

**UMATILLA COUNTY BOARD OF COMMISSIONERS**  
**Meeting of Thursday, December 12, 2013, 6:30 p.m.**  
**Stafford Hansell Government Center, Hermiston, OR**

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**COMMISSIONERS PRESENT:** Larry Givens (Chairman), Bill Elfering.

**ABSENT:** George Murdock.

**STAFF:** Tamra Mabbott, Connie Hendrickson

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**NOTE: THE FOLLOWING IS A SUMMARY OF THE MEETING. HOWEVER, A RECORDING OF THE MEETING IS AVAILABLE AT THE PLANNING DEPARTMENT OFFICE.**

December 12, 2013

Chairman Givens opened the meeting at 6:30 p.m. and introduced the city and county staff present. He said the assumption of the Building Codes Program is a joint agreement with Umatilla County and the Cities of Hermiston and Pendleton. The goal is to improve services and make the program more efficient for the citizens of the county and our communities which hopefully will encourage more development.

A Power Point presentation outlining the overview for the assumption process was being shown while Planning Director Tamra Mabbott gave a report. She said that this was being called a county program but the county would be entering into an agreement with the City of Pendleton to act as the Building Official on behalf of the county.

Mrs. Mabbott said the deadline for an objection to the county's application to assume the program was in November. By January 1, 2014 the county has to submit a letter saying they are still interested in assuming the program. Then by April 1<sup>st</sup> the Building Codes Division of the Department of Administrative Services for the State of Oregon will inform the county if they approve or deny the request. She went on to say that the state had already sent a letter approving the county's assumption of the program. Details of the process between the City of Pendleton and Umatilla County still need to be worked out.

A member of the audience asked why this meeting was taking place if the assumption of the program had already been approved. Mrs. Mabbott said when the county applied to assume the program they met with the Cities of Pendleton and Hermiston and asked if they would be interested in partnering with the county to provide a local service. The Oregon Administrative Rule required two public meetings to be held in order to get input from local citizens. The first meeting was held in Pendleton on November 14<sup>th</sup> and tonight's meeting is the second one. The assumption of the program will not be completed until July 1<sup>st</sup> but the county is moving in that direction.

Mr. Lindstrom, Building Official for the City of Pendleton, said they still have to go before the state electrical board on February 27<sup>th</sup> to present the proposed operating plan. The state Building Codes Division sent the letter of approval early but the entire

assumption of the program still has to be approved. The county will be given the three specialty codes; structural, plumbing and mechanical but they have not been approved for the electrical portion of the program yet. If the public has any input the state will still listen to it.

Mr. Simons said the purpose of the meeting was to hear any concerns people had so they could be addressed. This process is still in the planning phases and they are trying to work through the Intergovernmental Agreements (IGA's) between the city and the county.

Chairman Givens emphasized the fact that this was not a hearing, but an informational meeting. The county is trying to be transparent about this so everyone is aware of what will be taking place. Over 750 notices were sent to contractors, elected officials, realtors, city managers, city planners and chambers of commerce.

Mrs. Mabbott said one of the benefits of having local control of the Building Codes Program is that it is adaptable to the extent that the Oregon Specialty Code will allow. The local government can make changes more quickly than the state can, maximizing efficiencies in terms of staffing and location. This will optimize the local services and the staff and the business community will have access to local building officials.

Mrs. Mabbott said that they were referring to this as a regional inspection program which will include the unincorporated areas and the small cities that do not have their own program. The City of Hermiston has its own full-service program and the City of Umatilla contracts with another agency for their program.

Mrs. Mabbott told the audience that the IGA with the City of Pendleton will list the city's responsibilities and outline their service area. The City of Hermiston will expand their service to include a portion of the urban area which is about 1/4 of Hermiston's urban growth area. The "urban" designated areas on the map will become the jurisdiction of the city. The map she was referring to is on the county web site. Contractors can contact the county Land Use Planning Department to determine where they should apply for their permits.

Mark Morgan from the City of Hermiston said that when the assumption process is complete, if you are located within the Hermiston city limits or the urban area you will no longer have to travel to state offices in Pendleton to get a structural permit because it can all be done in Hermiston.

Mrs. Mabbott said the objective is to deliver timely plan reviews and inspection services. Those in this business today know that if they want to get a building permit in the unincorporated part of the county you submit your plans to the State Building Codes office in Pendleton and they then mail them to Salem and if the inspector there has question they will call you. When the new program is in place the plans will go to Mr. Lindstrom at the City of Pendleton. He will be able to meet people on their job site or in their office to review their building plans.

Someone in the audience asked who would be doing the electrical plan reviews and Mr. Lindstrom said it was unclear at this point if they would need to hire someone who would take on that responsibility. There will be four inspectors of different disciplines that are cross-certified. The City of Pendleton will have its own electrical inspection program and contract with the county for the areas in its jurisdiction.

Mrs. Mabbott said she had spoken with the state's regional program administrator over the summer and he reported that it had only taken six weeks to get some plan reviews. Mr. Lindstrom said the turnaround times for plan reviews are usually less than 10 days for residential and not more than 30 days for typical commercial projects. He said if someone has a very large project they can get the foundation started and then work on the rest of the plan review. It can be done in phases if necessary but the goal is to get it done in the most efficient way possible.

Mrs. Mabbott said the objective is to generate enough revenue to cover the program expenses. The revenue generated from the building inspection program are required by state law to be dedicated to that program. The majority of the revenue will stay with the City of Pendleton as will the majority of the risk. Mr. Lindstrom added that the electrical portion of the program also has its own dedicated fund so it is even more restrictive.

It was asked if the county received any of the permit fees back from the state and Mrs. Mabbott stated that they did not. She clarified that the county will collect a very modest percentage of the permit fees when the program is assumed but the majority of the revenue will stay with the City of Pendleton because they will need to cover their expenses to be able to operate the program in the black.

There were questions as to why the fees were less for the state run Building Codes Program than they would be for the same program run by the city/county. Chuck Woolsey from the City of Hermiston said that the state's fees were set by legislators but other jurisdictions had to follow a state mandated fee schedule. An audience member said the increase in fees was a cause for concern for builders and developers. Another person in the audience said buying a permit was similar to adding a tax onto a business transaction with the customer paying that cost. He went on to say that the state has wanted to transfer the building codes programs over to the local jurisdictions for a long time because the program loses money. Because of this he said he didn't know how the city/county thought they would be able to make the program profitable.

John Lindstrom said there was a process that had to be followed to set the fees and they have to be in line with other jurisdictions of similar size in the geographical area.

Mrs. Mabbott displayed the Power Point slide which showed the differences in fees for a 2000 sq. ft. home in different jurisdictions and said the county will adopt the City of Pendleton's fee schedule. Commissioner Elfering referred to the presentation and noted that the state has been undercharging for their services and the program has been subsidized through other taxes. Mr. Lindstrom said 12% of the permit fee charged by the

state goes directly to cover inspections in the areas where the program isn't profitable. Mrs. Mabbott said that the state operates at a loss but the program, when assumed, has been designed so it will allow the city/county to operate budget neutral or even with additional money to help cover costs during the lean years. Discussion followed.

Chairman Givens said the agreement with the City of Pendleton will be for two years. At that time the county will have the option of discontinuing the program if it turns out to be a financial drain. He said he understands that no one wants to see the fees increase but the reason the county is trying to make this happen is because they have been contacted by people for years about the fact that the state is not giving the contractors the services they want. The goal of the city/county will be to provide a more timely and efficient service so that businesses, growth and industry won't go across the state line into Washington. When a developer or contractor is ready to start a project staff needs to be ready to help them by expediting the permitting process. When business leaves our area and goes elsewhere, it costs everyone, including the taxpayers because we are losing revenue for our county. Commissioner Elfering commented that he personally had a simple building project and the plan review process took a great deal longer than six weeks to complete.

Someone in the audience asked Chairman Givens for an example of a business that had gone across the river because the process was too slow and he answered that there had been companies in the Milton-Freewater area who had gone across the state line into Washington to build businesses and wineries.

An audience member asked if someone in the city/county had reviewed the fees collected during previous years by the state. The City of Pendleton and used them to determine if the program was feasible based on expected revenue. Mr. Lindstrom said that they had.

Mrs. Mabbott added that the fees at the county and city government level are reviewed once per year and it was a very transparent process. There is a legal notice printed in the newspaper and a public meeting is held. If sometime in the next few years the city or county increase fees, the public will be able to participate in that process. Discussion followed.

Someone in the audience commented that he is concerned about having to build a rapport with the new inspectors that will be hired. Mrs. Mabbott said that if anyone had an issue with an inspector all they needed to do was to call Tim Simons or John Lindstrom and it will be handled locally. Everyone involved in this program wants to ensure that a good service is provided.

There was discussion regarding the length of time it can take to get plan reviews back from the state. Some people had their plans returned in 10 days but others said it took as much as 8 weeks to 5 months. Mrs. Mabbott said that a contractor who was a sub on a job had told her during the summer it took so long to get plan reviews back from the state that the people building the home had to refinance and when they went back to refinance the bank turned them down and they were unable to build.

An audience member asked who he would contact if he did have a problem and Mr. Lindstrom said that there was a legal appeals process. He went on to say that he had ironed out many issues over the years with different inspectors where there was simply a miscommunication or misinformation and he would continue to do everything possible to resolve any issues so projects could be completed.

Chairman Givens said that there will always be a number to call if there is a problem. A person can call the county Land Use Planning Department, the Board of Commissioners, the City of Pendleton or the City of Hermiston.

Someone asked who would be in charge of the county's Building Code Department and Mrs. Mabbott answered that there will be an Intergovernmental Agreement and in that agreement the county will name the City of Pendleton's Building Official as the County's Building Official.

An audience member wanted to know how many people would be on staff in the Building Codes Department at the city when the assumption process was complete and Mr. Lindstrom said that department will increase by two inspectors and there will be a full time staff member at the counter instead of a half time person. Everyone in the building department will wear multiple hats and that is a key to making the program work. Discussion followed.

Mr. Simons said they would be using the City of Pendleton's fee schedule which is already in place, streamlining the assumption process. The permits will have the logos from both the City of Pendleton and Umatilla County. The City of Pendleton already has office space so there will be no need to rent space which will be a big savings for the program. Travel expenses will increase, but will be offset by the reduced overhead. This will allow them to keep the fees the same for the new program as it has been for the City of Pendleton.

Someone in the audience asked if they would be able to pay for permit fees over the phone using a credit card. He said that was a very important issue to contractors and developers because it allowed them to save so much time and money during the process. Mr. Lindstrom noted that the City of Hermiston used the e-permitting system and asked Mr. Woolsey if the system functioned well for them and he answered that it did. Mr. Lindstrom asked if the e-permitting replaced the existing permitting software and Mr. Woolsey said the current system was established before he went to work in that department so he didn't know what the process had been before.

An audience member commented that when submitting permits to the state Building Codes Division in Pendleton he is able to fill out the form on line and then fax it to the office with his credit card number on the form and the office staff runs the credit card transaction.

Mr. Lindstrom asked Mr. Woolsey if the City of Hermiston accepted credit card payments over the phone and he said they did. Mr. Lindstrom said he understood the

frustration of having to drive across the county in this day and age to pay for permits when they could pay with a credit card. He said he would be presenting this information to the staff in charge of finances and the City Manager for the City of Pendleton and let them know that this is a real concern for customers.

Mrs. Mabbott stated that people are unable to pay for land use permits at the county with credit cards but that it is something that people request often. The county finance staff said the credit card companies charge a fee for using that service. The amount of the surcharge depends on the bank you're doing business with.

Chairman Givens stated that this informational meeting had been productive and that those in attendance had given the staff a lot of good input regarding cross-training and taking credit cards and making the program more convenient and economically feasible. He sympathized with the concerns about the increase in fees saying that money is an issue for everyone including the cities and the county. We are trying to improve the process in an attempt to attract businesses to our communities; increasing industry and growth and also increasing local revenue.

Mr. Lindstrom said budgets could be flexible. If large projects come in and another inspector was needed the permitting fees would cover that cost. Staff can be increased to handle the customer service needed. The process for getting additional help is faster and easier for the city than it was for the state. Discussion followed.

There was a comment from the audience saying they wanted the program to work but they wanted to make sure the city/county would work hard to be efficient with the builders and developers money.

Chairman Givens acknowledged that the Commissioners and the staff have heard and understood that people want better, more efficient and cost effective service and that is their goal. The reason the county and the cities are undertaking this process is because they have been listening for a long time to requests for better service.

Chairman Givens closed the meeting at 7:39.

Respectfully submitted,

Connie Hendrickson  
Administrative Assistant

*(Adopted by the Board of Commissioners January 22, 2014)*

