

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS

Meeting of September 2, 2020
9:00 a.m., Room 130, Umatilla County Courthouse
Pendleton, Oregon
Public Call in #: 541-728-0275

Commissioner Present: Chair John Shafer
Commissioners attending remotely: Vice-Chair George Murdock and Commissioner Bill Elfering
County Counsel: Doug Olsen
Guests Present: Jeff Newtson, Helix; Sheriff Rowan, and Dave Williamson, Paul Wolverton, and Josh Roberts, Sheriff's Office; Wesley Brooks, Pendleton
Video or Calling in: Marie Simonis, Assistant Director of Finance; Gail Nelson, Economic Development Coordinator

CALL TO ORDER: Chair Shafer called the meeting to order at 9:00 a.m. He reminded all that the meeting is a public forum and there is a call-in option provided. The meeting 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, if in person, identify yourself and state where you live 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

Awards/Correspondence/Recognition. Commissioner Murdock advised that money was available for outstanding student achievement and some years ago (about seven or so) a decision was made to award two or three scholarships each year through the Don Peterson Memorial Scholarship Program. This year's awards of \$2,000 each went to Kaley Cope, Helix, and Carissa Cooley, Pendleton. Very outstanding individuals chosen among many, many impressive applications. Congratulations and good luck!

Commissioner Elfering had no acknowledgments other than reported last meeting – the County Fair livestock sale turned out well with about \$585,000 raised -- close to last year's record (just over \$600,000), and especially during this year's COVID pandemic.

Minutes – Commissioner Elfering moved to acknowledge the Board minutes from the meeting of 8/19/20. Seconded by Commissioner Murdock. Carried, 3-0.

Additions to Agenda – none.

Public Comments – None were heard.

Business Items

1. **North County Livestock District – Public Hearing - Continued.** Staff report presented by Doug Olsen. The Board discussed this at its 8/19 meeting. The intent provided at that time was to continue the hearing to 10/7 to allow adequate time for discussion by the parties involved (since the county was on baseline status from 7/31-8/21 and just back to Phase 1 on 8/24. He also noted there are people present who wish to address the Board.

Chair Shafer called the public hearing to order @ 9:06 a.m. He asked for testimony from those present.

Jeff Newton, Helix, Oregon. He thanked the commissioners and asked them to consider possibly closing the hearing today although he understood the intention and reasons for continuing it to 10/7/20. He and his neighbors feel it best to create a livestock district. They don't see any other way other than through Oregon Revised Statutes in order to resolve issues. Looking at the concept of open range and the everyday citizen's understanding of driving roads in Oregon, anyone he's spoken to about what is open range and what is the liability – it is eye opening. The whole state of Idaho is closed range. His family in Kansas says they are a closed range state, and they see Oregon's open range as old age. They can't understand it either. He is pushing for closing the hearing today. Moving into fall and winter with cattle coming in, he feels fences need to be built and this might push that to happen. There were no other questions.

Wesley Brooks, 39047 Missouri Gulch Road, Pendleton. He has 700 acres of wheat farm. He has also talked to his neighbors and they feel they don't want to be part of a special district. It would be impossible and expensive to build fence when those with cattle could put in electric fence -- it isn't feasible for him to build fence. He also noted he wasn't notified of this hearing today or the previous hearing.

Commissioner Elfering asked Mr. Olsen – what is procedure or is it possible for a resident in area to exclude property from the proposed district? Mr. Olsen advised the board can decide about boundaries, but it would have to be on the edge of it, not in the middle of the proposed district. Mr. Brooks will identify where his property is located. Commissioner Murdock asked for an updated boundary map and he would like to have identified those wishing to be excluded. Mr. Olsen also advised he hasn't heard from the person whose cattle is at issue by Mr. Newton's property. Commissioner Murdock talked about keeping cattle in (feels it is personal obligation to fence, on his and his family's part).

Commissioner Elfering is willing to vote, but referring to the last paragraph of the meeting, consensus was to continue the hearing to 10/7 – he wants participants to be aware in advance. Are we confident of participants and their expectations? Mr. Olsen advised everyone is expecting a decision to be delayed. **Commissioner Elfering moved to continue the public hearing to 10/7/20, 9 a.m. in Room 130. Seconded by Commissioner Murdock. Motion carried, 3-0.**

2. Taser Purchase. Presented by Capt. Dave Williamson, UCSO. Tasers in use at the Sheriff's office are obsolete and when they stop working, there is no means to repair them. The Sheriff's Office has the opportunity to purchase twenty (20) new model X2 Tasers from Axon, and spread the cost out over 5 years. The cost is the same if pay all now or with 5 payments and no interest. The first payment will be \$7,480 with subsequent payments of \$7,260.00 each year for the next four years. The entire patrol division will be equipped with new models. This is a planned expenditure and has been budgeted in the 2020/2021 FY. This is the only source where this equipment can be purchased. Commissioner Shafer noted it is a good deal with getting new equipment now and paying over five years with no interest. **Motion was made by Commissioner Elfering to approve the purchase. Seconded by Commissioner Murdock. Carried, 3-0.**
3. Server & Software Purchase. Presented by Capt. Williamson. This is to upgrade in-car video systems from WatchGuard for patrol vehicles. With the plan to upgrade vehicle dash cams and body cams, it is essential to have sufficient server space for them. The purchase also includes video redaction software, which is needed more than ever with body-cam footage. The request is for approval of the \$24,185 expenditure. Commissioner Elfering talked about liability issues and the equipment and software significantly adds to the department. **Motion was made by Commissioner Elfering to approve the purchase. Seconded by Commissioner Murdock. Carried, 3-0.**
4. Sale of Property. Presented by Mr. Olsen. Authorization is sought for the sale of property foreclosed on for delinquent property tax located on Thorny Grove Lane in Hermiston. The property was foreclosed on in 1992 and placed in the annual auction but did not sell. A bid from an adjacent land owner recently was submitted in the amount of \$500, which is above the statutory minimum sale price. The matter is before the Board to act

on the bid. Access to the property is not documented. This small section of property was created when the subdivision was platted and should have been included in the adjacent lot. **Commissioner Elfering moved to approve and adopt Order No. BCC2020-063. Seconded by Commissioner Murdock. Carried, 3-0.**

5. COVID Relief Grants. Presented by Gail Nelson, Economic Development Coordinator. The application for the COVID relief grant was open to small businesses from 8/5 through 8/26 @ 5 pm. All applications were reviewed with a total of 306 grants awarded @ \$5,000 each, spread out across all communities in the county for a total of \$1,528,000. One request from an Athena business was combined with some funds available from Athena's pool of money. Pendleton was the only community where not all applicants awarded due to the limited amount of funds available. Other towns came in under allotment. She added there were a few not selected because they didn't meet criteria based on the Governor's mandate order/guideline (i.e., closed businesses-- hairdressers, spas, gyms) whereas other business weren't mandated to be closed or significantly curtailed business (i.e., stores, gas stations). Some cities also added funding to impacted businesses, but those grants will be paid directly by the cities.

Commissioner Murdock applauded Ms. Nelson for the process used and tailored to each community meeting their interests. Not everybody is able to fill out complex applications and the county's form was very user-friendly. Initially the amount available was just over \$500,000, then it went up to \$1.7 million, and finally with the word that funds might be pulled back, the amount was decided to be sure money was available. This round of grants has been a great benefit to businesses throughout the county. **Commissioner Murdock moved to approve small business COVID-19 relief grants in the amount of \$1,528,000. Seconded by Commissioner Elfering. Carried, 3-0.** Chair Shafer also thanked Ms. Nelson for her hard work.

6. Economic Development Payable. Presented by Commissioner Murdock. Upon decision that the Round-Up was cancelled, the county early-on decided to direct funds to the Let 'er Buck Cares Fund to get into hands of those who depend annually on the Round-Up for funding raising. The goal is to raise \$1 million. This is for approval of a \$50,000 contribution from Economic Development funds. **Motion was made by Commissioner Murdock to approve. Seconded by Commissioner Elfering. Carried, 3-0.**
7. City of Pendleton Payable. Presented by Commissioner Murdock. This is to authorize participation with the City of Pendleton's contract with Oxley & Associates to advance the legislative agenda. The primary focus is to promote the county jail renovation whether it is through the Emergency Board or lottery bond. He has been submitting materials to the lobbyist for months. Approval is sought for \$10,000 – the same amount contributed this past year. **Motion was made by Commissioner Murdock to approve. Seconded by Commissioner Elfering. Carried, 3-0.**
8. Umatilla County Fair Payment. Presented by Commissioner Elfering. To help support the county fair livestock sale, agreement was made to request expenditure of \$28,500 (\$23,500 from the General Fund and \$5,000 from Economic Development). **Motion was made by Commissioner Elfering to approve. Commissioner Murdock commented this is for additional funds to assist those impacted by COVID. Seconded by Commissioner Murdock. Carried, 3-0.**
9. Echo Community Benefit Plan Grants. Presented by Commissioner Elfering. This is for approval of two grants from the Echo Community Benefit Plan recommended in this round: City of Echo \$25,000 for water booster station and \$6,476 to Echo Fire Department for four AEDs + pads and batteries. **Motion was made by Commissioner Elfering to adopt Order No. BCC2020-065. Seconded by Commissioner Murdock. Carried, 3-0.**
10. Echo Community Benefit Plan Board Appointments. Presented by Commissioner Elfering. Two positions on the Board are vacant: Vector control district position and an at-large. Approval is sought for Diane Berry

and for Cindy Harvey to be appointed to the vacancies. **Motion was made by Commissioner Elfering to adopt Order No. BCC2020-066. Seconded by Commissioner Murdock. Carried, 3-0.**

11. Emergency Declaration Extension. Presented by Mr. Olsen. Back in March, emergency was declared due to COVID. The order was extended once and is set to expire on 9/4. The proposal is to extend an additional 60 days. By continuing the declaration, all authority provided by law will be available to respond to the emergency. **Motion was made by Commissioner Murdock to adopt Order No. BCC2020-064. Seconded by Commissioner Elfering. Carried, 3-0.**

12. Proposed OSHA COVID Rules. The proposed OSHA rules to address COVID in the workplace were on the agenda for discussion. Commissioner Elfering advised with the recent meeting of eastern Oregon commissioners, the general consensus seems to be the new rules will add more regulations in a lot of areas. The group felt it best to not move forward without a lot of development. With regard to regulations in workplace of distancing, it is felt the proposed rules are overkill. The Oregon Health Authority regulates a lot of these areas. He proposes we weigh in with OSHA that they are overstepping and should get more information before moving forward. **Commissioner Elfering moved to prepare a letter setting out the objections. Commissioner Murdock seconded.** The deadline is 9/7 to submit a letter before rules adoption. Commissioner Murdock pointed out he would add it is onerous and an overreach; that the rules and regulations by the Oregon Health Authority to handle issues during COVID are satisfactory. The letter was to be written by Commissioner Elfering. **Motion Carried, 3-0.**

Executive Session – none.

Commissioners' Reports

Commissioner Elfering: nothing

Commissioner Murdock: nothing

Commissioner Shafer: He spoke to the Forest Supervisor before the meeting who advised the Meacham Complex fire is out. There is still some burning in Columbia County, Washington. The fire camp at the Pendleton Convention Center is packing up today. Tomorrow, he will be meeting with a work group about flooding issues with focus on Milton-Freewater, Weston, McKay Creek and also the Mid-Umatilla River Coalition out to Umatilla and the Columbia River.

The meeting adjourned 9:43 a.m.

Respectfully submitted,

Melinda Slatt

Executive Secretary, Umatilla County Board of Commissioners