

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS
Meeting of November 21, 2023
9:00 a.m., Room 130, Umatilla County Courthouse
Pendleton, Oregon

Commissioners Present: Chair Dan Dorran, Vice-Chair John Shafer, and Commissioner Timmons
County Counsel Doug Olsen
Guests Present: Sage DeLong, Umatilla County Emergency Manager; Dave Price, Blue Mountain Alliance President; Josh Roberts, Umatilla County Patrol Lieutenant; Paul Wolverton, Umatilla County Patrol Captain
Video link or Calling in: Jennifer Blake, Umatilla County

CALL TO ORDER: Chair Dorran 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. There is time on the agenda to provide input (or for hearings) to provide comment. The meeting is being video and audio recorded and minutes will be taken. Also, meetings are now live-streaming. Comments will become part of the meeting record and ask that they be three minutes or under. If persons wish to speak before the Board, please 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.

Pledge of Allegiance was led by Chair Dorran.

Awards/Correspondence/Recognitions. Commissioner Timmons gave recognition to the local youth athletic teams. Mac Hi boys soccer won state and Echo is going to the championship.

Commissioner Dorran read a commendation for dispatchers Aspen Corey, Cherrie Hutchinson, Hailey Roberts, and Arlita Parsons in regards to rescue mission where Search and Rescue was called out. Recognition was given for their actions taken collectively and individually for a good resolution that happened all while still taking multiple 911 calls. Job well done!

Minutes – Commissioner Shafer moved to approve the minutes from the 11/08/2023 Board meetings. Seconded by Commissioner Timmons. Carried, 3-0.

Additions to Agenda – None.

Public Comments and Recognition of Visitors

Dave Price, 80488 Zerba Road, Athena, OR- speaking in regards to the Nolan Hills case, most of this is a review but thought there was some issues that needed to be brought to light. All briefs for the contested case appeal were filed on November 8. Blue Mountain Alliance has been involved in this since late May of 2022 . EFSC took it on themselves to try and do a little super siting. Thank you to the County for stepping up and contesting the decision. This process is very large and time consuming and takes resources away from entities like Umatilla County that could be used to spend. BMA obligated themselves in obtaining counsel, Dan Kerns, to file a brief. Next topic is the Nolan Hills SIP agreement, raises several questions. Potential for repowering of these wind farms nationwide, in that SIP agreement had the foresight in section one to address the repower possibility, to put that language in there that if a repower happens the county has the authority to renegotiate what they call the pre megawatt amount, have already been through

a repower project in Umatilla County in the Vansickle, They repowered in year 13, need to look into that, is this same language there and if so need to renegotiate because now you are getting a third more megawatts than you did before. Language in there that refers to a setback for county roads, think that needs to be looked at, the language reads 110% of the height of the turbine to the right away line of the road, if you had one that complied than you extend the height about a third, 500 plus feet, do you meet that setback anymore? Needs to be asked in regards to that SIP agreement, going back to Nolan, Section 4.8 where it talks about your good neighbor agreement, not sure where they finally settled but not sure how many not participating land owners are involved in this thing, number doesn't really matter, the point if you have a good neighbor agreement and the language is such that if the applicant meets the good neighbor agreement thing than they are approved as complaint, what if one person doesn't do it? What are you going to do then?

Business Items

1. **CDBG Closeout- Public Hearing** - Chair Dorran opened the public hearing at 9:20 a.m. Presented by Doug Olsen, County Counsel. The County received a Community Development Block Grant for food assistance for Agape House. The funds have now been expended and the close out of the grant is the next step. One of the grant requirements is to conduct a second public hearing to allow citizens to comment on the project and the county performance. Notice of the public hearing has been published in the East Oregonian as well as posted on the County website. Written comments have also been requested. Chair Dorran asked for public comments or questions. There were none. Chair Dorran closed the public hearing at 9:30 a.m.
2. **Homeland Security Grant** – Presented by Sage DeLong, Umatilla County Emergency Manager. Emergency Management is seeking approval for a State Homeland Security Grant totaling \$47,014. This grant will fund the acquisition of critical personal protective equipment for the criminal division, including ballistic shields, helmets, and gas masks. There is no match component for the grant. Commissioner Dorran asked if the gear expires? Captain Paul Wolverton, Umatilla County Sheriff Office shared that just the filters expire but unless the mask gets damaged they last. **Commissioner Shafer moved to approve State Homeland Security Grant and authorize Chair to sign grant agreement. Seconded by Commissioner Timmons. Carried, 3-0.**
3. **Fair Payable** - Presented by Chair Dorran. Approval is sought for the payment for fuel costs for the 2023 Fair. The payable is before the Board for approval due to the amount. Commissioner Dorran shared that bill used to be in the \$40,000 to \$50,000 range. **Commissioner Dorran moved to approve payable to CECO, Inc. in the amount of \$6,462.35. Seconded by Commissioner Timmons. Carried, 3-0.**
4. **Maintenance Payable- CC Facility** - Presented by Doug Olsen, County Counsel. Approval is sought for a payable for cabling at the new Hermiston Community Corrections facility. The payable is before the Board for approval due to the amount. **Commissioner Shafer moved to approve payable to UniTech Communication in the amount of \$17,089.14. Seconded by Commissioner Timmons. Carried, 3-0.**
5. **Maintenance Payable- SHGC Fire Panel** - Presented by Doug Olsen, County Counsel. Approval is sought for the replacement of the fire panel at the Stafford Hansell Government Center. The old panel stopped working, requiring replacement. The payable is before the Board for approval due to the amount. This was a request for an emergency expense and that is why it was not previously approved by the board. Chair Dorran asked if there is an idea what the warranty is on that? Nothing

was provided. **Commissioner Shafer moved approve payment to Cosco Fire Protection, Inc. in the amount of \$16,991. Seconded by Commissioner Timmons. Carried, 3-0.**

6. Maintenance Payable- Lighting - Presented by Doug Olsen, County Counsel. Approval is sought for the payment for the lighting for the east parking lot. The payable is before the Board for approval due to the amount. **Commissioner Timmons moved approve payment to Slatercom-WCD in the amount of \$11,088. Seconded by Commissioner Shafer. Carried, 3-0.**
7. Board Meeting Schedule - Presented by Doug Olsen, County Counsel. Approval is sought for the rescheduling of the April 17, 2024 meeting to April 24, 2024. Due to the 2024-25 Budget Committee meeting, the second Board meeting in April will need to be reset. There is a quorum available on April 24, 2024. **Commissioner Shafer moved approve rescheduling April 17, 2024 meeting to April 24, 2024. Seconded by Commissioner Timmons. Carried, 3-0.**
8. Board Payable - Presented by Doug Olsen, County Counsel. Approval is sought for the payable to Columbia Development Authority for the county portion of the federal grant match and for security gate replacement. The payable is before the Board for approval due to the amount. One part of it is the usual cost for the federal grant match and the addition of the 1/5th cost of the replacement to the security gate that was damaged this year. Commissioner Timmons asked how it was damaged? Commissioner Shafer shared that it was a high speed pursuit. Commissioner Timmons asked if the person that damaged the gate is paying for anything? Mr. Olsen shared that he hoped that is being requested as part of restitution. **Commissioner Shafer moved approve payable to Columbia Development Authority in the amount of \$6,209. Seconded by Commissioner Timmons. Carried, 3-0.**
9. Enforcement Ordinance Amendment- Public Hearing - Chair Dorran opened the public hearing at 9:37 a.m. Presented by Doug Olsen, County Counsel. The County has adopted an enforcement ordinance for the enforcement of the Umatilla County Code of Ordinances. It is proposed to add additional provisions to provide authority to seek administrative warrants for enforcement purposes. This would allow a Circuit Court judge to issue an administrative warrant for access to property for inspection and enforcement purposes and provide another method for enforcement of county ordinances. Chair Dorran asked for public comments or questions. There were no comments. Chair Dorran closed the public hearing at 9:38 a.m. **Commissioner Shafer moved to adopt Ordinance No. 2023-09. Seconded by Commissioner Timmons. Carried, 3-0.**
10. Supplemental Budgets - Chair Dorran opened the public hearing at 09:38 a.m. The staff report was presented by Robert Pahl, Chief Financial Officer. There were 11 supplemental budgets; Budget Order number 2024-02 (SO Dispatch Division Program) requires increase in Transfers In of \$319,645 and an increase in Personnel Services of \$319,654. Budget Order number 2024-07 (Court Security Program) requires increase in Transfers In of \$637 and an increase in Personnel Services of \$637. Budget Order number 2024-10 (Fairgrounds Improvement) requires increase in Beginning Cash of \$1,000,000 and an increase in Materials & Services of \$1,000,000. Budget Order number 2024-11 (Wellness Hubs Program) requires increase in Federal Revenue of \$68,000 and an increase in Materials & Services of \$68,000. Budget Order number 2024-12 (County Fair Program) requires increase in Local Revenue of \$150,000 and an increase in Materials & Services of \$150,000. Budget Order number 2024-13 (Central Water Project Program) requires increase in Beginning Cash of \$8,750,000, an increase in Materials & Services of \$2,750,000, and in increase in Capital Outlay of \$6,000,000. Budget Order number 2024-14 (Fleet Management Program) requires

increase in Transfers In of \$420,000, an increase in Materials & Services of \$90,000, and an increase in Capital Outlay of \$330,000. Budget Order number 2024-15 (Subcontracted Services Program) requires increase in State Revenue of \$650,000 and an increase in Materials & Services of \$650,000. Budget Order number 2024-17 (STIF Discretionary Program) requires increase in State Revenue of \$47,000 and an increase in Materials & Services of \$47,000. Budget Order number 2024-18 (Road Improvements Program) requires decrease in Beginning Cash of \$92,000 and an increase in Materials & Services of \$304,000 and a decrease in Contingency of \$396,000. Budget Order number 2024-19 (Emergency Management Grant Program) requires increase in Transfer In of \$35,000 and an increase in Transfer Out of \$35,000. Chair Dorran asked for public comments or questions. There were none. Chair Dorran closed the public hearing at 09:43 a.m. Deliberations. None.

Commissioner Timmons moved to adopt Budget Order No. BCC2024-02 (Program 15090 – SO Dispatch Division Program). Seconded by Commissioner Shafer. Carried, 3-0.
Commissioner Timmons moved to adopt Budget Order No. BCC2024-07 (Program 90790 – Court Security Program). Seconded by Commissioner Shafer. Carried, 3-0.
Commissioner Timmons moved to adopt Budget Order No. BCC2024-10 (Program 40230 – Fair Improvement Program). Seconded by Commissioner Timmons. Carried, 3-0.
Commissioner Shafer moved to adopt Budget Order No. BCC2024-11 (Program 56400 – Wellness Hubs Program). Seconded by Commissioner Timmons. Carried, 3-0.
Commissioner Shafer moved to adopt Budget Order No. BCC2024-12 (Program 40420 – County Fair Program). Seconded by Commissioner Timmons. Carried, 3-0.
Commissioner Shafer moved to adopt Budget Order No. BCC2024-13 (Program 40600 – Central Water Project Program). Seconded by Commissioner Timmons. Carried, 3-0.
Commissioner Shafer moved to adopt Budget Order No. BCC2024-14 (Program 90760 – Fleet Management Program). Seconded by Commissioner Timmons. Carried, 3-0.
Commissioner Shafer moved to adopt Budget Order No. BCC2024-15 (Program 54970 – Subcontracted Services Program). Seconded by Commissioner Timmons. Carried, 3-0.
Commissioner Shafer moved to adopt Budget Order No. BCC2024-17 (Program 10150 – STIF Discretionary Program). Seconded by Commissioner Timmons. Carried, 3-0.
Commissioner Timmons moved to adopt Budget Order No. BCC2024-18 (Program 45310 – Road Improvements Program). Seconded by Commissioner Shafer. Carried, 3-0.
Commissioner Timmons moved to adopt Budget Order No. BCC2024-19 (Program 15850 – Emergency Management Grants Program). Seconded by Commissioner Shafer. Carried, 3-0.

Commissioner Reports:

Commissioner Shafer: None

Commissioner Dorran: Wish everyone and their families a Happy Thanksgiving!

Commissioner Timmons: None

Meeting adjourned by Chair Dorran at 09:46 a.m.

Lori Smith

Executive Secretary – Board of Commissioners