

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS
Meeting of October 18, 2017
9:00 a.m., Room 114, Umatilla County Courthouse
Pendleton, Oregon

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

County Counsel: Doug Olsen

Members and Guests Present: Dale Primmer, Community Justice Director; Dave Price, Athena; Gary Stolz, Hermiston; Frank Gehring, Hermiston; Robert Pahl, County Chief Finance Officer; Bob Waldher, County Planning Director; Dan Lonai, County Administrative Services Director; Undersheriff Jim Littlefield; Tom Fellows, County Public Works Director; Eli Stephens, Pendleton.

CALL TO ORDER

Chair Givens called the meeting to order at 9:00 a.m. He reminded those present it is a public meeting. It is being audio recorded and minutes are being taken. Comments will be made part of the record. He remarked about Room 114 used to be the regular Board room, and Room 130 is being used today by Assessment & Taxation for training.

Awards/Recognitions/Correspondence: Commissioner Elfering noted the County puts in a “bump” to equalize the bidding process at livestock auction. He read a thank you card from a youth who showed a hog called “Thunder” at M-F Jr Show. He commented the County contributes to three livestock youth auctions each year.

Congratulations to Bob Waldher, Planning Director, for selection to participate in the REAL (Resource Education & Agricultural Leadership) Program Oregon – he will attend several sessions around the state. Mr. Waldher added this is an inaugural class modeled after programs in Washington and Idaho. Thirty will participate with focus on agriculture and forest production. He is looking forward to learning more about important topics. Commissioner Elfering commented tuition was paid for through the County Economic Development budget. In addition, Commissioner Murdock added that Mr. Waldher has been providing drawing concepts for the Pendleton Enhancement Project. His latest drawings were presented to the Pendleton Development Commission the previous night where \$20,000 was allocated towards the PEP. Thank you to Mr. Waldher for a job well done.

Minutes. **Commissioner Elfering moved to approve the minutes of the Board meeting of 10/04/17. Seconded by Commissioner Murdock. Carried, 3-0.**

Public Input/Recognition of Visitors. Chair Givens introduced Dave Price. He talked about devastating forest fires all over the Pacific Northwest. The Forest Service has spent \$2 billion in fire suppression in Oregon and there is more to come in California. HR 2936 – Resilient Federal Forests Act of 2017 -- is a proposed Bill; he handed out a summary page. The purpose is after this bad fire year (and last year), it got the attention of the public resulting in Congress introducing HR 2936 (actually introduced prior to really bad fires (i.e. Gorge)). It involves forest management and attempts to streamline the process. He commented about legislative paralysis – hoping this Bill will make needed changes with authority to proceed quickly. Ties to forest plans – roughly 1/3 of the forest base is available for fire management with 2/3 not available. It won’t eliminate big fires but it would be a big help. The process has become so cumbersome (i.e. salvage after fires) and complex, salvage of

older fire materials couldn't afford to be pursued (i.e. 2015 fire at Troy). Fire management prevention is also included in the proposed HR. Receipts to a County would be changed with new technique "a stewardship process". Currently, the Forest Service only is allowed money back. The bill would allow 25% receipts to go to a County vs. none, at this time. He also talked about acreage, watershed management and local control. O & C lands would receive 75% of receipts (applies to the west side of Oregon). He requested Board support of this Bill very soon in order to be moved through Congress. Chair Givens added a big item of objection and appeal process hearings should take place in the District where objection is filed – not in Washington DC. The process needs to stay local where it is more accessible to the region. Another change would involve legal costs. Commissioner Elfering noted lobbying is another consideration; it is big business.

Mr. Olsen advised that the Board is being asked for a support letter to go to congressional staff. Action would not be taken today, but at a future meeting. Mr. Price added there is strong opposition; however, there is need and support by locals. Chair Givens will prepare a support letter. (Mr. Price left at 9:20 a.m.)

Business Agenda.

1. Co-Adoption-City of Hermiston Map Amendment – Public Hearing. Chair Givens called the hearing to order at 9:21 a.m. He gave the opening statement and referenced criteria for consideration. He asked for any abstentions or conflicts of interest of the Board. None were heard. He asked for other declarations by Commissioners. None were heard. Bob Waldher, Planning Director, gave the staff report from the 10/11/17 staff memo. The City initiates the request and co-adoption is because it is in the Urban Growth Boundary. The City held public hearings in August with approval and adoption of Ordinance 2246. The Planning Commission had a hearing on 9/28. Annexation is not part of consideration for the Board today. The only question is for the changing of the property from urban to urbanizable. Regarding Gettman Road, Tom Fellows (County Public Works Director) commented the road should have been put in with city standards when the new school was built there, from the school to Highway 207. Commissioner Murdock asked if the City is going to assume responsibility of the road. Mr. Olsen advised upon annexation, Gettman Road will be within the city limits, and the upgrading of the road will be part of the development approval.

Chair Givens reiterated action today is only looking at the criteria from the staff report and memo. He would ask for proponents first, then opponents. He noted there was no City of Hermiston representative present.

Proponents. Frank Gehring, 79344 Prindle Loop Rd., Hermiston. He has lived there since 2000; has primarily built homes a long time but now is a developer. He determined this location owned by the Wulffs was best and purchased it. He has worked with the City and has submitted a preliminary subdivision plat - looking to build 46 homes. Plans are not finalized with covenants as yet, but that will restrict building of duplexes. Zoning is to allow more coverage per lot with nicer homes (\$275,000 - \$325,000 or maybe higher), and possibly covering a patio, for example. Gettman Road will include paving/curbs and gutters on the subdivision frontage. Housing needs are huge in the County. In response to a question from Chair Givens about lot size, Mr. Gehring noted it is around 8,500 sq. ft. (smallest lot size is 8,000 and largest is 14,000; 15 lots are 9,000 and some are as high as 14,000). There was discussion about density, rezoning, standard urban residential lot size and more about Gettman Road. Mr. Waldher interjected Gettman Road is to be brought up to standard even if the subdivision is not developed.

Opponents. Gary Stolz, 150 W Gettman Road, Hermiston, where he has lived for 38 years. He asked if a letter submitted by neighbors with a dozen signatures was included in the packet. Mr. Waldher advised it is. The Board noted they had read the packet including the letter. Mr. Stolz added Gettman Road is a main artery. The problem to be addressed is traffic since the middle school was built and occupied. He feels an LID would not work for road improvement due to large agriculture lots. He is concerned about prior action of the road not being paved since the School District built the middle

school and they only paved two blocks of the road. Now an old grocery store has been converted to office space for the School District. He felt, “they got a pass” on not improving the road. The school was not to use the unpaved portion of Gettman for access to the school. Traffic is a huge problem – bad washboard roads are causing accidents; it needs to be addressed. He feels a simple and maybe inexpensive resolution would be to take out the bridge over the canal. If the road is closed there, traffic would have to go into Hermiston or on to Feedville Road. He believed there would be only one property owner would be affected in that event. Chair Givens felt problems would be alleviated if the road is paved. Mr. Stolz agreed. The gravel part is a safety concern along with a lot of traffic going too fast causing out-of-control accidents.

Chair Givens asked Mr. Gehring if he had any rebuttal. Mr. Gehring didn’t disagree with Stolz’s description of bad road. He added the Railroad is asking a lot of money to improve a portion of it (\$1 million). He is looking for other alternatives to improve Gettman Road until it can be paved. He intends to slow down traffic during construction phase (i.e. chip sealing). Undersheriff Jim Littlefield added there are patrols and complaints are responded to.

Mr. Waldher clarified – the road is County jurisdiction and there is an agreement (with Hermiston) in place. Commissioner Murdock agreed Gettman Road is a big topic; it was never intended to handle the traffic that is happening now due to expansion.

Chair Givens advised there is no reason for continuance. He asked for Board comments.

Commissioner Murdock felt there are two issues facing the County – need for more housing, which the proposed subdivision would help alleviate. Gettman Road is a problem regardless of Board action, and it will be an expensive thing to deal with.

Chair Givens closed the public hearing at 9:52 a.m. for deliberation.

Chair Givens suggested to Mr. Stolz that he work with the School District as well as the City of Hermiston about the agreement (re: Gettman Road); also that he attend a School Board meeting to express concern and to hold them accountable to work on the Road. Mr. Waldher reiterated, today’s Board action is only for co-adoption.

Regarding a question from Commissioner Elfering about the conditional use permit and enforcement, Mr. Waldher advised he would need to check it – maybe the School District would be held to keeping bus routes originally agreed. Commissioner Murdock added perhaps the County could open a joint conversation with the City of Hermiston and Hermiston School District for a broad conversation about Roads.

Commissioner Elfering moved to approve of Ordinance 2017-14 for co-adoption of Hermiston’s Ordinance. Seconded by Commissioner Murdock. Chair Givens added the County will continue on other issues with HSD and Hermiston regarding Gettman Road. Carried, 3-0. Commissioner Murdock moved to have the Board Chair convene such a joint meeting with Hermiston, Hermiston School District and Umatilla County. Seconded by Commissioner Elfering. Carried, 3-0.

Chair Givens noted Eli Stephens had arrived and wished to talk about the Rodeo City Hotel. Mr. Stephens, Pendleton, advised it had been an 8-year struggle after the hotel was shut down, the last three of which it has been a public nuisance and an eyesore as the hotel owner would not take care of it. It is a safety/security concern for him as a neighboring property owner (his property has been broken into and stolen from by those trespassing at the derelict neighboring property). He added he has also worked with Doug Olsen; he expressed appreciation to him, the Commissioners and Sheriff Rowan and Undersheriff Littlefield for the County’s

assistance and attention. He understood the County has sent a letter to the owner demanding the property be cleaned up and secured. He's seeing light at the end of the tunnel. (Mr. Stephens left at 10:02 a.m.)

2. Harris Park Storage Shed. Tom Fellows, Publics Works Director, presented. Request is made for a Request for Proposals to purchase a kit to erect a storage shed at Harris Park to store large equipment outside. The intent is to get a kit and park staff will be used to erect it, or possibly a small amount of contracting, if needed. **Commissioner Elfering moved to authorize issuing a Request for Proposals. Seconded by Commissioner Murdock. Carried, 3-0.**

3. Utility Task Vehicle Purchase. Undersheriff Littlefield presented. The Sheriff's Office is seeking to go out for bids of a "side by side" enclosed 4-wheel vehicle. Primary use would be to augment snowmobile patrols in winter in the mountains mainly (Tollgate area). They are currently using 10-year old snowmobiles; a UTV would be safer and a larger platform. In addition, it would also be used for search and rescue. Pricing is around \$23,000-\$25,000, which includes needed equipment. The Sheriff's office annually receives a \$10,000 grant from the Oregon Snowmobile Association, which would be used toward the UTV purchase. And, another \$10,000 is to be received next month. There would be a track system to be used in snow but the unit comes with wheels and tires. **Commissioner Elfering moved to approve/authorize issuing a Request for Proposals. Seconded by Commissioner Murdock. Carried, 3-0.**

4. Request for Vehicles - Sheriff. Littlefield presented. This purchase for vehicle needs to be opened for bid by area vendors. One bid was received from Tom Denchel Ford at \$600 less than the state contract, but it lacked needed law enforcement equipment (usually included on state bids). It is budget consideration, state bid and local vendor bids. State bid includes all pre-wiring and equipment for patrol vehicles, but bids also need to consider cost and availability. There was more discussion about bid proposals - what specifications are included and the fact there are potential delays due to dealers not familiar with Sheriff's vehicle specifications. Commissioner Elfering suggested request for proposals needs rewording; he did not want local dealers to be shut out of the process. Undersheriff Littlefield agreed, but time is of the essence in addition to proper equipment ready to go. He expressed concern about "retraining" local vendors to have the right equipment. Mr. Olsen added delivery and warranty work is also a consideration. Commissioner Murdock felt training local vendors is a good idea. **Commissioner Elfering moved to authorize issuing a Request for Proposals for the purchase of three new law enforcement vehicles. Seconded by Commissioner Murdock. Carried, 3-0.**

5. Request for Vehicles - Veterans. Mr. Olsen presented. Authorization is sought to issue a request for proposals for the purchase of three vehicles. Budget is available. **Commissioner Murdock moved to approve issuance of a Request for Proposals. Seconded by Commissioner Elfering. Carried-3-0.**

6. Community Corrections Reclassification. Mr. Primmer, Community Justice Director, presented. Conversations have been had with liaison Commissioner Murdock as well as Jennifer Blake, Human Resources Director, and Mr. Pahl, Chief Finance Officer. He suggests changing the PO classification by changing requirements (Bachelor's Degree and hours of training). The request is to allow modifying the current PO1/PO2 class to allow those without education but experience the ability to promote to the second level: AA degree 200 training hours and 11 years' experience. No degree, 240 hours of training and 13 years' experience. He believes experience is important and should be considered and allows for retention of experienced employees. **Commissioner Murdock felt it is a good idea; he moved to approve. Seconded by Commissioner Elfering.** In response to Commissioner Elfering's question,

Mr. Olsen advised there are no other positions in the County that would have implications from this action. **Carried, 3-0.**

7. Window Replacement. Mr. Primmer presented. The Community Corrections building was constructed in 1996. Windows on the south and west side have suffered damage and have even fallen out; they are not adequate. Maintenance has worked on them, but recommended all windows need replacement. Bids were sought and the low bid is \$9,997.18 from Integrity Glass & Door. Funds are available. **Commissioner Elfering moved to approve. Seconded by Commissioner Murdock. Carried, 3-0.**
8. BOPTA Appointments. Commissioner Murdock presented. The Board of Property Tax Appeals is citizen based and it is time for annual appointments. Don Daggett (County Governing Body Pool) and Terry Carty and Christine Wallace (Non-Office Holding County Resident Pool). He noted he had sought out citizens to serve; he will no longer serve on that Board. **Commissioner Murdock moved to approve Order No. BCC2017-066. Seconded by Commissioner Elfering. Carried, 3-0.**
9. Sidewalk Replacement Contract. Mr. Lonai reported. Request is made for the Board to review proposals to replace the front sidewalk and add diagonal ADA parking at the front of the courthouse. Loran Lindell Construction was awarded the bid at the 10/4/17 Board meeting but due to the amount of the bid there was a prevailing wage question. He decided to also have the back sidewalk replaced, which it is worse than the front walk. Proposals were received in response to the Request for Proposals. The total of the proposal submitted is \$146,240. \$40,000 was set aside originally for the project. In response to a question, Mr. Lonai advised the maintenance department doesn't have equipment to do the demo work. In addition, asphalt work is involved for the handicap parking spots. Striping will be done by maintenance. Regarding funding, Commissioner Murdock and Mr. Pahl have had discussions and will negotiate funding as needed for the additional over \$100,000. Mr. Lonai is also looking to including piping at a future time for heating so salt will not deteriorate new sidewalks. **Commissioner Elfering moved to approve and accept the proposal. Seconded by Commissioner Murdock. Carried, 3-0.**
10. Supplemental Budgets – Public Hearing. Chair Givens called the hearing open at 10:29 a.m. Mr. Pahl, CFO, presented. There are seven supplemental budgets for consideration to appropriate funding unknown at time of budget adoption as follows: Order Nos. 2018-02 (Unitary Assessment Fund) – increase in Materials & Services \$21,275 and decrease in Contingency same amount. 2018-03 (Public Works Fund) – increase in Beginning Cash Balance \$826,272, Materials & Services \$83,000, Capital Outlay \$700,000 and Contingency \$43,272. 2018-04 (School Based Health Center). 2018-05 (Veterans Fund – Vets Expanded Services) – increases in Beginning Cash Balance \$23,755 and Capital outlay \$29,357; and decrease in Contingency \$5,602. 2018-06 (Human Services Fund – School Based Mental Health) – increases in State Revenues \$300,000, Personnel Services \$243,000 and Materials & Services \$57,000. 2018-07 (General Fund – Vets Services) – decreases in State Revenues \$101,523 and General Fund Contingency \$101,523. 2018-08 (General Fund - Victim Witness Program) – increase in Local Revenues \$21,275 and Materials and Services \$21,275.

Commissioner Elfering asked about the net change to General Fund (Vets Services = \$100,523). Mr. Pahl explained funds anticipated were not realized – it was less than expected but the need was still there, requiring a budget adjustment. Services were increased.

Chair Givens asked for any public comments. None were heard. He closed the hearing at 10:34 a.m.

Deliberation: In the matter of Approving Supplemental Budgets pursuant to ORS 294.471 for FY ending 6/30/18: Commissioner Elfering moved to approve Order No. Budget2018-02 (Program 2047 – Unitary Assessment). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to approve Order No. Budget2018-03 (Program 4350 – Public Works). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to approve Order No. Budget2018-04 (Program 5638 – School Based Health Center). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to approve Order No. Budget2018-05 (Program 5771 – Veterans Expanded Services). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to approve Order No. Budget2018-06 (Program 5428 – Human Services – School Based Mental Health). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to approve Order No. Budget2018-07 (Program 5770 – Veterans Services). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to approve Order No. Budget2018-08 (Program 2050 – Victim Witness Program). Seconded by Commissioner Murdock. Carried, 3-0.

11. Board Meeting Schedule. Mr. Olsen presented. There is no quorum for the 11/15/17 Board meeting; the proposal is to reset it for 11/22/17. **Commissioner Elfering moved to approve. Seconded by Murdock. Carried, 3-0.**

12. EOTEC Payable. Mr. Pahl presented. The County has been billed for the first quarter of FY2017-18 by EOTEC \$18,750. This is more than what was budgeted. Later in the year, a supplemental budget will be needed. The initial allocation was \$50,000 and now it appears the amount being billed by EOTEC is \$75,000. Mr. Olsen and Mr. Pahl talked about the County and City of Hermiston’s prior agreement -- it was \$25,000 initially, then increased to \$50,000 for the first three years the fair was at the new site. Now, EOTEC is billing the County \$75,000. Mr. Pahl noted the County is obligated to pay one-half of any shortfalls (Hermiston pays the other half). **Commissioner Elfering moved to approve and to sign the payable to EOTEC. Seconded by Commissioner Murdock. Carried, 3-0.**

Executive Session – pursuant to ORS192.660(21)(a,b,h) was called by Chair Givens. Mr. Olsen suggested the Board move to Room 121. It was agreed.

Recess for 5 minutes was moved by Commissioner Murdock. Seconded by Commissioner Elfering. Carried, 3-0.

The Board returned to regular session. Called back to order by Chair Givens at 10:50 a.m.

Regarding Department Director meetings, Commissioner Murdock liked the format of the last meeting (8/30) with good open discussion of topics of interest county-wide. He stressed the importance of a good quality agenda. Mr. Pahl agreed manager meetings should cover overall topics and be to the point. Chair Givens noted the change in format of separating manager meetings from all level management training has been his vision since February. The importance of good exchanges and non-confrontational sharing.

Suggested topics for the 10/25 Department Director meeting: Budget update; Emergency Manager update regarding Emergency Operations Center; Sidewalk construction and future of security at courthouse.

Other:

Chair Givens advised Tom Fellows, Public Works Director, has been appointed to the National Association of Counties subcommittee on Transportation Steering Committee based on his participation on the Oregon Association of County Engineers and Surveyors (OACES). Commissioners were supportive of participation by County managers at local, state and national levels. **Commissioner Murdock moved for support of Tom Fellows in his NACo committee as well as Robert Waldher, Planning Director, in his REAL Oregon leadership program. Seconded by Commissioner Elfering. Carried, 3-0.**

The meeting adjourned at 11:55 a.m.

Respectfully submitted,

Melinda Slatt

Executive Secretary
Umatilla County Board of Commissioners