

**MINUTES**  
**UMATILLA COUNTY BOARD OF COMMISSIONERS**  
Meeting of May 15, 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:** Absent

**Members and Guests Present:** Tom Fellows, County Public Works Director; Matt Kenny, Public Works-Survey; Joseph Fiumara, UCo Health Director; Jennifer Blake, County Human Resources Director; Judy Hall & Warren Hall, Hermiston; Dale Primmer, County Community Justice Director; Tamra Mabbott, City of Umatilla-Community Development Director; Dave Stockdale, Umatilla City Manager; Paul Chalmers, Assessment & Taxation Director; Greg Silbernagel, OWRD Watermaster; Mike Ladd, OWRD Region Manager.

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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 – speak into 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** – Chair Murdock requested adding 12A, LPSCC Coordinator

**Public Comments** – none.

1. **Road Vacation.** Presented by Commissioner Elfering. The county received a petition for vacation of SW “S” Ave in Hermiston, Westland Estates. All of the adjoining property owners signed the petition, so there is no need for a hearing. The property is not improved and there is no need for the road to access any property. **Commissioner Elfering moved to adopt Order No. RD2019-11 vacating the road right of way. Seconded by Commissioner Shafer. Carried, 3-0.**
  
2. **Airport Road.** Presented by Commissioner Elfering. Action is to approve a plan for engineer (Anderson Perry), a County Road representative, a Commissioner and others necessary to meet with individual property owners to address concerns of the owners about the road improvements. Tom Fellows, Public Works Director, noted that representatives of Anderson-Perry were attending today for any questions; in addition, they also have a draft plan.

Chaz Hutchens, Design Engineer, advised draft plans were sent to commissioners on 5/14. He presented hard copies. All components are in the plan and they honed in on other needed improvements. In addition, fences are addressed.

Commissioner Elfering talked about right of way – not having encroachments either side of property. Mr. Hutchens concurred. Regarding utilities, preliminary discussion would be best to move to the north side to get away from property boundaries on the south. UEC wants to see a set of preliminary drawings, but they feel it is OK. CenturyLink didn't commit yet, but they also want to see preliminary drawings. He feels ultimately the County can force that, but he feels utilities companies will come to that decision.

Chair Murdock noted since the last/initial meeting with more discussion and planning, he feels the team would meet with individual property owners on the site to discuss any concerns (i.e. drain field, county authority, easement needs, etc.) Mr. Fellows feels it is the best concept for team meetings with individual property owners. Chair Murdock feels this is unprecedented in this situation and Mr. Fellows agreed. In addition, moving utilities to the north would be minimal impact to property owners. Chair Murdock added that all over the county property owners are using county right of way.

In response to Chair Murdock's question to Mr. Fellows about a timeline, Mr. Hutchens advised they would meet within the next month. Mr. Fellows pointed out the team schedule will be worked out. Mr. Hutchens added he will take notes for recording and presentation to the Commissioners. Chair Murdock agreed that would be best to memorialize any concerns, needs, etc. He noted after the initial meeting, the design did not change much – conceptually all was addressed.

In response to Commissioner Elfering's question regarding construction, Mr. Fellows felt it would be late winter, early spring of 2020. But, the power poles could conceivably be moved by Fair (August) – it depends on the utilities. Chair Murdock asked for audience input; there was none. **Commissioner Elfering moved to approve the procedure as outlined with on-site/team meetings with county, engineer and owner representatives. Seconded by Commissioner Shafer. Carried, 3-0.**

3. Gravel Pit Contract. Mr. Fellows presented. The County has a contract with Engdahl for a gravel pit. A request for the drilling and blasting of the pit was issued by the County. One proposal was received from Ryno Works in McCall, ID. There are three prices based on the drilling plan on-site, which he outlined and recommends for drilling and blasting. He further explained blasting, costs, time, history of the Engdahl gravel pit, etc. He believes the cost will be \$44,000. Gravel is to be for chip seal. **Commissioner Shafer moved to approve up contract with Ryno Work for an amount up to \$295/cubic foot. Seconded by Commissioner Elfering. Carried, 3-0.**
4. Reader Board Purchase. Presented by Mr. Fellows. The request is to purchase two reader boards/vehicle mounted utilizing a government contract. The purchase amount is \$23,186.56. **Commissioner Elfering moved to approve the purchase from LiteSys. Seconded by Commissioner Shafer. Carried, 3-0.**
5. Equipment Purchase. Presented by Mr. Fellows. This is the annual update of the equipment list for the Public Works Department. The list includes the equipment that may need to be purchased depending on the needs and the funding. There is sufficient budget at this time. The list will allow him to timely get available equipment for Public Works at a good rate. In addition, request is made to approve RFP's as equipment and funding become available. **Commissioner Elfering moved to adopt Order No. RD2019-10. Seconded by Commissioner Shafer. Carried, 3-0.**
6. Garlic Mustard Payable. Mr. Fellows noted this payable is to repay CTUIR for control of garlic mustard. The County received a grant and a portion of the work was done by CTUIR. The amount of the payable is \$10,000. **Commissioner Shafer moved to approve payable to the CTUIR. Seconded by Commissioner Elfering. Carried, 3-0.**

7. Enterprise Fleet Management. Presented by Robert Pahl, Chief Finance Officer. Discussion has been ongoing for about 18 months with Enterprise Fleet Management, which has a contract with SourceWell. He feels it is prudent to continue to move forward and start the process to authorize the contract. Commissioner Shafer added the equipment list shows 133 employees and 104 vehicles; he is looking to trim down the number of vehicles and feels Enterprise is the way to go (he noted a representative is in attendance to answer questions, if needed). Mr. Pahl noted a lot of cars in north lot have not been moved for months and need to be dealt with. **Commissioner Shafer moved to approve the agreement with Enterprise Fleet Management and authorize chair to sign contracts. Seconded by Commissioner Elfering. Carried, 3-0.** Mr. Pahl added that moving forward will be a change in county culture about using and allocating vehicles – he believes it will optimize the investment.
8. Umatilla Enterprise Zone. Commissioner Elfering presented Order No. BCC2019-035 to co-sponsor the proposed Umatilla Enterprise Zone. Dave Stockton, City Manager of Umatilla, presented. He explained that 10 years ago the zone was created with Echo and Stanfield. They have recently met with those city representatives and with changes in communities, Umatilla feels it is best to have their own zone. There are other zones with multiple cities based on regulations at that time. He also pointed out a lot of growth and business locations are happening in Umatilla (i.e. data centers and housing permit numbers were the second largest in the county). He talked about co-sponsorship and negotiations. The Port of Umatilla will meet on 6/4 and they plan to approve the change after clarifications. Umatilla is looking for consent vs. co-sponsorship as the county’s order states. He also talked about other enterprise zones and how they work noting they are changing as well.

Commissioner Elfering added these zones are used as an economic development tool (in lieu of taxes when entering into enterprise zone agreement.) He also talked about tax rates of the county where it receives no taxes with an agreement within an enterprise zone. Mr. Stockton added that is for the first three to five years. It is the same agreement in Pendleton’s enterprise zone. Chair Murdock pointed out the City of Pendleton (along with Pilot Rock) are on the verge of updating their enterprise zones and the county will co-sponsor, not consent as Umatilla is asking.

Commissioner Shafer asked about HB 2408 (regarding prevailing wage inside of enterprise zones) – if that passes, what is the impact? Mr. Stockton agreed it would be an issue and LOC (League of Oregon Cities) is opposing it and others will as well.

Under the Umatilla City Council’s direction, they are not looking for co-sponsorship. They want consent. The changes of the enterprise zone boundaries would be only within city limits. Chair Murdock pointed out there is county jurisdiction property within the UGB (Urban Growth Boundary). **Commissioner Elfering moved to adopt Order No. BCC2019-035 (Co-sponsoring zone). Seconded by Commissioner Shafer. Carried, 3-0.**

9. Oregon Water Resources Contract. Commissioner Elfering noted this agreement is for funding of a position for the Milton-Freewater area. Mike Ladd, OWRD, spoke to an intergovernmental agreement with one year limited duration is problematic for recruiting. It is proposed to make the contract term three years to allow sustainability. This is the county’s third year of commitment at the level of \$100,000. **Commissioner Shafer moved to approve extending the agreement for three years.** Commissioner Elfering noted county counsel has been consulted. Chair Murdock suggested adding to the motion that it is contingent upon county counsel and the chief finance officer agreement and satisfaction with the agreement.

Mr. Ladd noted a staff person is in the Milton-Freewater office at this time. Stability is important and limited duration of the agreement is an issue. There was discussion about the office space, configuration and entry door. **Seconded by Commissioner Elfering. Carried, 3-0.** Mr. Ladd advised he will work with Commissioner Shafer and then Mr. Olsen.

10. Elections Payable. This is a payable for envelope printing, stuffing and mailing for the May election. **Commissioner Shafer moved to approve the payable in the amount of \$5,691.60 to BMS. Seconded by Commissioner Elfering. Carried, 3-0.** Chair Murdock talked about the possibility of postage prepaid return envelopes for ballots. Mr. Pahl noted he had also heard that. It would be an unfunded mandate if the state makes that change.
11. Local Community Advisory Council. Commissioner Murdock presented. Trish Montgomery applied for appointment to the Local Community Advisory Council, and appointment is recommended. **Commissioner Shafer moved to adopt Order No. BCC2019-034. Seconded by Commissioner Elfering. Carried, 3-0.**
12. Post Retirement Employment. Dale Primmer, Community Justice Director, presented. A 25-year parole and probation employee is retiring on June 30, 2019. The proposal is to have employee work, effectively, one-year through June 30, 2020 with existing pay and benefits. Post-retirement employment is a good procedure. **Commissioner Shafer moved to approve the employment. Seconded by Commissioner Elfering. Carried, 3-0.**
13. Post Retirement Employment. Jennifer Blake, Human Resources Director, noted this is retirement of Kathy Lieuallen, 911 Dispatch Manager – another 25-year employee. This is the same process and request as the previous position. **Commissioner Shafer moved to approve the post retirement employment. Seconded by Commissioner Elfering. Carried, 3-0.**
14. LPSCC. Chair Murdock presented. At Monday's staff meeting, discussion was had about the Local Public Safety Coordinating Council (LPSCC) coordinator grant program currently in place administered by Association of Oregon Counties. Word has been received that outside funding will be eliminated. There is strong feeling to keep Mark Royal continuing in the position. Mr. Primmer has discussed this as well as Susan McHenry and the LPSCC Board (who met yesterday). They are looking to Eastern Oregon Business Source for support. He met with Susan Bower to determine if she could handle this contract and host the position; the proposal is to authorize moving forward with the county picking up the program once the state drops it. Mr. Primmer added information about LPSCC (including drug court), noting that it takes direction from the Board of Commissioners. A federal grant was received by AOC to place coordinators in counties statewide, including Umatilla County. This has worked well with our county. It was agreed to split into two half-time positions. LPSCC works here – managing grants, budgets. He feels it would work with contracting by a third party (Eastern Oregon Business Source). Commissioner Elfering commented about Susan McHenry's hard work and diligence – she gave great praise for Mark Royal in the coordinator position.

Mr. Primmer talked about the half-time position in other counties and who fills those jobs. He remarked about invaluable experience with Mr. Royal's historic long-term knowledge as 25-year director of Community Justice. If he leaves the position, changes would be considered, noting that Mr. Royal has reached out to another person.

Chair Murdock noted the position is accountable to the LPSCC Board (not EOBS and it would not be housed there). Our county is unique. He clarified he has AOC materials of contract and other documents. He requested that Mr. Primmer will be provided with pertinent documents by Melinda Slatt. They will then work the process through with Ms. Bower. **Commissioner Elfering moved to approve. Seconded by Commissioner Shafer. Carried, 3-0.**

15. Supplemental Budgets – Public Hearing. The hearing was called to order at 10:14 a.m. by Chair Murdock. Staff report was presented by Robert Pahl, CFO. There are six supplemental budgets: Order 2019-72 (Fair Improvement) requires increases in Local Revenues of \$11,000 and Materials & Services of \$11,000. 2019-73 (Soil Probe Truck) requires increase in Capital Outlay of \$20,000 and decrease in Contingency of \$20,000. 2019-74 (Community Services Development) requires increases Local Revenues of \$30,000 and Materials & Services of \$30,000. 2019-80 (Echo Community Benefit Plan) requires increases in Materials & Services of \$20,000 and in Contingency of \$20,000. 2019-82 (NAIFA Sheriff Special Program) requires increases in Local Revenue of \$5,000 and in Materials & Services of \$5,000. 2019-83 (General Fund - Emergency Management) requires increases in Local Revenue of \$9,903, in Sate Revenue of \$14,178, in Personnel Services of \$91 and in Capital Outlay of \$25,000 and decrease in Contingency of \$26,500.
- There were no questions. Chair Murdock adjourned the hearing at 10:16 a.m. There was no deliberation.

**In the matter approving Supplemental Budgets pursuant to ORS 294.471 for FY ending 6/30/19: Commissioner Elfering moved to adopt Budget Order 2019-72 (Program 4023 – Capital Purchases Management). Seconded by Commissioner Shafer. Carried, 3-0.**

**Commissioner Shafer moved to adopt Budget Order 2019-73 (Program 4017 – Soil Probe Truck). Seconded by Commissioner Elfering. Carried, 3-0.**

**Commissioner Elfering moved to adopt Budget Order 2019-74 (Program 5260 – Community Services Development Program). Seconded by Commissioner Shafer. Carried, 3-0.**

**Commissioner Shafer moved to adopt Budget Order 2019-80 (Program 1061 – Echo Community Benefit Plan). Seconded by Commissioner Elfering. Carried, 3-0.**

**Commissioner Elfering moved to adopt Budget Order 2019-82 (Program 9056 – NAIFA Sheriff Special Program). Seconded by Commissioner Shafer. Carried, 3-0.**

**Commissioner Shafer moved to adopt Budget Order 2019-83 (Program 4032 – Emergency Management). Seconded by Commissioner Elfering. Carried, 3-0.**

16. Budget Transfers. Mr. Pahl presented six budget transfers. Order 2019-75 (General Fund – Jail) requires increase in Materials & Services of \$100,000 and a decrease in Contingency of \$100,000. 2019-76 (General Fund – Main St. Bldg. Milton-Freewater) requires an increase in Materials & Services of \$2,000 and decrease in Contingency of \$2,000. 2019-77 (General Fund – Sam Cook Bldg. Hermiston) requires increase in Materials & Services of \$3,000 and a decrease in Contingency of \$3,000. 2019-78 (General Fund – Records and Archives) requires an increase in Materials & Services of \$4,000 and a decrease in Contingency of \$4,000. 2019-79 (General Fund – Code Enforcement) requires an increase in Materials & Services of \$3,000 and a decrease in Contingency of \$3,000. 2019-81 (General Fund – Courthouse Facility Improvement) requires an increase in Materials & Services of \$28,000 and a decrease in Capital Outlay of \$28,000.

**In the matter approving Transfers of Budget pursuant to ORS 294.463 for FY ending 6/30/19: Commissioner Elfering moved to adopt Budget Order 2019-75 (Program 1540 – Jail). Seconded by Commissioner Shafer. Carried, 3-0.**

**Commissioner Shafer moved to adopt Budget Order 2019-76 (Program 3510 – Main St. Bldg., Milton-Freewater). Seconded by Commissioner Elfering. Carried, 3-0.**

**Commissioner Elfering moved to adopt Budget Order 2019-77 (Program 3511 – Sam Cook Bldg., Hermiston). Seconded by Commissioner Shafer. Carried, 3-0.**

**Commissioner Shafer moved to adopt Budget Order 2019-78 (Program 3518 – Records & Archives). Seconded by Commissioner Elfering. Carried, 3-0.**

**Commissioner Elfering moved to adopt Budget Order 2019-79 (Program 4056 – Code Enforcement). Seconded by Commissioner Shafer. Carried, 3-0.**

**Commissioner Shafer moved to adopt Budget Order 2019-81 (Program 9089 – Courthouse Facility Improvement). Seconded by Commissioner Elfering. Carried, 3-0.**

Executive Session – none.

Commissioners' Reports.

Commissioner Elfering noted he recently met with Sheriff Rowan and Mr. Souther about the Brogoitti horses.

The meeting adjourned at 10:24 a.m.

Respectfully submitted,

*Melinda Slatt*

Executive Secretary Umatilla County Board of Commissioners