

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS

Meeting of August 19, 2020
9:00 a.m., Room 130, Umatilla County Courthouse
Pendleton, Oregon
Public Call in #: 541-728-0275

Commissioner Present: Chair John Shafer
Commissioners calling in: Vice-Chair George Murdock and Commissioner Bill Elfering
County Counsel: Doug Olsen
No Attendance in person
Calling in: Tom Fellows, Public Works Director; Jennifer Blake, Human Resources Director; Bob Waldher, Planning Director

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 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. Chair Shafer read a thank you note from Lillian Waldher for supporting the livestock auction at the Fair. It is her first year of 4H, she loves it, and can't wait to show more. Commissioner Murdock added about the unique circumstances of the sale, both Economic Development and the Commissioners in general were major participants in supporting the sale. He was very pleased with participation and results of the sale. Marie Linnell (livestock sale committee chair) recently advised him about \$510,000 was raised with about 70 less participants. What a great job of stepping up for youth. 2020 has been difficult and businesses in the county are suffering. And, Commissioner Elfering added that sponsor after sponsor stepped up (i.e. Les Schwab added \$50 to every animal sold). We will be reaching back thanking merchants and sponsors. There was a great turn out on-line. Some changes will be brought into future fairs; in particular, the virtual piece. The internet blended in very smoothly with the in-person auctioneer. Chair Shafer was amazed at how much local businesses and sponsors stepped up to the plate - what a high level of commitment!

Chair Shafer also noted that along with note, there was a picture of Lillian and her lamb, which will be on exhibit in the commissioners' office.

Minutes – Commissioner Murdock moved to acknowledge the Board minutes from the meeting of 8/5/20. **Seconded by Commissioner Elfering. Carried, 3-0.**

Additions to Agenda – Commissioner Murdock asked to add the appeal to Governor Brown for reopening (in order to receive acknowledge from all three commissioners). It would be added as the last business item.

Public Comments – for other than agenda items. [*None were heard.*]

Business Items

1. **Natural Hazards Mitigation Plan Update.** Presented by Bob Waldher, Planning Director. He is seeking approval for an Intergovernmental Agreement that will allow collaboration with the Oregon Department of Land Conservation & Development to update the NHMP. It expired in 2019 and is required to be updated every 5 years to qualify for eligibility for certain FEMA disaster funding. In February, a grant from FEMA

was approved preliminarily to include working county-wide with all 12 cities as well as special districts (irrigation and fire). The project is co-chaired by himself and Tom Roberts, Emergency Manager. Given the recent floods, windstorm, and COVID-19 pandemic in 2020, there is definitely need to promote communities' resiliency. **Commissioner Elfering moved to approve the Intergovernmental Agreement. Seconded by Commissioner Murdock. Carried, 3-0.** Chair Shafer expressed excitement to proceed in light of 2 floods earlier this year.

2. Dumper Purchase. Presented by Tom Fellows, Public Works Director. This is for the purchase of a dumper for Harris Park from state surplus property. There was a lot of damage at the park due to floods earlier this year. The state agreed to a try-out period for 30 days at a cost of \$200 shipping and, if we don't like it, it can go back (for another \$200). The purchase price is \$4,500. Timeframe is such that if we like it, it is opportunity to purchase it at a good price and timely for current needs. In response to Commissioner Elfering's question of use, Mr. Fellows advised it would be used in conjunction with a mini-excavator. The dumper is all-wheel drive and articulates in middle for moving material (brush, trees, whatever) – it is small enough to get into and move around easily at the park. **Motion was made by Commissioner Murdock to approve the purchase. Seconded by Commissioner Elfering. Carried, 3-0.**
3. CDDP Payable. Presented by Mr. Olsen. This payable is before the Board for approval due to the amount. The payable is for CDDP's software support and license for the year from Therap Serv LLC in a total amount of \$13,034.25. **Motion was made by Commissioner Elfering to approve the payable. Seconded by Commissioner Murdock. Carried, 3-0.**
4. Work Schedules/Distance Learning. Presented by Mr. Olsen. There are two parts to this action: 1) document temporary work schedule for certain county offices (like back in April), to allow distancing for staff as feasible in a week on/ week off schedule. Upon return to baseline, employees have returned to that schedule. It started 8/3 without an end date in the request. Discussion is for how long the schedule should last. 2) request approval for a new program for employees to participate in children's distance learning for up to 8 hours/week and either reducing their compensation by the 8 hours or allow them to make up time outside their regular schedule. Basically it will be for the ability to meet school districts' schedules since we don't know when online learning will be held. This should allow some flexibility for those who want it. Chair Shafer stressed this program is during the COVID emergency only.

Commissioner Elfering: to clarify on the first part regarding alternating shifts – what about moving on to phase 1 and 2, what is the alternating work schedule? Mr. Olsen explained that is the matter before board for decision – mainly looking at the end date. Maybe it could be during only baseline with the alternating work schedule. Then, the second part of discussion is for employees with children for distance learning. He noted it is only during the COVID declared emergency.

Commissioner Murdock noted the need to further clarify, it seems we can't have a uniform ending date – it needs to be in a form to address the specific school district a child is attending. Moving forward, there will be a lot of variance. Mr. Olsen advised this proposed program is for distance learning, so that should make it clear it will be prior to schools reopening. Chair Shafer suggested a hybrid model. Commissioner Murdock addressed the desire to help employees with children enrolled in our schools because they can't go to school at the usual opening this year. In response to Commissioner Elfering's comment about optional learning outside school. Chair Shafer added that this is for K-12.

Jennifer Blake, Human Resources Director, (via phone) commented that many districts might offer distance learning even if schools return to in-class. So, this program is only when in-person learning is not available. That is the board's intent, correct? Chair Shafer advised that is also his interpretation. Commissioner

Murdock interpreted the program is a district specific opportunity, i.e. Athena school district offers distance learning.

Regarding the week on week off schedule, Commissioner Murdock noted 4 weeks would mean all back to work 8/31. **Commissioner Murdock moved to adopt the alternating schedule of week on/week off from August 3 through August 31. Seconded by Commissioner Elfering.** Mr. Olsen asked, in case we are still in baseline, then should it be conditioned on return to phase 1 or to phase 2. Commissioner Murdock agreed, but also based upon statistics, if we don't come out of baseline, it would be absolutely unconscionable!

Mr. Olsen, additional clarification, **does the motion include the program for 8 hours off/week for employees to handle children's distance learning? Commissioner Murdock advised yes, please add that to the motion to handle children's distance learning. Commissioner Elfering agreed his second to the motion includes the second portion. Motion Carried, 3-0.**

5. Eurus CBP Grant Amendment. Presented by Chair Shafer. Previously, the Board approved Eurus grants (9) for award. One could not raise required funds, so those funds would go back into amount available for the other eight awarded grants, making each award \$3,030. **Motion was made by Chair Shafer to adopt Order No. BCC2020-061. Seconded by Commissioner Elfering. Carried, 3-0.**
6. Conveyance of Property. Presented by Mr. Olsen. The subject property was acquired by the county due to delinquent property taxes and has been held since 1991. The property is primarily within the Walla Walla River and includes a portion of the levee in Milton-Freewater. The property was never included in the annual auction for sale. Under state law, the County can transfer property to government entity as long as it is held for 20 years. The request came from the Milton-Freewater Water Control District to turn the property over to the district and they agree to the condition. **Motion was made by Commissioner Elfering to adopt Order No. BCC2020-062. Seconded by Commissioner Murdock. Carried, 3-0.**
7. Livestock District Hearing. Presented by Mr. Olsen. This is to discuss the upcoming hearing scheduled for 9/2 (continued from the 7/15 Board meeting) for further discussion. Concern now is with the county going back to baseline, it may limit public attendance and discussion. If the Board wants to consider that, do not take official action today, but take it on 9/2. In meantime, he can notify the participants of Board's intent. Since the hearing, there has been some contact of those opposing it, and alternatives have been proposed, but do not appear to be legally feasible. He doesn't believe more discussion is in the works. Is there adequate time for public input on 9/2? Or should the Board move forward with the actual hearing based on whatever phase we are in. Commissioner Elfering noted that two weeks out from 9/2 may be more realistic. Being in baseline, he felt there hasn't been adequate discussion time. Mr. Olsen doesn't anticipate any more discussion. Commissioner Murdock is still optimistic that further conversation by the parties can work to resolution. He thinks we need to be out of baseline, plus there would be an opportunity pursue the matter in next two weeks. Chair Shafer agreed – both sides appear to be working to resolve issue.

Mr. Olsen advised the Board would need to take action on 9/2, but can indicate the hearing can be continued to October 7. Commissioner Murdock felt the Board should put together guidance about what it is trying to do that set the hearing for reasonable time for discussion. Mr. Olsen noted the Board can adopt that on 9/2 along with the action for continuation. In the meantime, he can let the parties know of the Board's intent. He reiterated that action must be done on 9/2 to meet notice requirements. Chair Shafer was in favor of that as well as Commissioners Elfering and Murdock. Mr. Olsen will move forward based on consensus of the Board to give intent to continue the hearing to 10/7/20 and provide guidance to the parties on potential solutions.

8. Appeal to Governor. Presented by Commissioner Murdock. A letter and attachments of appeal for reopening went to Governor Brown yesterday before noon. **Commissioner Elfering moved that Board**

approve the appeal provided to Governor Brown on 08/18/20 to move from baseline to phase 2, or at least phase 1, on Friday, August 21. Seconded by Commissioner Murdock. Carried, 3-0.

Executive Session – none.

Commissioners' Reports

Commissioner Elfering: He already spoke about the livestock auction at the Fair. 2) County grant applications went out for CARES funding; there have been 300 respondents so far; the deadline is 8/26, 5 pm; amount available is \$5,000 each. Communities will be reviewing their own grants and disbursement will be upon population and need basis. 3) He and Gail Nelson, Economic Development Coordinator, and working on recent economic development leads.

Commissioner Murdock: Repeated the fact there is another appeal in Salem regarding the jail renovation project since it is directly tied to the purposes of CARES funding. 2) Important to point out on the record that our COVID numbers have dropped 52% (from 335 to 160). The metric is that numbers cannot increase more than 5% in 3 weeks. A 52% drop is way above the standard. He applauded Public Health staff for handling 2,000+ cases. Almost 80% are traced to a known source. They are doing an incredible job and making good headway. This morning, Health staff reported 51 new cases – half are at EOCI. There is concern about EOCI and TRCI numbers being included in the county numbers.

Commissioner Shafer: He was part of the Milton-Freewater round table the previous night dealing with how to best help children and families this fall. On the panel was Aaron Duff, himself, Rosanna Lugo, Alisha Southwick, Alfonso Martinez, and Tobie Sass. Good information was shared and he gave high praise to all panelists and organizer(s).

The meeting adjourned 9:48 a.m.

Respectfully submitted,

Melinda Slatt

Executive Secretary, Umatilla County Board of Commissioners