

**MINUTES**  
**UMATILLA COUNTY BOARD OF COMMISSIONERS**  
Meeting of November 23, 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:** Paul Chalmers, Assessment & Taxation Director; Robert Pahl, Chief Finance Officer; Tom Fellows, Public Works Director; Jennifer Blake, Human Resources Director; Sgt. John Shafer, Sheriff’s Office; Dani Paul, Circuit Court; S.A. (Ann) Salisbury, Circuit Court; Dan Lonai, Administrative Services Director; Greg Silbernagel, OWRD-Watermaster

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**CALL TO ORDER**

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

**Pledge of Allegiance** was 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.

**Recognitions:** Chair Murdock recognized Ann Salisbury as State Courts’ new Deputy Court Administrator for the 6<sup>th</sup> Judicial District. She started November 14, taking Angie Curtis’ place. He asked Ms. Salisbury to come forward. She is from Southern California where she was a practicing attorney for 20 years and completed studies at Sacramento State University with a graduate certificate in Judicial Administration in 2016.

**Awards/Correspondence.** Chair Murdock presented. 1) Umatilla County Environmental Health took over septic inspections on 11/1 and on 11/2 an email was received from Arne Swanson, Arne’s sanitary service where inspection was requested. He was impressed with quick reply and pleasant service – a great transition from the State run program. 2) Several thank you cards were received from kids in various area FFAs for County funding support at the recent Pendleton Junior Livestock Show. Their appreciation is welcome and Commissioner Givens commented this is a great help to kids in area communities.

Commissioner Givens noted additional recognition to staff in many departments does a great job in grant applications. In particular, the Road Department has worked hard in that aspect. He gave shout out to Tom Fellows and his staff for applying for and being awarded a \$2.8 million grant, which will help pay for paving of Mill Creek Road (about 2.3 miles). Also, Harris Park was awarded over \$15,000 from Wildhorse Foundation and \$12,500 from Oregon Parks. Mr. Fellows elaborated it is a federal lands access project; the application is to be delivered by Western Federal Lands where the County will be the recipient at the end of the project – match is required, but it is still a great bang for the buck. Details on Mill Creek project are still to be worked out (i.e. in-kind may be allowable).

**Public Comments.** None.

**Minutes of Previous Meeting.** Commissioner Elfering moved to approve minutes of meetings on 10/19/16, 11/2/16 and 9/14/16. Seconded by Commissioner Givens. Carried, 3-0.

**Additions to Agenda.** None.

**Presentations:** None.

**Business Items:**

1. Funding Fiscal Agent. Chair Murdock noted Scott Fairley (Eastern Oregon Regional Solutions Coordinator from Governor Brown's office) will join by phone since he is in La Grande. *Due to technical difficulties, the Board moved to item #2.*
2. AED Purchase. Sgt. John Shafer, Sheriff's Office, presented. He initially came before the Board in June in order to accept award of a \$6,000 grant from the Wildhorse Foundation for 11 AED machines and 1 trainer. At this time, an additional grant (\$5,945) has been received from Good Shepherd Hospital to purchase 11 additional AEDs. The quote for the 11 units is \$5,775. The difference of \$170 can be used to replace funds spent on the initial AED purchase. The equipment saves lives; the earlier a person is treated the more chance for survival. He is a certified instructor for AEDs. He noted the difference between this newer unit and previous units is remarkable – the new units walk a person through use step-by-step. **Commissioner Elfering moved to approve accepting the grant money and authorize purchase of 11 additional AED units. Seconded by Commissioner Givens. Carried, 3-0.**

[Back to item 1] – Funding Fiscal Agent. Mr. Olsen began. The County has been requested to act as fiscal agent for funding from the Oregon Health Authority for federal funds to furnish water to the Locust Mobile Home Village near Milton-Freewater. The project may include drilling of new well or extension of city services to the property. Scott Fairley, EO Regional Solutions Coordinator, advised funds have been identified for this use, but it has to go through a fiscal agent. In addition, there is an administrative fee associated with serving as fiscal agent. In response to a question from Commissioner Elfering about the City of Milton-Freewater involvement, Mr. Fairley said there may be a new well. There have been preliminary conversations with the City about extending water if they want to do that and they have now said they are willing to consider it. Regarding the mobile home park owner, agreement is in progress with the OHA; details are still being worked out. This is a new opportunity from last week. The first need is identifying a fiscal agent, and then the project can move forward about how to get clean water there. Commissioner Givens added he will attend an upcoming meeting with Oregon Water Resources Department about basin rules as result of water issues in that area. Chair Murdock also noted from discussion at a staff meeting earlier this week there is concern that 30 + units are in disrepair and must have clean water -- anything that can be done for better living conditions and health standards is a big need. **Commissioner Elfering moved to approve the County acting as fiscal agent for OHA funding. Seconded by Commissioner Givens. Carried, 3-0.**

2. Loader Lease. Tom Fellows, Public Works Director, presented. This is customarily done for the crusher. The current lease is up for one loader. This would be for a new loader and a 5-year lease, which would be about \$3,000 more than the previous lease; however, there have been no increases in the last two cycles. The loader comes with a 5-year 5,000 hour warranty – it is a good deal. In response to a question by Chair Murdock about value, Mr. Fellows noted the equipment is worth about \$300,000. He feels it is better opportunity to lease the equipment with a 5-year or 5,000 hour warranty. **Commissioner Givens moved to approve a five-year lease with Western States for a 2016 Caterpillar 966M wheel loader for \$30,199.98 per year. Seconded by Commissioner Elfering. Carried, 3-0.**
3. Solar Project. Paul Chalmers, A&T Director, and Mr. Olsen presented. For some time, the owner of a solar project (Solwatt LLC) has requested County tax exemption and payment in lieu of tax. This is

result of legislation passed last session. This would be purely voluntary on the County's part. In this case, it is 550 kW, or total of \$3,827. The project is in the Hermiston area and is already in place. It is important to point out that power providers are being mandated to add solar as part of their grid as renewable base. The difference is approximately \$14,000 per year in tax loss. The current tax bill is \$17,550 for the 2015-16 year.

Chair Murdock asked about impacts of other entities with this type of action. Mr. Olsen advised there is not a requirement under the statute. Regarding the wind program, SIP, that is required. Mr. Chalmers advised it is a flat amount. If income generated for a solar project is consistent, then depreciation would be nominal. Commissioner Elfering commented there is not incentive for the County and Chair Murdock pointed out there is no loss to the state. Mr. Chalmers clarified there would be marginal loss to state due to loss of income locally (related to money to schools). Mr. Chalmers added this is another illustration by the legislature to not put the state on the hook – it has to do with back fill. “Unfunded mandate” by the state are burdens on locals. **Chair Murdock moved to first notify taxing entities for awareness of potential tax exemption. Commissioner Elfering seconded.** Discussion: Commissioner Givens asked if the motion is to table the request; Chair Murdock responded yes, and to first notify taxing entities then revisit the issue after that time; not a motion to approve. There was more discussion about the state looking to add to their budget by passing the buck to counties. Mr. Chalmers noted, technically, the project produces ½ the amount of the smallest wind turbine production yet the incentive is about ¾ of the tax to be given away. Commissioner Givens could not support taking taxes away from the County. There was more discussion about solar projects, location, requirements for power producers to have renewable resource. Commissioner Givens reiterated he would not support the motion after discussion.

Robert Pahl, Chief Financial Officer, noted he is neither in favor nor opposed; however, in each case as a project comes forward it is necessary to vet the financial impact to the county. **Commissioner Elfering withdrew his second. Commissioner Givens moved to deny the request. Seconded by Commissioner Elfering. Carried, 3-0.** Chair Murdock added he felt there should be contact with other entities for their awareness.

4. Sale of Property. Mr. Olsen presented. Recently a bid was received for the minimum amount statutorily authorized for this property on SE 3<sup>rd</sup>, Pendleton. Ross Taylor bid \$13,617. (Picture was projected on monitors.) Mr. Chalmers advised the property was a mess and Community Corrections and County maintenance staff helped clean it up (two 40-yard dumpsters of garbage were hauled out). Chair Murdock liked the idea of getting the property back on the tax rolls. **Commissioner Givens moved to approve and adopt Order No. BCC2016-080. Seconded by Commissioner Elfering. Carried, 3-0.**
5. Roofing Contract. Dan Lonai, Administrative Services Director, presented. Bids for the reroofing of the maintenance building were requested, broken down in 2 sections due to budget. Total cost for the wood shop portion and small auto shop (diagonal door) is separate. He explained bids. The recommendation, due to amount of budget available, is to award the bid to Palmer Roofing for \$25,540. **Commissioner Givens moved to approve authorizing the contract for just roofing the (wood shop) maintenance building to Palmer Roofing for \$25,540. Seconded by Commissioner Elfering.** Mr. Lonai noted he will have to go out for bid later in the year for the remainder of the roof. **Carried, 3-0.**
6. Sale of Generator. Mr. Lonai presented. This was discussed about 6 weeks ago. The generator has been sitting for nearly 5 years at the Stafford Hansell building; on 9/21/16, the Board approved disposition of the surplus generator. After listing on Craigslist, an offer of \$6,000 was made by Alvin

Tjoeker. **Commissioner Givens moved to approve and authorize sale of the generator for \$6,000 to Mr. Tjoeker. Seconded by Commissioner Elfering. Carried, 3-0.** Mr. Lonai noted those funds will go back into his budget (likely to help with the painting of the maintenance shop).

7. Sale of Carriage. Mr. Lonai presented. Harris Park is transferring an Amish carriage that is in disrepair to county surplus; it is of no value or historical value to the county. **Commissioner Elfering moved to approve to putting the Amish carriage on Craigslist for \$500 OBO. Seconded by Commissioner Givens. Carried, 3-0.** It will be sold “as is where is”.
8. Election Payable. Mr. Lonai presented. This is for voter registration – maintenance of the statewide centralized system; it is a typical routine expense split between the state and all 36 Oregon counties; it is budgeted. **Commissioner Givens moved to approve and sign the payable to the Secretary of State for \$7,776. Seconded by Commissioner Elfering. Carried, 3-0.**
9. Cerium Networks Payment. Mr. Lonai presented. He gave background/history. Recently with the addition of fiber the whole network has changed. RIMS system takes a lot more bandwidth. The county network was completely redesigned and a lot of equipment was taken out. CSEPP lines were very different use. Fiber connection is now at the jail; this is the second and final portion of the project. One of the big things it has done is to remove the under-build part of CSEPP for microwaves – it was not reliable. All entities are now using the fiber connection, which makes the network a lot faster. Commissioner Elfering commented 911 Dispatch continues to have problems and he is concerned. Mr. Lonai noted most of the testing shows it is not a network issue; testing determined a mistake that was something left out at installation and has now been fixed. Commissioner Givens asked Sgt. John Shafer for a brief 911 update. He explained a test simulation was done with multiple users on the system where the software provider, RIMS, was on-line; they saw issues and improvements were made. He noted lag times were greatly improved by updates and software issues that have since been fixed. **Commissioner Elfering moved to approve purchases from Cerium Networks, including the payable of \$8,550. Seconded by Commissioner Givens. Carried, 3-0.**
10. A&D Website. Mr. Lonai presented. Approval is requested for a BMCC student to develop a new Human Service Website. This will be for 16 hours of work. Proper training and background checks are to be done. **Commissioner Elfering moved to approve individual as student work experience intern to develop a new Human Services website. Seconded by Commissioner Givens. Carried, 3-0.**
11. Approve Payable, YSI Inc. Greg Silbernagel, Watermaster, presented. This is for equipment – it matches uploading of data and it is essential for the Bureau Of Reclamation contract. Funds are in the contract, which ends 11/30. He elaborated about the funding having to do with different fiscal years (County vs. BOR’s, which is under the 2015-16, not County’s 2016-17 fiscal year). Robert Pahl, CFO added that money is available in the BOR contract; funds were not available when the County’s budget was created for that program; it will require a supplemental budget. Funds will be reimbursed to the County from BOR. **Commissioner Elfering moved to approve the payable to YSI, Inc. in the amount of \$10,060. Seconded by Chair Murdock. Carried, 3-0.**
12. Extension Program. Chair Murdock advised he met with OSU Extension representatives Claire Sponseller and Mary Corp, where an agreement was discussed proposing a plan for structure change of the Extension Program including transfer of employees from County to State. It is targeted to transition employees on 1/1/17, but that is a “soft date”. This concept is to take place ASAP. **Commissioner Givens moved to approve the plan for structure change of the Extension**

**Program and transfer of employees. Seconded by Commissioner Elfering. Carried, 3-0.** Chair Murdock commended the leadership of Cooperative Extension for their efforts in making this change.

Commissioner Givens commented about the BOR contract (Watermaster). Mr. Olsen advised the County is in year 3 of the contract, noting it would have to be assumed by the State of Oregon.

13. District Attorney's Office Copiers. Mr. Olsen presented. The proposal is to allow leases for three copiers expire and instead purchase copiers through the capital replacement fund. Quotes were obtained. Two units would be from Canon and one would be from Pacific Office due to the best price and per/cost unit. The total is just over \$15,000. **Commissioner Elfering moved to approve and authorize purchase of three new copiers – two from Canon Solutions American for \$9,654; and one from Pacific Office Automation for \$4,543.60. Seconded by Commissioner Givens. Carried, 3-0.**
  
14. Creation of Position. Mr. Olsen presented. This is for creation of a position for the County Fair; the official job title is Sponsorship/Activity Coordinator. It will be a supervisor for the program; salary range 20. Potential funding impact is approximately \$81,000 in the current 2016-17 budget as a result of the Fair Manager position being vacant plus a half-time position. There may be budgeted funds to cover the cost for this year. Commissioner Givens noted the position is essential since there will not be a Fair Manager. It is felt sponsorships will bring in amounts nearly double to cover the position. Another issue is to keep the County Fair separate from EOTEC. Chair Murdock asked if this person would also be available for various activities at EOTEC not Fair-related? Commissioner Givens responded the position would only be for activities related to County Fair sponsors – it would not be for EOTEC. Commissioner Givens reiterated there would not be a Fair Manager and this new position would be less financial impact. Chair Murdock noted need for serious conversations about the Fair budget -- he is concerned about County obligations -- felt there needs to be discussion about entertainment, the overall budget moving forward and the Fair Board involvement. Commissioner Givens noted Lucas Wagner (Fair Board Chair) is the budget person for the Fair and the fact the Board is looking at reducing entertainment. Commissioner Givens added that last year, the entertainment was a high expense item that was not covered in budget. In addition, the Fair Board is currently working on 2017-18 budget (for the 2017 Fair) and they are looking to reduce costs by seeking out more local entertainment to save costs. Discussion continued about when funds are expended, in what fiscal year, cutting back on entertainment will actually be in the 2018-19 year. There was more discussion about commitments and budgeting. **Commissioner Givens moved to approve creation of the Position of Sponsorship/Activity Coordinator. Seconded by Commissioner Elfering. Carried, 3-0. Commissioner Givens noted with that approval, he moved to directly appoint Cyndie Driscoll to the position, contingent on background check and normal hiring practices. Seconded by Commissioner Elfering. Carried, 3-0.** Jennifer Blake, H. R. Director, noted the process would be done next week and she requested contact and other information for Ms. Driscoll. Commissioner Givens noted she is currently staff at EOTEC; Chair Murdock added she is a former employer of Tom Denchell Ford. Chair Murdock added that somewhere along the Board needs to explore the concept of the Fair office. Commissioner Givens noted the Fair office has been set up at EOTEC. Chair Murdock expressed concern about providing Fair staff to handle EOTEC affairs. Mr. Olsen noted EOTEC and the Fair office are in same suite, but there are different offices -- three separate office spaces plus one at the front (reception area), then a fifth area that is partitioned off (part open area and part is office area).
  
15. Approve Schedule. Mr. Olsen advised this is a request for an alternative work schedule. **Chair Murdock moved to approve the work schedule. Seconded by Commissioner Givens. As part of motion and second, the position hours are 7:00 a.m. to 3:30 p.m. winter schedule for 11/23/16 to**

**3/12/17 and would go back to regular 8 a.m. to 5 p.m. work hours on 3/12/17 with time change in spring. Carried, 3-0.**

16. Leave Request. Mr. Olsen advised this is for 90 days leave, without pay. **Chair Murdock moved to approve. Seconded by Commissioner Givens. Carried, 3-0.**

17. Other: On the record, Chair Murdock advised publicly that agreement with the courthouse union has been reached. He wants to be a signatory, but will be out beginning 12/2. If it is ready for ratification, he wants to sign the document; he will return to the office on 12/9.

#### Commissioner Reports

Commissioner Givens: AOC staff and Oregon Emergency Management collaboratively put together an emergency resources notebook designed for use by county leadership. Melinda Slatt was directed to contact Laura Cleland about obtaining additional copies for senior managers.

Commissioner Elfering noted a grants committee has been formed (including himself, Robert Pahl, Tamra Mabbott and Susan Bower) for the Economic & Community Development Program. Recommendations will be reviewed and made. If a project is outside his authority, it will come to the Board of Commissioners. No formal requests have been received as yet. The committee will meet four times per year on the last Wednesday of each quarter. He noted at the county website the "Grants" tab links to general information and to the application form. Chair Murdock noted that some emergency grants can be handled separately from Economic & Community Development.

Commissioner Murdock noted the Public Health Director, Jim Setzer, has been selected. He referred to an EO article yesterday with more details. Ms. Blake added he plans to start no later than 1/3/17; however, he may be in county in mid-December. She noted he is actively putting his move in motion coming from Namibia. The County is looking forward to his arrival.

Executive Session. None.

The meeting was adjourned at 10:40 a.m.

Respectfully submitted,

*Melinda Slatt,*

Executive Secretary, Umatilla County Board of Commissioners