

**MINUTES**  
**UMATILLA COUNTY BOARD OF COMMISSIONERS**  
Meeting of March 12, 2025  
1:30 p.m., Room 114, Umatilla County Courthouse  
Pendleton, Oregon

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**Commissioners Present:** Chair Cindy Timmons, Vice-Chair Dan Dorran and Commissioner John Shafer

**Commissioner Absent:**

**County Counsel** Doug Olsen

**Guests Present:**

Bob Waldher, Umatilla County Community Development Director; Megan Davchevski, Umatilla County Transit Coordinator; Tierney Cimmiyotti, Umatilla County Planner; Tom Fellows, Umatilla County Public Works Director; Dan Lonai, Umatilla County Administrative Services Director; Joe Fiumara, Umatilla County Public Health Director; Nicole Chamberlin, Jim Whitney, applicant/landowner 101 SE 3<sup>rd</sup> St, Pendleton OR 97801;

**Video link or Calling in:**

Jennifer Blake, Umatilla County HR; Rebecca Wahlstrom, Dennis Gisi, 3 River Properties LLC Oregon, PO BOX 906 Walla Walla, WA 99362; Susan Byrd, Jeff Kleinman, attorney representing Susan Byrd;

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**CALL TO ORDER:** Chair Timmons called the meeting to order at 1:30 p.m. She 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** - led by Chair Timmons.

**Awards/Correspondence/Recognitions** - Commissioner Dorran commented that there were several great events last week. The AOC legislative conference chaired by AOC President, Commissioner Shafer covered a lot of ground and was well-run, great job.

**Minutes** – Commissioner Shafer moved to approve the minutes from February 19, 2025 and March 5, 2025 Board meetings. Seconded by Commissioner Dorran. Carried, 3 - 0.

**Additions to Agenda** – None

**Public Comments and Recognition of Visitors** – None

## **Business Items**

1. Land Use Hearing – Hermiston Co-Adoption – Public Hearing – Umatilla County Commissioner, Chair Timmons opened the public hearing at 1:33 p.m. She read the opening statement for the public hearing. Chair Timmons called for abstention, bias, conflict of interest, declaration of ex-parte contact and objections to jurisdiction. There were none. The Chair then read the declaration for land use hearings. Chair Timmons called for Staff Report.

The staff report was presented by Tierney Cimmiyotti, Umatilla County Planner: On July 8, 2024, Hermiston City Council adopted Ordinance 2358, amending the Comprehensive Plan Map from "Urbanizable" to "Urban" for approximately 25 acres located on the north side of E Theater Lane. The City Council also adopted Ordinance 2359 annexing said property effective upon co-adoption of Ordinance 2358. The City of Hermiston Joint Management Agreement (JMA) Section E (10) requires Comprehensive Plan Amendments applicable in the Urban Growth Area to be processed by the City. The JMA requires amendments to be adopted by ordinance, first by the City, then to the County for co-adoption review. The Umatilla County Planning Commission held the County's first evidentiary hearing for co-adoption on January 23, 2025 at the Justice Center Media Room, 4700 NW Pioneer Place, Pendleton, OR. The Planning Commission recommended approval of the Comprehensive Plan Map Amendment Co-Adoption with a vote of 7-0

Chair Timmons called for proponents. There were none. Chair Timmons called for the applicant and/or representative. Rebecca Wahlstrom, PBS Engineering and Environmental was online and provided comment. She offered her gratitude, and states this will be a great asset to Hermiston and will help with the housing needs of the City.

Dennis Gisi, landowner, thanked the Commissioners for consideration of this project and shared his eagerness to begin.

Chair Timmons called for opponents. There were none. Chair Timmons called for comments from public agencies. There were none. Chair Timmons called for rebuttal. There was none. Chair Timmons called for request of continuance or to keep the record open. Record will remain open. Chair Timmons closed the public hearing at 1:42 p.m. and the regular meeting was resumed. **Commissioner Dorrان moved to adopt Ordinance No. 2025-02 approving co-adoption of City Ordinance 2358. Seconded by Commissioner Shafer. Carried, 3-0.**

2. Land Use Hearing – Code Amendment – Public Hearing - Umatilla County Commissioner, Chair Timmons opened the public hearing opened at 1:44 p.m. She read the opening statement for the public hearing. Chair Timmons called for abstention, bias, conflict of interest, declaration of ex-parte contact and objections to jurisdiction. The Chair then read the declaration for land use hearings. Chair Timmons called for Staff Report.

The staff report is was presented by Megan Davchevski, Umatilla County Transit Coordinator. The applicant is requesting that Umatilla County adopt a permit path and criteria for establishing commercial gatherings and weddings as a Home Occupation in the Exclusive Farm Use Zone. The County's current Home Occupation standards have a limitation of no more than 10 parking spaces, which currently limits the number of people that can be on site. The applicant requests to amend

UCDC 152.617(H) to allow for a subsection of Home Occupations, Host Commercial Gatherings and Weddings. The applicant has worked with County Planning Staff to develop language for criteria of approval. The proposed language includes statutory requirements, such as the limited number of employees, as well as other language specific to the proposed use. The proposed language was modeled after other Oregon counties with similar Home Occupation language, mainly Hood River County. Several other counties have adopted similar Home Occupation standards. Statutory requirements are included in the proposed language. There is a robust amount of criteria to be satisfied. The criteria of approval for amendments are found in Umatilla County Development Code 152.750-152.755. Applicable Statewide Planning Goals 1-14 have also been evaluated.

This matter is a legislative matter because it proposes to amend the text of the Umatilla County Development Code. Therefore, the County has the authority to consider and approve the text amendment. The process of approval by the County involves review by the County Planning Commission with a recommendation to the Board of County Commissioners (BCC). At the February 23, 2025 Planning Commission hearing, the Planning Commission unanimously recommended approval of the proposed text amendment with a vote of 6-0.

Planning received three written comments in opposition of the proposed amendment. These comments were emailed to the BCC and to the applicant. Ms. Davchevski asked that they be entered into the record as Exhibits A-C. In addition, she asked for Exhibit D to be added to the record. Exhibit D is a highlighted copy of Land Use Board of Appeals #2022-085 and #2022-086, which is 1000 Friends of Oregon and Friends of Marion County vs. Marion County.

Chair Timmons called for proponents, the applicant and/or representative. Jim Whitney, 101 SE 3<sup>rd</sup> St, Pendleton OR 97801, landowner. The desired outcome is for ag/farm properties to make additional revenue. An alternative income stream could save properties and keep historic buildings, like barns, alive. Farm bankruptcies are on the rise. Statewide land use planning rules do not fit the whole state, county versus county, or the eastside of the state versus the westside. Agritourism can help sustain farm operations and bring more revenue to hotels, restaurants, stores and the community.

Chair Timmons called for opponents. Jeff Kleinman, 1207 SW 6<sup>th</sup>, Portland OR 97204 was online, he is the attorney representing Susan Byrd, Box 236, Ukiah OR 97880. Mr. Kleinman submitted a letter in opposition, letters from 1000 Friends of Oregon and Central Oregon Land Watch were submitted. Mr. Kleinman does not believe the text amendment being proposed qualify under Home Occupation. According to the LCDC, the use has to be accessory, incidental and subordinate to the primary residential use of a dwelling. Mr. Kleinman proposed that having up to 50 events per year with up to 300 guests and 125 vehicles on site is the opposite of a Home Occupation as defined by the LCDC change. Depressed crop prices are a periodic problem. The laws are designed to prevent interference with farm practices.

Chair Timmons called for additional opponents. There were none. Chair Timmons called for comment from public agencies. There were none. Chair Timmons called for rebuttal. There was none. Chair Timmons called for request for continuance or to keep the record open. Record was left open. Chair Timmons closed the public hearing at 2:06 p.m. and the regular meeting was resumed. **Commissioner Dorrn moved to accept Exhibits A-D into the record. Seconded by**

**Commissioner Shafer. Carried, 3-0. Commissioner Dorrان moved for adoption of Ordinance No. 2025-03, approving Text Amendment #T-097-24, Amendment of Umatilla County Development Code, Section 152.617(H) Home Occupations/Cottage Industries in the Exclusive Farm Use Zone as written by staff. Seconded by Commissioner Shafer. Carried, 3-0.**

3. IT License Renewal – Presented by Dan Lonai, Umatilla County Administrative Services Director. Approval is sought for a quote and payment for the Virtu software license renewal. The software is used by the Sheriff's Office, Public Health, District Attorney, Juvenile and Elections. The quote is \$7,250. This is a yearly routine expense and has been budgeted. **Commissioner Shafer moved to approve quote and payable to Virtu in the amount of \$7,250.00. Seconded by Commissioner Dorrان. Carried, 3-0.**
4. Flooring Invitation to Bid - Presented by Dan Lonai, Umatilla County Administrative Services Director. An upgrade to the flooring in the basement of the Courthouse has been proposed. Administrative Services is seeking to have an invitation to bid issued for installation of an epoxy floor coating, similar to other floors in the hallways of the courthouse. This would be for an approximately 1900 square feet. Initial estimates exceed the amount requiring formal procurement process. **Commissioner Dorrان moved to authorize issuance of invitation to bid for flooring upgrade to courthouse basement hallways. Seconded by Commissioner Shafer. Carried, 3-0.**
5. Fiber Contract – Presented by Dan Lonai, Umatilla County Administrative Services Director. A contract is sought with Inland Development to provide fiber at the Stafford Hansell Government Center. The contract will include cost for installation and will provide a direct connection to the Courthouse. The total cost for Inland Development to install fiber at the building for internet and a direct connection \$10,511.93. The monthly on-going cost is \$389.50. **Commissioner Dorrان moved to approve install and service contract with Inland Development in the amount of \$10,511.93 plus monthly services for fiber at the Stafford Hansell Government Center. Seconded by Commissioner Shafer. Carried, 3-0.**
6. Civil Software Payment – Presented by Dan Dorrان, Umatilla County Commissioner. Requesting approval for payment of the annual support contract for the Civil Serve software program by Tyler Technologies. Total annual cost is \$8,980.47 and has been budgeted. . **Commissioner Dorrان moved to approve payment of Annual Support Contract for Tyler Technologies (UCSO Civil Serve program) for \$8,980.47. Seconded by Commissioner Shafer. Carried, 3-0.**
7. Public Works Computer Purchase – Presented by Tom Fellow, Umatilla County Public Works Director. The Public Works Department is requesting computer upgrades for various parts of the department. A total of 7 computers are in need of replacement according to the IT department along with software. The IT department has put together a cost of 7 computers @ \$1050 each, 7 Microsoft Office Licenses @ \$333.12 each and 3 ADOBE Acrobat Licenses @ \$283.58 each for a total of \$10,532.58. Public Works has the budget for this purchase and would like to move forward with the upgrades. **Commissioner Dorrان moved to authorize the purchase of 7 computers, 7 Microsoft licenses and 3 ADOBE Acrobat licenses for a total cost of \$10,532.58. Seconded by Commissioner Shafer. Carried, 3-0.**

8. Public Works Vehicle Purchase – Presented by Tom Fellow, Umatilla County Public Works Director. The Public Works Department is requesting permission to purchase a used 2010 Volvo 4x4 snowplow with wing and sander from Oregon State surplus property. The price of the snowplow is \$14,000.00. Another snowplow has become available through surplus property, and also requesting authorization to purchase a second snowplow. **Commissioner Dorran moved to authorize purchase of a used snowplow for \$14,000 and authorize up to \$15,000 for an additional surplus snowplow. Seconded by Commissioner Shafer. Carried, 3-0**
  
9. Public Health Position Reclassification – Presented by Joe Fiumara, Umatilla County Public Health Director. The Hermiston Student Health Center opened at Hermiston High School on November 4, 2024. This center is staffed with an Office Assistant. Currently this position is classified at OA II. Since the site has been open, they have seen almost 200 individuals, 23% of which were uninsured. Many of the uninsured students were eligible for OHP and planned to enroll in the future. If we can enroll individuals in OHP at the time of their visit at HSHC or prior to their first visit, then we will be able to bill for this service. To add this task to the job duties requires reclassifying this position to an OA III. Hermiston School District is supportive of this change and has agreed to fund the increase in personnel costs for the reclassification. Note, this position is currently vacant. **Commissioner Dorran moved to approve reclassification of HSHC OA II position to OA III. Seconded by Commissioner Shafer. Carried, 3-0.**
  
10. Public Health Computer Purchase – Presented by Joe Fiumara, Umatilla County Public Health Director. The UCo Health clinics were awarded grant funding from OHA through the Reproductive Health program to support computer equipment. The quote from IT includes updating all clinical staff (medical and front office) computers, monitors, docking stations and scanners. It also includes equipment to allow for use of tablets for interpretation during appointments and TVs for messaging in the clinic lobby. Total quote is for \$24,207.00. **Commissioner Shafer moved to approve purchase of computer equipment totaling \$24,207.00. Seconded by Commissioner Dorran. Carried, 3-0.**
  
11. Public Health Supply Purchase – Presented by Joe Fiumara, Umatilla County Public Health Director. The UCo Health clinics were awarded grant funding from OHA through the Reproductive Health program to support purchasing new medical supplies. The total quote for purchasing these items is \$27,345.06. **Commissioner Shafer moved to approve purchase of medical supplies from McKesson in the amount of \$27,345.06. Seconded by Commissioner Timmons. Carried, 2-1.**
  
12. Property Appeals Board Summary – Presented by Doug Olsen, Umatilla County Counsel. The Property Value Appeals Board held its hearings on March 5, 2025. The actions taken by the appeals board are before the Board for acceptance. Of the 18 appeals filed, 14 hearings were held, with resulting adjustments to the assessed value. **Commissioner Shafer moved to adopt Order No. BCC2025-013. Seconded by Commissioner Dorran. Carried, 3-0.**
  
13. Pump Station Project – Presented by Doug Olsen, Umatilla County Counsel. In December 2023, the Board approved a feasibility study and option for an additional water intake from the Columbia River, beside the Central Water project pump station. The option is still in place and the study has been completed. The matter before the Board is whether to move forward with a next step, including exercise of option and construction. **Commissioner Shafer moved to discuss and authorize next**

**steps for development of additional water intake source. Seconded by Commissioner Dorrان. Carried, 3-0.**

14. City of Pendleton Funding – Presented by Doug Olsen, Umatilla County Counsel. On December 11, 2024, the Board approved the request of the City of Pendleton to contribute funding toward infrastructure improvements for housing development. The specific request was for infrastructure improvements to SW 15th Street and SE Kirk Avenue. The Board approved payment of \$1.25 million from the Municipal Infrastructure Reserve Fund. The City is requesting the Board reconsider the decision, to allow for the City to retain the funding, rather than repay it for use for other infrastructure projects in the county. **Commissioner Shafer moved to approve the deletion of the repayment provisions to the County in the previous decision. Seconded by Commissioner Dorrان. Carried, 2-1.**
15. Board Payment – Presented by Doug Olsen, Umatilla County Counsel. A payable is before the Board for approval. The payment is for the contractual bonus for the consultant for Phase III of the central water project. **Commissioner Shafer moved to approve payable to CL&W in the amount of \$113,760.00. Seconded by Commissioner Dorrان. Carried, 3-0.**
16. IRZ Contract – Presented by Doug Olsen, Umatilla County Counsel. Authorization is sought to develop a contract with IRZ Consulting for scoping of a project with the Washington Oregon Water Group. The project would be to develop a pipeline to provide Columbia River water to the Walla Walla/Milton-Freewater area to replace water from the Walla Walla River. The purpose of this contract is just for the scoping of the project, with an estimated cost of \$20,000. Partners in the group may also provide additional funding. Funding would be from Economic Development. **Commissioner Dorrان moved to authorize contract with IRZ Consulting in an amount up to \$20,000. Seconded by Commissioner Shafer. Carried, 3-0.**
17. Development Contract Amendment – Presented by Doug Olsen, Umatilla County Counsel. The zone sponsors for the enterprise zones in the City of Umatilla have been requested to amend one of the most recent agreements for a long-term enterprise zone abatement. The requested change is to specify the date of the base year. The date establishes the base to determine if the employment and other program requirements are being met by the developer. In this instance, the date is when the developer began employment for the project. The changes are before the Board for approval. **Commissioner Dorrان moved to approve amendments to Long-Term Rural Enterprise Zone Tax Abatement Agreement. Seconded by Commissioner Shafer. Carried, 3-0.**
18. Letter of Support – Presented by Dan Doran, Umatilla County Commissioner. The county has been requested to provide a letter of support for the UEC Umatilla-Morrow County Connect project. The project includes a 14-mile transmission line to connect the Ordnance Switchyard in Umatilla County to the Highway 730 Switchyard in Morrow County. The infrastructure upgrade will provide enhanced reliability, support economic development, and provide a path to help move renewable energy throughout the region. **Commissioner Dorrان moved to approve letter of support and authorize the chair to sign. Seconded by Commissioner Shafer. Carried, 3-0**
19. Executive Session – Employment/Real Property – ORS 192.660(2)(a,b,e,h) – None

Commissioner Reports:

Commissioner Shafer: None

Commissioner Dorrان: None

Commissioner Timmons: Over the past week, there was Regional Wrestling and State Basketball. It is great to see this in the community. The coaches and the players are doing great things!

Meeting adjourned by Chair Timmons at 2:36 p.m.

*Kelsey Bailey*

Executive Secretary – Board of Commissioners