

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS
Meeting of March 18, 2020
9:00 a.m., Room 130, Umatilla County Courthouse
Pendleton, Oregon

Commissioners Present: Chair John Shafer, Vice-Chair George Murdock, and Commissioner Bill Elfering

County Counsel: Doug Olsen

Members and Guests Present: Due to the coronavirus and directive from the Commissioners no public except press and only Department Heads: Marie Simonis, Assistant Director-Finance & Budget; Rachael Reynolds, A&T Deputy Director; Joseph Fiumara, UCo Health Director; Bob Waldher, Planning Director; Tom Roberts, Emergency Manager; Gail Nelson, Economic Development Coordinator; Amy Ashton-Williams, Human Services Director; Jennifer Blake, Human Resources Director; Dan Primus, District Attorney; Dan Lonai, Administrative Services Director; Jim Littlefield, Undersheriff; EO: Alex Castle, reporter; and Ben Lonergan, photographer; Roy Blaine, Trial Court Administrator-Sixth Judicial District

CALL TO ORDER: Chair Shafer called the meeting to order at 9:00 a.m. He advised the meeting is only Department Heads and Alex Castle, East Oregonian. The meeting is being video and audio recorded and minutes will be taken. If you have something to say, please come to the podium to speak into the microphone.

Pledge of Allegiance was led by Commissioner Shafer.

Awards/Correspondence/Recognition – none.

Minutes – none.

Additions to Agenda – Mr. Olsen noted two additions (#10 - Emergency and #11 – Office Closure)

Public Comments – none.

Business Items

1. **East Umatilla Fire District Formation – Public Hearing.** Chair Shafer called the public hearing to order at 9:06 a.m. He attempted unsuccessfully to call Dave Baty, Fire Chief.

Chair Shafer skipped to added items #10 and on to #11, then going back to the public hearing.
2. **Emergency Declaration.** Chair Shafer asked Commissioner Murdock to report. Although Umatilla County is reluctant to go beyond the state of alert, however, in order to enable access to all resources available and in the interest of operation of the county business for the citizens, it would be best to declare a state of emergency. **Commissioner Murdock moved to adopt Order No. BCC2020-020. Seconded by Commissioner Elfering. Carried, 3-0.**
3. **Office Closure.** Presented by Commissioner Murdock. Word was received from the City of Pendleton that it will be limiting access to its office. The Commissioners are recommending that effective 3/19 county offices will be closed to general public, with staff remaining available by appointment only. All staff is essential and will continue to provide services to citizens. He noted that Public Health will continue regular operations, otherwise business will be by appointment only (same as the city on 3/19). With state courts being in the courthouse, that will be handled separately. All outside doors will be locked except the front door. Inside the main lobby first floor, fire doors will be closed and will be marked employees only

(consistent with City of Pendleton). This will remain in effect for one month. Chair Shafer added that handicapped access will be a buzzer alert at the ramp (south entrance) and maintenance staff will handle escorting those individuals. Commissioner Murdock added that the main information/reception desk will be closed (modified public exposure) to err on the side of safety. We want to do more than required to be safest. Commissioner Elfering added there is a lot less public out. Chair Shafer reiterated we are open for business but with a modified schedule.

Commissioner Murdock noted this is a medical crisis and an economic crisis – this community is dramatically impacted and businesses are in peril. We are doing all in our power to encourage purchases be made locally – please do not buy online. Support local business.

Roy Blaine, Trial Court Administrator, thanked the Commissioners and all department heads in attendance. He talked about state courts COVID 19 response – complexities of law and people’s rights. Circuit court is closing all functions in Hermiston (at Stafford Hansell Government Center) and that staff will come to work at Pendleton to handle matters. Morrow County is still staffed and criminal matters will be handled as they are required to be. Two Courthouse courtrooms will be in session with #3 closed. Chief Justice declared compensation will be made. State Courts will operate with reduced staff and business.

Commissioner Murdock also agreed employees are essential, however, steps are being taken to protect health and safety. Notices will be posted. **Commissioner Murdock moved to proceed with limiting access to county offices. Seconded by Commissioner Elfering.** Discussion: Commissioner Murdock to department heads, if there are questions, Doug Olsen is drawing up the intricacies of this restriction, therefore, please let him know so he can incorporate them. Dan Lonai, Administrative Services Director, had a questions regarding mandates of statute related to recording, clerk’s office items -- (passports, marriage licenses) – those procedures need to be considered. Mr. Olsen advised these things can be handled by appointment only as noted previously. Mr. Lonai will work with Mr. Olsen in this regard. And, Commissioner Murdock noted this action will not preclude employees from doing outside business (i.e. appraisals and Sheriff’s Office). Undersheriff Littlefield, in regard to the jail process (intake) advised other adjustments are being made there and at Corrections.

Commissioner Murdock applauded Joe Fiumara and UCo Health for his office’s hard work. Chair Shafer also cautioned about rumors about cases – the real authority is Public Health and Oregon Health Authority. Social media is not the proper source to rely on.

He also commented about rumor of racism -- COVID 19 doesn’t care who you are – socially, culturally, etc. It is random. He’s disappointed about racism piece and reiterated it is NOT a factor. Commissioner Murdock talked about a joint document (with CTUIR) addressing discrimination and not tolerating it.

Motion carried, 3-0.

Quick recess at 9:27 a.m. Back on record @ 9:29 a.m.

4. Position Reclassification – Victim Witness Program. Presented by DA Dan Primus. This reclassification request is to make the positions be more in line with legal secretaries (similar job duties); grant funded. Action would move from Range 12 to 14, which equates to \$202/month per person. He believes this could be sustainable based on past history. **Commissioner Elfering moved to approve. Seconded by Commissioner Murdock. Carried, 3-0.**
5. East Umatilla Fire District Formation – Public Hearing. Chair Shafer called the public hearing to order at 9:30 a.m. Chair Shafer called Dave Baty. He gave the report. This is the second hearing of the proposed formation of a new district. It will combine two entities plus the City of Athena to one district by way of going to the voters. The tax rate would be \$1.00/\$1,000 of assessed value. Mr. Olsen noted this is for

Board action today, then on to voters. He also advised that Mr. Baty can speak only educationally. Mr. Baty noted advantages would be for providing better public services within the three areas moving to one district with added level of financial support. Based on numbers, and record, and history. There were no questions.

Chair Shafer asked for any for or against? None were heard. He closed the hearing @ 9:35 a.m.

Public session. **Commissioner Murdock moved to adopt Order No. BCC2020-019. Seconded by Commissioner Elfering. Carried, 3-0.** Action will move this to the voters for the May 19 ballot.

6. Tax Reserve Account. Presented by Rachael Reynolds, Deputy Director A&T. This is a propose tax reserve account for the Century Link tax appeal for setting aside potential refunds for amounts in dispute. Ms. Reynolds noted it also includes interest. This has been going on for 7-8 years and interest is calculated at 1% per month and is retroactive. Mr. Olsen added the amount not disputed is about 37% (on tax rolls) and is limited to \$900,000 in the order. **Commissioner Elfering moved to adopt Order No. TX2020-02. Seconded by Commissioner Murdock. Carried, 3-0.**
7. Foreclosed Property Auction. Presented by Mr. Olsen. This is to set the annual auction for tax foreclosed properties. Currently eight new properties are included, plus one remaining from last year, and also several properties held from past years. Auction is proposed for May 5. **Commissioner Murdock moved to adopt TX2020-01. Seconded by Commissioner Elfering. Carried, 3-0.**
8. Road Department Payable – Pendleton Ready Mix. Mr. Olsen presented – this and next item were referred from the Finance Department. This payable is a result of the recent flooding and is for rock material and repairs. **Commissioner Elfering moved to approve payable (amount of \$10,033.84). Seconded by Commissioner Murdock. Carried, 3-0.**
9. Road Department Payment – Anderson Construction. Mr. Olsen advised same applies as noted above, except this is for rip rap from repairs on Bingham Road in amount of \$11,457.54. **Commissioner Murdock moved to approve payable (amount of \$11,457.54). Seconded by Commissioner Elfering. Carried, 3-0.**
10. AWERE Committee Appointment. Presented by Chair Shafer (he sits on the committee). This is to fill a vacancy by appointing interim mayor Duane Thul and also includes updated appointments for members whose terms are expiring. **Commissioner Elfering moved to adopt Order No. BCC2020-018. Seconded by Commissioner Murdock. Carried, 3-0.**

(Department heads left, except for Jennifer Blake)

11. Supplemental Budgets – Public Hearing. Chair Shafer called the hearing to order at 9:43 a.m. Staff report was presented by Marie Simonis, Assistant Director of Finance & Budget. There were 10 supplemental budgets (and 2 budget transfer), Budget Orders numbered: Order 2020-20 (Courthouse Building Program) requires increases in Transfers In of \$375,000 and Capital Outlay of \$375,000. Order 2020-21 (Sheriff/Jail Pendleton Building Program) requires increases in Transfers In of \$10,000 and in Capital Outlay of \$10,000. Order 2020-22 (Surveyor Program) requires increases in Local Revenue of \$17,000, in Personnel Services of \$6,000, and in Materials & Services of \$11,000. Order 2020- 23 (Special Transportation Program) requires increases in Local Revenue of \$140,000, in Materials & Services of \$138,100. Order 2020-24 (Treatment Court) requires increases in Local Revenue of \$1,100, in State Revenue of \$90,000, and in Materials & Services of \$91,100. Order 2020-25 (Economic Development) requires increases in Transfers In of \$150,000 and in Materials & Services of \$150,000. Order 2020-26 (Wind Farm Distribution) requires an increase in Transfers Out of \$150,000 and a decrease in Contingency of \$150,000.

Order 2020-27 (Facilities Reserve) requires an increase in Transfers Out of \$385,000 and a decrease in Contingency of \$385,000. Order 2020-29 (School Based Mental Health) requires increases in Beginning Cash of \$33,000, in Materials & Services of \$31,000, and in Contingency of \$2,000. Order 2020-30 (Public Works) requires increases in Materials & Services of \$300,000, in Capital Outlay of \$150,000, and a decrease in Contingency of \$450,000.

With no questions being heard, Chair Shafer closed the public hearing at 9:47 a.m.

Deliberations

In the matter approving Supplemental Budgets pursuant to ORS 294.471 for FY ending 6/30/20: Commissioner Elfering moved to adopt Budget Order No. 2020-20 (Program 6001 – Courthouse Building Program). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to adopt Budget Order No. 2020-21 (Program 6003 – Sheriff/Jail Pendleton Program). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to adopt Budget Order No. 2020-22 (Program 4564 – Surveyor. Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Murdock moved to adopt Budget Order No. 2020-23 (Program 1013 – Special Transportation Program). Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Elfering moved to adopt Budget Order No. 2020-24 (Program 1534 – Treatment Court). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Murdock moved to adopt Budget Order No. 2020-25 (Program 1029 – Economic Development). Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Elfering moved to adopt Budget Order No. 2020-26 (Program 1650 – Wind Farm Distribution). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Murdock moved to adopt Budget Order No. 2020-27 (Program 9040 – Facilities Reserve). Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Elfering moved to adopt Budget Order No. 2020-29 (Program 5428 – School Based Mental Health). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Murdock moved to adopt Budget Order No. 2020-30 (Program 4530 – Public Works). Seconded by Commissioner Elfering. Carried, 3-0.

12. Budget Transfer. Presented by Ms. Simonis. Order No. Budget2020-28 (Fleet Management) requires an increase of \$16,000 for Materials & Services and a decrease of \$16,000 from Capital Outlay.

In the matter approving Transfer Budget pursuant to ORS 294.463 for FY ending 6/30/20:

Commissioner Elfering moved to adopt Order Budget2020-28 (Program 9076 - Fleet Management). Seconded by Commissioner Murdock. Carried, 3-0.

Executive Session – none.

Additional Business

Commissioner Murdock asked if it is necessary to authorize Chair Shafer, who is in charge of security, to handle possible emergency expenses relating to that? Mr. Olsen advised yes. **Commissioner Murdock so moved. Seconded by Commissioner Elfering. Question by Chair Shafer, is there a limit on that? No limit. Carried, 3-0.**

Mr. Olsen also noted a potential action item regarding E. Airport Road. There has been the plan all along for the Road Department to include a portion of its bicycle pedestrian path funds to the project; the estimate to make a path along E. Airport Road will be \$96,050. The department is requesting the board approve funds to be spent from that fund towards the project. Chair Shafer advised he had talked to Tom Fellows, Public Works Director, that morning. This project would allow paving Ott Road at the north entrance of EOTC to E. Airport Road. Mr. Olsen added the original plan was to do all they could with available funds and any left-over funds would go to

paving at E. Airport Road. Chair Shafer noted contractors need information ASAP for planning purposes to move forward. **Commissioner Elfering moved to adopt Order No. RD2020-07. Seconded by Commissioner Murdock. Carried, 3-0.**

Commissioner Murdock added that once counsel has prepared orders related to actions taken today and should incorporate the Commissioners' point that all employees are essential and business still needs to be conducted, should go out to all staff. Chair Shafer agreed and directed Melinda Slatt to distribute accordingly.

Commissioners' Reports - none.

The meeting adjourned at 9:54 a.m.

Respectfully submitted,

Melinda Slatt

Executive Secretary, Umatilla County Board of Commissioners