it is apparently not monitored. He noted ATV riders who are farmers appear to him to be tearing up property and it seems to be blamed on non-farmer riders. He is concerned about rights and the roads depicted in the map (projected on the monitor). Perhaps the boundary could be moved to take out certain roads?

Chair Murdock asked for others to speak on behalf? There were none. He asked for opponents. There were none.

Commissioner Elfering talked about the location and roads since last discussion. **Commissioner Elfering moved to move the proposed boundary to Hwy 204, which is the black line depicted on the map. In addition, to include in the ordinance a fire ban. No second.**

Discussion included landowners using their ATVs, what is and is not an ordinance, exempted riders. Sheriff Rowan advised state statute allows farmers to use their ATVs on public roads for agricultural purposes – it does say the implement should have “slow moving” emblem displayed on the rear of the vehicle and to drive on far right of the road as possible.

Commissioner Givens responded to questions/comments. Regarding farmers not following the law and is that monitored? He advised that is not monitored as the Sheriff's Office does not have staff to handle that. He has oft times observed roads or areas cut through someone's field – "nobody's around"; self-policing as a policy opens the door for people to think it is okay to ride wherever they want. It is nearly impossible to enforce – even with signage, people ride and when damage is done, it is not possible to determine who did the damage. Discussion continued about mandatory insurance and licensing – insurance would cover damage – it is like an automobile. Commissioner Givens felt it is about creating an issue when the door is open for more individuals on the roads – some do not care about property rights, public or private, some don't carry insurance, etc. He feels the ability is not going to stop people from being where they aren't allowed to be causing damage.

Commissioner Elfering added there will always be those unlawful people. Good citizens should not be penalized for those few who break the law. Law abiding citizens should be allowed to ride on public roads. He pointed out a news article about Moab, UT – they have a network of ATV riding roads/areas. This could be a draw to our county. In this case, moving the boundary North as he previously suggested might be the way to work this out and move forward with support of the change and the ordinance. He wants to give it a try; it is for a 1-year limited period. Commissioner Givens commented about a sunset provision – it is tough to pull it back once something is passed. It still allows an excuse for unlawful riding. He believes it is a bad policy and cannot support it. Commissioner Elfering pointed out motorcycles already ride wherever they want.

Chair Murdock added there have been a number of public hearings and this ordinance includes the input and concerns from all hearings – the public process has been completed. There were no other comments. [An audience member asked for a copy of the ordinance.] Chair Murdock closed the public hearing 9:34 a.m. **Commissioner Elfering moved to approve Ordinance No. 2016-06. Seconded by Chair Murdock. Commissioner Givens opposed. Motion carried, 2-1.** Mr. Olsen noted sunset of the ordinance is July 2017. Commissioner Elfering added if there are abuses or difficulties, it will be dealt with.

4. Creation of Position/MOU – Community Corrections. Dale Primmer, Community Justice Director, presented. This position is to take care of warrants and for sex offender notification/registration. Budget is available. He has discussed this with the Sheriff for the tie to his office. Chair Murdock noted this has been vetted over the last couple of months and funding is available. **Commissioner Givens moved to approve entering into a MOU with the Sheriff's Office and create a Criminal Deputy position. Seconded by Commissioner Elfering. Carried, 3-0.**
5. GIS Audit. Commissioner Elfering noted GIS, Planning and A&T are principals of this audit. Tamra Mabbott, Planning Director, presented. She noted a more current memo dated June, 2016 covers the process, scope and recommendations. Economic Development funds were used for the Geographic Information System audit which uses mapping to market property or understand assets -- a good tool. Elizabeth Rogers-Pachico interviewed and reconvened at times to make points/recommendations. Today is for Board action. Items are: historical, centralized serviced of mapping (42,000 different tax lots). This is kept up-to-date for the base layer (by Traci Diehl, GIS Manager). It is the feeling that a separate GIS department under CIS/ IT would be a benefit

to many departments and the report suggests at least exploring this change. Third is to map water rights. Regarding water rights issues, Commissioner Givens commented that Water Resources Department has the ability to provide detailed maps of a property's water rights but he has found it very difficult to access this public information. He suggested close coordination with Planning for this important information to be kept accurate. Ms. Mabbott pointed out importance of base layer and accurate information.

Commissioner Givens commented about OWRD "1131" process a few years ago working with irrigation districts and water rights information – this ties to property changing hands and need for that critical information.

Ms. Mabbott continued – the next point is it would be good to have a person located in Planning to add to the other mapping functions already done there. The recommendation is multiple fold – a dedicated centralized GIS person, tied to the Planning department (it is budgeted within the department). Finally, return on investment over time will be commerce generated, increasing efficiency/streamlining services. It is a policy decision to actively market GIS maps as people pay for that service.

Paul Chalmers pointed out that Traci Diehl is currently GIS Manager. However, her duty is maintaining the base layer. The GIS discussion has been brought up over the last many years to try to be collaborative with other partners and it still has not happened. He referred to page 9 of the audit/ report to show overlapping of many departments.

Commissioner Givens commented about historical ideas and the feeling the GIS services could be in various different departments. Mr. Chalmers feels, at this time, it would be good to go with a separate centralized department for use by many; the report shows a collaborative concept county-wide. Commissioner Givens warned caution to not create a position or issue where there is conflict of departments. Mr. Chalmers compared the idea is similar to Budget/Finance, HR and CIS. A core function concept, costs realized would go back into GIS. Map generating fees go back to the department where they are created. For future discussion there needs to be a mechanism for fees. Ms. Mabbott noted GIS is part maps and part data. She reiterated this first step was to inventory what is now. GIS has internal and external benefits. Commissioner Elfering added after this initial step, moving forward to phase 2 and beyond includes looking at the report's five recommendations. Mr. Chalmers added it is also to see if this is a priority for the Board. Commissioner Givens noted the importance of sharing information by counties and also by state agencies (water, soils and forests, for example).

**Commissioner Givens moved to approve and accept the study and direct staff to move forward in exploring recommendations and feasibility of implementation. Seconded by Commissioner Elfering. Carried, 3-0.** Chair Murdock commented about budget concerns and the need to streamline and make efficiencies to save money. Mr. Chalmers added from his A&T standpoint the need for efficiency and effectiveness and the importance to look for ways to implement based on priorities that are determined.

6. Tourism Committee Staff Assistance. Commissioner Elfering reported. Columbia Blue Mountain RC&D historically had the Tourism contract, but the entity plans to dissolve. Therefore, **Commissioner Elfering moved to approve the contract with the Hermiston**

**Chamber of Commerce for tourism staff assistance.** Chair Murdock reiterated concern about tourism dollars seemingly being focused on the west end of county and warned caution. It is critically important to receive tourism reports regularly. Commissioner Elfering felt to the contrary that more dollars are being spent in the Pendleton and Milton-Freewater areas. Commissioner Givens requested regular (monthly?) reports from the Tourism Coordinator (Karie Walchli). Chair Murdock agreed. Commissioner Elfering added he can provide a break-down of spending and he can make arrangements to have Karie Walchli report to the Board, perhaps quarterly. Agreed. **Seconded by Commissioner Givens. Carried, 3-0.**

7. Echo Community Benefit Grant. **Commissioner Elfering moved to approve/adopt Order No. BCC2016-055, Echo Community Benefit 2016 grant to the Echo Historical Museum. Seconded by Chair Murdock. Carried, 3-0.**
8. Interim Public Health Director. With the vacancy in the position of Public Health Director, an interim director is needed to fulfill any statutory requirements and duties. **Commissioner Givens moved to appoint Commissioner George Murdock as Umatilla County Public Health Interim Director. Seconded by Commissioner Elfering. Chair Murdock abstained. Carried, 2-0.**
9. Appointment to West Umatilla Mosquito Control District Board. Karen Hutchinson-Talaski resigned her position on the WUMCD Board of Trustees; the appointment of Russell Pelleburg (Umatilla City Manager) is sought to fill the remainder of the term. **Commissioner Elfering moved to approve/adopt Order No. BCC2016-056 as outlined. Seconded by Commissioner Givens. Carried, 3-0.**

Other. Mr. Chalmers noted at last night's Pendleton City Council meeting, they voted for Pendleton's Enterprise Zone designation to be managed by Steve Chrisman as Economic Development Director/Airport Manager (Mr. Chalmers abstained from the vote). This needs to be coordinated with the County. Commissioner Givens asked if he (as a city councilor) had any updated information about the Pendleton Airport and SeaPort Air coming out of Chapter 11 Bankruptcy. Mr. Chalmers advised from reports he has heard about reorganization and the anticipation is that will happen shortly. He will touch base with City Manager Robb Corbett to confirm information, get update from FAA overlay and report back. It has to do with mileage allowances and ability to receive coverage from FAA. He understands this has been handled; the next step is to look at pilots and plane movements to cover the schedule in Pendleton.

Chair Murdock pointed out the City of Pendleton is down five police officers. He advised County assistance was provided to PPD over 4<sup>th</sup> of July weekend for coverage. Commissioner Elfering added deputies used comp time with short notice in an emergency situation. Chair Murdock added it was a good solution, but this may continue and it should be conveyed it is temporary. Commissioner Givens publicly acknowledged the Sheriff's office is doing good work; police support is especially important in the coming months during busy summer events (Zac Brown Band, Bike Week, Round-Up).

#### Commissioner Reports.

Commissioner Givens. He received a call yesterday from Tom Roberts, Emergency Manager, about a vehicle accident on Highway 37 and the need to help with traffic until ODOT arrived to handle the situation caused by a big grass fire and smoke over the highway. He commented Mr. Roberts did a good

job in helping in this emergency situation. Discussion about “no-man’s land” unprotected areas for fire coverage. Mr. Olsen advised legally a fire district can charge non-protected property owners, however, they have not up to this point.

Commissioner Givens will attend the MPO meeting Walla Walla that afternoon.

Commissioner Elfering noted this region will receive a minimum of \$1.5 million to be utilized with priority projects that have been set through the Greater Eastern Oregon Solutions, as reported at the committee meeting he attended yesterday.

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

Respectfully submitted,

*Melinda Slatt,*

Executive Secretary, Umatilla County Board of Commissioners