

**MINUTES**  
**UMATILLA COUNTY BOARD OF COMMISSIONERS**  
Meeting of May 1, 2019  
9:00 a.m., Room 130, Umatilla County Courthouse  
Pendleton, Oregon

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**Commissioners Present:** Chair George Murdock, Vice-Chair John Shafer, and  
Commissioner Bill Elfering

**County Counsel:** Doug Olsen

**Members and Guests Present:** John McBean, Jesse Bonifer, Capt. Dave Williamson, Sheriff’s Office; Sheriff Terry Rowan; Dave Price; Phil Wright, East Oregonian; Tony Justus, Don Reese, Sgt. Josh Roberts, Sheriff’s Office; Jay Rusner; Ann Jolly; Dusty Hearn; Steve Baize; Suni Danforth; Paul Chalmers, Assessment & Taxation Director; Amy Ashton-Williams, Human Services Director; Tom Fellows, Public Works Director; Undersheriff Jim Littlefield; Dan Lonai, Administrative Services Director.

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**CALL TO ORDER**

The meeting was called to order at 9:00 a.m. by Chair Murdock. He 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 by coming to the microphone in order to be heard on the record – also note if you are speaking on behalf of others. He noted there is a point for public input before business items for other than agenda items.

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

**Awards/Correspondence/Recognition** – none.

**Minutes** – none.

**Additions to Agenda** – none.

**Public Comments** – none.

1. **Initiative Second Amendment.** Presented by Doug Olsen. The Board received a proposal regarding the Second Amendment, but nothing formal has been filed with the county clerk’s office. At this time, it is an informal request to have the Commissioners refer it to the voters. Similar requests have been made to other counties – including Columbia County – which refused to put on the ballot for various reasons. An appeal of that denial was made and the judge agreed with the Columbia County clerk and upheld the decision to not put the item on the ballot. It is his recommendation to refuse the ballot request in Umatilla County.

Sheriff Rowan then spoke about many other counties and he’s being told about some challenges. His review of the ordinance noting he is a strong believer in the Second Amendment; however, a couple of sections he feels need more defining i.e. prohibiting guns to those with felony convictions and mental illness. Those additions would be beneficial; however, at this time they are not included.

Chair Murdock then asked for those who wish to speak come forward; he reminded all about the two-minute limit on public comments.

- A. Jesse Bonifer, 317 W Lincoln St., Athena. He understood about it being unconstitutional to be on ballot in present form; however, if those concerns could be addressed as noted, he asked if the Board would be willing to put the proposal on the ballot? Commissioner Elfering advised he had read the proposal, but would need to see the changes first before answering the question. Chair Murdock joined him saying he too would like to see the revised document. Commissioner Shafer also expressed Second Amendment support, but joined the sentiment about seeing changes. Mr. Bonifer again asked would they be in favor of a sanctuary ordinance? Mr. Olsen talked about submission to the clerk's office; however, the Board could forward the item to the voters. Mr. Bonifer agreed to email the revised document to Mr. Olsen.

Mr. Bonifer advised an ordinance has been passed in Josephine County fashioned after Umatilla County's proposal (without the penalties).

- B. John McBean, 740 N Hunt, Athena, OR. He read a statement. Then expressed concern – in particular after reading the story in the East Oregonian adding it is not fair about withholding information as noted in the article about not moving forward so Mr. Bonifer didn't have to take time off work. He talked about opposition of SB988 and then about transparency of the Board.
- C. Steven Baize, Hermiston, 115 NE 12<sup>th</sup> St. He talked about disappointment in not being proactive. He urged the Board to reconsider the position instead of waiting for others – we pay you – be cooperative. The west side dominates state – our voice is “muffled” on many issues. He would appreciate reconsideration. He pointed out the Sheriff's comments were well taken.
- D. Dusty Hearn, Weston. He is asking for support of Second Amendment protection in Umatilla County. i.e. SB978 would criminalize a lot of people. Today, please help us for protection – Salem is not in support of us.

Commissioner Elfering added he has not visited with anyone who came forward today and noted none had come in to see him previously. The proposal doesn't meet requirements of putting it on the ballot. He encouraged the makers to revise the document and move forward from there to have it put properly before the clerk.

Commissioner Shafer agreed this does not meet requirements. He appreciated the “retooling”, but until it is properly vetted it is not ready yet. He looks forward to reading it after revisions.

Chair Murdock talked about a recent meeting with Mr. Bonifer where they spoke for over an hour where he was provided with a 4-5 page document; to suggest it was disregarded was a misrepresentation. The Commissioners have taken an oath to support the Constitution and he also supports the Second Amendment. Sheriff Rowan has noted SB978A is stalled at this time in rules and the legislature is not in support of it. Chair Murdock expressed concern about this move to dilute the Second Amendment; however, the Board is bound will review the revised document. In addition, the Board represents 80,000 people in the county. With any changes of a “petition” and with the proper route, it will be moved forward. We want to go in the same direction – not the opposite.

Mr. McBean asked to speak to those comments. He agreed with Chair Murdock about reading documents, then he went to Commissioner Shafer and then spoke about comments made to him. Commissioner Shafer cautioned him about continuing in a negative way, advising the Board is inclined to work with him.

**Commissioner Elfering moved to deny the request for ballot initiative and request those opposing it rework it and put in condition to be considered. Seconded by Commissioner Shafer. Carried, 3-0.**

2. Supplemental Budgets – Public Hearing. Chair Murdock called the public hearing to order at 9:27 a.m. The staff report was presented by Robert Pahl, CFO: Orders 2019-63 (General Fund-Building Maintenance Program) requires increases in Local Revenue of \$70,000 and in Materials & Services of \$70,000. 2019-65 (Human Services-SE63 Peer) requires increases in Beginning Cash of \$3,700, in State Revenue of \$50,075, in Personnel Services of \$50,075 and in Materials & Services of \$3,700. 2019-66 (Human Services – SE66 Treatment) requires increases State Revenue of \$92,782 and in Materials & Services of \$92,782. 2019-67 (CARE Program) requires increases in State Revenue of \$40,000 in Materials & Services of \$20,000 and in Contingency of \$20,000. 2019-68 (Wind Farm Distribution Program) requires increases in Beginning Cash Balance of \$330,000, in Transfers Out of \$80,000 and in Contingency of \$250,000. 2019-69 (Courthouse Facility Improvement Program) requires increases in Transfers In of \$50,000 and in Capital Outlay of \$190,000, and decrease in Contingency of \$140,000. 2019-70 (Fleet Management Program) requires increases in Local Revenue of \$20,000 in Transfers In \$40,000 and in Capital outlay of \$60,000. 2019-71 (Capital Purchases Management Program) requires increases in Local Revenue of \$10,000, Transfers In of \$30,000 and in Capital Outlay of \$40,000. There were no questions or public comments. Chair Murdock adjourned the public hearing at 9:31 a.m.

**In the matter approving Supplemental Budgets pursuant to ORS 294.471 for FY ending 6/30/19: Commissioner Shafer moved to adopt Budget Order 2019-63 (Program 3506 – General Fund-Building Maintenance). Seconded by Commissioner Elfering. Carried, 3-0.**

**Commissioner Elfering moved to adopt Budget Order 2019-65 (Program 5260 – SE63 Peer). Seconded by Commissioner Shafer. Carried, 3-0.**

**Commissioner Shafer moved to adopt Budget Order 2019-66 (Program 5421 – SE66 Treatment). Seconded by Commissioner Elfering. Carried, 3-0.**

**Commissioner Elfering moved to adopt Budget Order 2019-67 (Program 5254 – CARE Program). Seconded by Commissioner Shafer. Carried, 3-0.**

**Commissioner Shafer moved to adopt Budget Order 2019-68 (Program 1650 – Wind Farm Distribution). Seconded by Commissioner Elfering. Carried, 3-0.**

**Commissioner Elfering moved to adopt Budget Order 2019-69 (Program 9089 – Courthouse Facility Improvement). Seconded by Commissioner Shafer. Carried, 3-0.**

**Commissioner Shafer moved to adopt Budget Order 2019-70 (Program 9076 – Fleet Management). Seconded by Commissioner Elfering. Carried, 3-0.**

**Commissioner Elfering moved to adopt Budget Order 2019-71 (Program 9077 – Capital Purchases Management). Seconded by Commissioner Shafer. Carried, 3-0.**

3. Budget Transfer. Mr. Pahl presented. Order 2019-64 (Parks) requires an increase in Capital Outlay of \$25,000 and a decrease in Contingency in the same amount.

**In the matter approving a Transfer of Budget pursuant to ORS 294.463 for FY ending 6/30/19: Commissioner Elfering moved to adopt Budget Order 2019-64 (Program 1055 – Parks). Seconded by Commissioner Shafer. Carried, 3-0.**

4. Computer Purchase. Sgt. Josh Roberts, UCSO, presented. The request is for 10 Lenovo Thinkpads for patrol vehicles in the amount of \$10,902. Five years ago, the Sheriff's office went with a tablet platform and found they are not sufficient (a lot of breaking down). He worked with the County's IT Department and this is the recommendation. **Commissioner Shafer moved to approve the purchase. Seconded by Commissioner Elfering. Carried, 3-0.**

5. Jail Payable. Mr. Olsen presented. This is for the glass at the jail control booth. **Commissioner Shafer moved to approve payment of \$5,649 to Marv's Glass. Seconded by Commissioner Elfering.** Chair Murdock asked for more information. Sheriff Rowan explained this is for security and safety; movement of inmates is chaotic and the booth is vulnerable. **Motion carried, 3-0**

For the record and regarding the earlier agenda item # 1, Commissioner Shafer advised he did speak to Mr. Bonifer in advance of the meeting and he wanted to come anyway.

6. Elections Payable. Dan Lonai, Administrative Services Director, presented. This is for ballots for the upcoming election = \$18,404.47. **Commissioner Elfering moved to approve the payable. Seconded by Commissioner Murdock. Carried, 3-0.**
7. Vehicle Purchase. Mr. Olsen presented. This is for the Commissioners to replace a vehicle that will be "sold" to the Community Corrections department. A request for proposals was issued, with time of delivery being a consideration. Six proposals were submitted. The recommendation is to purchase a 2019 Chevrolet Equinox from Sherrell Chevrolet in the amount of \$33,934.83, available for immediate delivery. **Commissioner Shafer moved to approve the purchase. Seconded by Commissioner Elfering. Carried, 3-0.**
8. A&D Payable. Presented by Amy Ashton-Williams, Human Services Director. This is for Narcan (opioid reversal medication – nasal – 33 doses) in the amount of \$22,555.95 to Remedy Repack. **Commissioner Shafer moved to approve the purchase, adding this is highly needed in communities. Seconded by Commissioner Elfering. Carried, 3-0.**
9. McKinney Avenue Repairs. Tom Fellows, Public Works Director, presented. This is for authority to proceed with overlay on McKinney Avenue. With previous Board support and direction for a 2" overlay, this is "housekeeping" to make the action official. Chair Murdock noted this was a Commissioner initiative -- thank you to Mr. Fellows for taking action. **Commissioner Shafer moved to approve Order RD2019-09. Seconded by Commissioner Elfering. Carried, 3-0.**
10. Directors' Designees Update. Mr. Olsen presented. This is at Lifeways' request to update its employees for authority to exercise "Director's Hold". **Commissioner Shafer moved to adopt Order No. BCC2019-033. Seconded by Commissioner Elfering. Carried, 3-0**

Executive Session – none.

Commissioners' Reports - none.

The meeting adjourned at 9:46 a.m.

Respectfully submitted,

*Melinda Slatt*

Executive Secretary Umatilla County Board of Commissioners