

**MINUTES**  
**UMATILLA COUNTY BOARD OF COMMISSIONERS**  
Meeting of September 6, 2017  
9:00 a.m., Room 130, Umatilla County Courthouse  
Pendleton, Oregon

\*\* \*\* \*\* \*\*

**Commissioners Present:** Chair Larry Givens, Vice-Chair Bill Elfering and Commissioner George Murdock

**County Counsel:** Doug Olsen

**Members and Guests Present:** Gary Munck, Athena Cemetery Maintenance District Secretary; Kim Weissenfluh, County Developmentally Disabled Program Manager; Jennifer Blake, County Human Resources Director; Dale Primmer, County Community Justice Director; Tom Fellows, County Public Works Director; Steve Churchill, County Records; Marie Simonis, County Finance Assistant Director; Paul Chalmers, County Assessment & Taxation Director; Dan Lonai, County Administrative Services Director; Alisha Southwick, County Health Supervisor; Dan Primus, District Attorney; Eric Kodesky, NextEra Attorney; Melissa Hockmuth, NextEra.

\*\* \*\* \*\*\*\*

**CALL TO ORDER**

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

**Pledge of Allegiance** was led by Commissioner Murdock.

Chair Givens 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/Correspondence/Recognition.** (1) Commissioner Elfering read thank you cards received after the recent Milton-Freewater Junior Livestock Show and Sale from: Garrett Hills (market lamb); Annikah Perez (lamb); Brian Johnson (sheep); Kylee Murstig (Echo FFA); Abigail Marshall (hog); Ethan Eden (bump on steer); and Hunter Lock. (2) Commissioner Elfering read a letter to Sheriff Rowan from David Nichols regarding a recent appointment for concealed handgun license. In less than 10 minutes the process was complete; great customer service. (3) Commissioner Murdock noted recent acknowledgment to Administrative Services Director Dan Lonai and staff. Dan Lonai, Administrative Services Director, introduced Steve Churchill, Recording Officer, and Kim Lindell, Elections Manager. He explained the Oregon Clerk’s Association has certification processes, requiring training and continuing professional education. In addition, clerks work with the legislature on committees for records and elections. They all were involved in motor voter testimony plus other requirements. It took several years to achieve certifications. At the most recent conference, the County’s Chief Recording Officer and Elections Officer received recognition of this high award. Congratulations to Steve Churchill and to Kim Lindell!

**Minutes of Previous Meeting** Commissioner Murdock moved to approve the minutes from the August 2, 2017 and August 29, 2017 Board meetings. Seconded by Commissioner Elfering. Carried, 3-0.

**Additions to Agenda.** None.

**Public input for those items other than on agenda** Chair Givens advised this is the time for public input (for other than a scheduled item on the agenda) and also for recognition of visitors. There were none.

**Presentations.** None.

## **Business Items:**

1. **Civil Payment Process.** Doug Olsen, County Counsel, presented on behalf of Lt. Sterrin Holcomb, Sheriff's Office, who was at training. This is regarding the civil process payment related to the statutory timeframe for executions. Request is for a waiver in the county process to allow for immediate payment on their signature to allow processing of execution sale or seizure proceeds for the required timely payment. The hand pay process has been used, but that requires more paperwork, time and there is a \$25/item fee. The Civil Office requests waiver of that. Therefore, the Board would not see this paperwork; the Sheriff would sign the paperwork and it would go on directly to Finance for processing. Marie Simonis, Assistant Director of Finance, advised hand pays are not working well with requirement of signatures within the statutory timelines; it makes sense to process payment as requested. In response to Chair Givens' question about liability, Mr. Olsen said there would be none. This authorizes the Sheriff to process as his sign-off would be in place of the Commissioners. Ms. Simonis added there are some very large amounts (example, recently it was \$150,000). Commissioners expressed concern that only the Sheriff signs; they did not want it to be delegated. Ms. Simonis added there is a clearing time for the revenue side and pay-out; payments come in by check and cash – it is not an immediate turn around. State Courts and the Civil Department are involved. **Commissioner Elfering moved to approve. Seconded by Commissioner Murdock. Chair Givens advised Ms. Simonis to please make sure it is Sheriff Rowan who signs off. It was agreed to modify that to be part of the motion. Carried, 3-0.**
2. **Force Feed Loader Purchase.** Tom Fellows, Public Works Director, presented. He went out for Request for Proposals for this equipment to replace a 1990 version currently in use. The manufacturer is now out of business and he's had trouble getting parts to repair. The Modern Machinery bid is \$213,000. This is part of equipment upgrades program and has been on the list for a few years. **Commissioner Murdock moved to approve. Commissioner Elfering seconded. Carried, 3-0.**
3. **Drilling and Blasting Contract.** Mr. Fellows presented. He went out for quotes for proposals for drilling and blasting of the Simpson Pit near Pilot Rock. Two quotes were received; the low bid was from Hatley Construction in the amount of \$40,000. **Commissioner Elfering moved to approve. Seconded by Commissioner Murdock. Carried, 3-0.**
4. **Community Corrections Vehicle.** Dale Primmer, Community Justice Director, presented. This has been in the works for a couple of months. The last bids were rescinded. After the 8/29 Board meeting, it was reviewed and determined that the one proposal was non-responsive; the lowest qualifying bid was for a Jeep Cherokee from Tom Denchel Ford Country in the amount of \$27,200. **Commissioner Murdock moved to approve. Seconded by Commissioner Elfering. Carried, 3-0.**
5. **District Attorney-Victim Witness Copiers.** Dan Primus, District Attorney, presented. This is for two copiers with a recommendation to purchase (vs. lease) using the State contract for a total of \$6,694. Funds are available for purchase. **Commissioner Elfering moved to approve. Seconded by Commissioner Murdock. Carried, 3-0.**
6. **DA Position Changes**
  - a. **Office Assistant III.** Mr. Primus presented. This would be to move one assistant position in the DA's office to a legal secretary (from Range 12 to a Range 14, Legal Secretary). This position is the only one that is not grant funded. The person works at the front counter, with an attorney and works with all mental commitments in the office. **Commissioner Murdock moved to approve. Seconded by Commissioner Elfering. Carried, 3-0.**



is unique to Oregon. **Commissioner Murdock moved to approve. Seconded by Commissioner Elfering. Carried, 3-0.**

11. Medical Biller Position. Ms. Southwick presented. Last spring the position was filled as a .75 FTE position working in Public Health and in A&D. The request is to make the position full time, funded .75 Public Health and .25 Human Services. Funding changes for budget would allow making it a full-time employee. Adjusting line-items will cover the additional .25 FTE (Human Services, Immunizations). Commissioner Elfering asked about additional revenues causing need for medical biller. Ms. Southwick advised that the current biller is great working through payments and ensuring revenues are coming in and full-time capacity would improve revenues. **Commissioner Elfering moved to approve. Seconded by Commissioner Murdock. Carried, 3-0.**
12. Records Office Hours. Mr. Olsen presented. It is proposed the Records Office go back to opening at 8 a.m. vs. 9 a.m. Action is to formally change an order adopted in 2003. The Records Office is statutorily required to be open a certain number of hours. Previously a number of offices were allowed to open to the public at 9 a.m. Since then only that the Planning Department and Records were opening at 9 a.m. The Planning Department will now also open at 8, but changing back to 8 a.m. opening was less formal (no Board order was in needed). **Commissioner Elfering moved to approve Order No. BCC2017-062. Seconded by Commissioner Murdock. Carried, 3-0.**
13. Justice Center HVAC. Mr. Olsen presented. The unit for the Dispatch Center needed immediate replacement. Quotes for replacement were obtained and the lowest bid of \$6,730 was from Murphy's Heating and Air. **Commissioner Elfering moved to approve. Seconded by Commissioner Murdock. Carried, 3-0.**
14. Sale of Property. Mr. Olsen presented. This is for a strip of property 15 ft. originally reserved for a road, but never used as such. It was recently discovered that parcel was not on the tax rolls and was added to the rolls. The taxes were not paid and the County foreclosed on it. It is unsuitable for building due to its size and configuration. The bid is \$300, which meets the statutory minimum for sale. **Commissioner Elfering moved to adopt Order No. TX2017-002. GM seconded.** Paul Chalmers, Assessment & Taxation Director, clarified, tax consequences could change if the buyer makes a partition; when sold the buyer should be notified. Mr. Olsen advised the buyers were made aware. They will consolidate the property for tax purposes and may in the future do a partition plat. Notice will be published before the private sale is concluded. **Carried, 3-0.**  
  
Commissioner Murdock asked Mr. Chalmers for status of County properties. Mr. Chalmers advised some property is considered surplus and will be stagnant until such time as there is activity. Mr. Olsen added there are about five such properties. Mr. Chalmers noted there were as many as 400-600 pieces of property when he first started 28 years ago with the County. Back to the five properties, Mr. Olsen elaborated they are undesirable and have been through the auction and bid process without any interest. Mr. Chalmers added some properties have been developed to better value (case in point, Sunridge lots in Pendleton).
15. Echo Community Benefit Plan. Commissioner Elfering presented. The committee carefully scrutinized the list of requests and recommends a grant of \$4,150 to the Echo Cemetery District. **Commissioner Elfering moved to approve Order No. BCC2017-060. Seconded by Commissioner Murdock. Carried, 3-0.**
16. SIP Hearing scheduled for 11 a.m.

Other Business: Mr. Chalmers noted he had been contacted by Denny Doyle, Mayor of Beaverton, asking him to consider serving on the LOC Board as an Eastern Oregon/rural representative. It would start 2018 for a 2-year term. Meetings are quarterly, 9 am -2 pm and LOC would cover travel expenses. This is tied to his being on the Pendleton City Council. Commissioner Murdock pointed out it is important for the County to have a voice. The Commissioners were supportive of Mr. Chalmers serving on the LOC Board.

#### Commissioner Reports.

Commissioner Givens had spoken to Tom Roberts, Emergency Manager, regarding the gorge fire. The Coast Guard has shut down all locks and all barge traffic has been shut down – probably from intersection of Snake River down the Columbia. This may affect fuel shipments (and other products) up the river -- the immediate impact to our area is unknown. Mr. Roberts will attend a briefing today and will provide a report. They are taking water out of the river and the fire jumped the over into Washington (Washougal and Stevenson area). Fires all around are devastating.

He will attend the Walla Walla Valley Metropolitan Planning Organization meeting at 1 pm and he will attend a Fair Board meeting at 6 p.m.

Commissioner Murdock attended the Washington State Fair over Labor Day. That Fair draws about 1.2 million; it is a very impressive event. Of particular interest were the people movers. They also have a rental agency for strollers and wagons as well as motorized carts at the gate. These are things to consider. In addition, they gave out a lot of passes, which are sponsored. Gate revenue is important, but money is spent inside the grounds too. They are also looking to create an area/ exhibit to show people where their food comes from. In that regard, he talked to their Board about the SAGE Center concept. They were intrigued and want to tour the facility.

Marie Simonis was asked to present numbers on the Fair livestock sale: She advised numbers came from Marie Linnell, Chair of the Livestock Committee. Although the number of lots were down about 60, total gross was the third highest in history at \$436,500. Lambs, hogs and goats all set new records of sale. The first lot in the sale achieved \$30/lb. for a market lamb. All American Heating & Cooling bought the grand champion lamb animal, which was raised by H. R. Director Jennifer Blake's daughter, Hunter. Ms. Simonis noted the livestock area was improved and all seemed happy - 4H and FFA and open class were pleased and excited with the support. In addition, numbers for other areas are still being pulled together. Regarding entertainment, the cost was highest for the Tuesday night show but it had the lowest attendance number. She encouraged Chair Givens to advise the Fair Board at its meeting that night to carefully consider that to the future as entertainment is very expensive. She noted she and Robert Pahl have looked at 10 years of statistics (attendance – at gate, which doesn't include pre-purchase of passes); it is still a good indicator and can be useful for finance discussion with Lucas Wagner, Fair Board Chair. Chair Givens commented the Friday night set records for attendance and money. Ms. Simonis noted it was advertised as a dance party, which garnered a huge audience (plus more in food/beer sales, etc.) There was more discussion about nights of entertainment, how it is referenced, publicity and other changes that look good moving forward.

Commissioner Elfering received a letter from NACo confirming he will be a member of the Standing Membership Committee.

Commissioner Murdock advised he will be speaking to Hermiston Rotary tomorrow.

Chair Givens called recess at 10:13 to reconvene at 11 a.m.

Chair Givens reconvened the meeting at 11 a.m.

Public Hearing for Approval of Wheatridge Energy LLC for the Strategic Investment Program. Chair Givens asked for the staff report. Paul Chalmers, Assessment & Taxation Director, presented. He, Doug Olsen and Robert Pahl, as well as Commissioner Murdock, worked with representatives of Wheatridge LLC regarding its wind energy project. They have a proposed agreement, which includes a minimum megawatt charge and 15 years of additional payment above the minimum megawatt charge. This is acceptable to Wheatridge. They are also working on a separate agreement with Morrow County. He understands 15% of the project is in Umatilla County, while the rest is in Morrow County. Chair Givens asked where the company transmission gen-tie line will be placed. Melissa Hockmuth, NextEra, advised there will be two transmission lines. One transmission will link the two sites of the project and is interior to the project. The project is so spread out that this is an above-ground line, all located in Morrow County. A second transmission line will be connected to BPA's system. This transmission line is in Morrow County. In response to a question by Chair Givens about connectivity to the B2H proposed line, Ms. Hockmuth advised that is not planned at this time. Commissioner Murdock asked about the involvement of NextEra in the project. Ms. Hockmuth said that NextEra purchased the project from the previous developers, Swaggart. They did a great job to lease their property along with study and development. They will pick up where Swaggart left off on a good project with a lot of benefits to Morrow and Umatilla County.

Mr. Chalmers commented there will probably not be a lot of the project benefit coming until 2019. Ms. Hockmuth said that the EFSC permitting and approval will need to be completed and worked through to the development process. Construction is planned to start later in 2018 and into 2019. Generation is projected at the end of 2019 or start of 2020. The total project is permitted for up to 292 turbines up to 500 megawatts. NextEra is headquartered in Juneau Beach, Florida, but also located in 29 different states. It is the largest generator of wind energy in North America and has very successful projects across the country.

Commissioner Elfering asked about the process from this point for sale of the electricity. Ms. Hockmuth advised the big piece left to do is to market and find a purchaser of the power and a commercial agreement, which ties to the development portion. Once a customer is certain, they will look at more specific design, contracting with vendors and then plan for construction. Road use agreements, planning for construction will involve the local level, probably later next year.

Commissioner Murdock pointed out that the turbines in Umatilla County will be located on a in single-owner parcel.

Mr. Chalmers added that with approval today, the package would go to Oregon Business for its September 29, 2017 meeting.

Chair Givens asked for proponents. None were heard. He asked for opponents. There were none. There were no state agencies present. Chair Givens closed the public hearing at 11:14 am.

**Commissioner Murdock moved to approve the SIP application and to sign the agreement. Seconded by Commissioner Elfering. Carried, 3-0.**

**Commissioner Murdock moved to adopt Order No. BCC2017-059 (requesting the Oregon Economic and Community Development Commission Exempt Wheatridge Wind Energy Project from Property Taxation Under the SIP). Seconded by Commissioner Elfering. Carried, 3-0.**

The meeting adjourned at 11:16 a.m.

Respectfully submitted,

*Melinda Slatt*

Executive Secretary, Umatilla County Board of Commissioners