

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS
Board of Commissioners' Meeting of July 17, 2013
9:00 a.m., Room 114, County Courthouse
Pendleton, Oregon

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COMMISSIONERS PRESENT: Larry Givens, Chair; Bill Elfering, Vice Chair; George L. Murdock, Commissioner

COUNTY COUNSEL: Doug Olsen

MEMBERS & GUESTS PRESENT: Connie Caplinger, Umatilla County Executive Assistant; Mike Gregory, Lifeways Director; Judy A. Cordeniz, Lifeways Chief Executive Officer; Tamra Mabbott, Umatilla County Land Use Planning Director; Paul Chalmers, Umatilla County Assessment and Taxation Director; Bob Heffner, Umatilla County Budget Officer; Tom Fellows, Umatilla County Public Works Director; Dan Lonai, Umatilla County Administrative Services Director; Robert Pahl, Umatilla County Finance Director; Phil Wright, East Oregonian Senior Reporter; Sarah Williams, Umatilla County Public Health Interim Administrator; Mark Mulvihill, Intermountain Education Services District Superintendent

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CALL TO ORDER

The meeting was called to order at 9:01 a.m. Chair Givens reminded all present that the meeting is a public forum.

BUSINESS ON AGENDA

Approval of Minutes: The minutes of the June 13, 2013 Board of Commissioners Planning Hearing were presented for approval. **Commissioner Elfering moved to approve the minutes of the June 13, 2013 planning hearing as written. Commissioner Murdock seconded. The motion carried 3-0.**

Additions to the agenda:

- Approve \$7,680 for fire sprinkler upgrade as required by fire code:
- Annual support to intra-county water entities
- Hermiston Urban Renewal Plan

Public Input: None.

Consent Agenda: None.

Agenda Items:

1. **Ott Road Closure – Public Hearing (continued)**: Commissioner Givens opened the public hearing at 9:03 a.m. and asked staff if there was any additional information to present. Both Doug Olsen and Tom Fellows reported that no further information had been provided.

Connie Caplinger commented that ODOT Rail needed to have a decision from the board by the end of July to allow time for Union Pacific and ODOT Rail to review the proposal.

Commissioner Murdock commented that he had provided some information he collected by visiting the site and provided copies of his notes from the observation. The commissioner read those notes aloud (attached) and added that he reached the conclusion that the response time was essentially the same by either route to the Ott Road residences. He added that with an average of 12 trains per day through the crossing and an average train length of 6,500 feet, there was the risk of simultaneously blocking the crossings at Ott and Loop numerous times per day. The commissioner noted that the visibility at Ott and Loop was poor and that the proposal seemed to have no impact on EOTEC property access.

Commissioner Elfering noted that he also surveyed the area, driving from the safety center in Hermiston along both routes to the homes that could become part of the cul de sac. He timed the travel in both directions and noted that the time difference was approximately 20 seconds. He commented that with a difference of that size, emergency response was not a major issue in his opinion. The commissioner further noted that, as resident of the location, he observed that trains did stop and block the crossing frequently, adding that he was not sure if the EMS were made aware of a blocked crossing when responding to a call over which they must transit a crossing. Commissioner Elfering noted also that the physical mechanics of the intersection at Loop Road were tricky. He supported closing the Ott Road crossing.

Commissioner Givens commented that Union Pacific and ODOT Rail agreed to carry the costs of closing the crossing, so the county's responsibility would be the ongoing maintenance. Tom Fellows confirmed the financial arrangement. Commissioner Givens added that no easements were necessary and Tom Fellows confirmed that. Commissioner Givens added that he understood that ODOT Rail committed to correct the right of way as part of the project. Tom Fellows stated that was correct.

Commissioner Givens stated that he also explored the response time and came to same conclusion as his colleagues.

Commissioner Givens asked Doug Olsen what was necessary with respect to the process. Doug Olsen stated that he had no knowledge of any plan to vacate the road right of way in between the closure points. Tom Fellows commented that ODOT Rail and Union Pacific were interested in opening a discussion for an overpass crossing. Tamra Mabbott stated that there was some discussion of reserving the crossing footprint so that a new application would not be necessary.

Commissioner Givens opened the floor to public comment at 9:15 a.m. and, receiving no comment, closed the floor at 9:16 a.m.

Commissioner Elfering moved that Umatilla County close access to the Ott Road Crossing, reserving the right to retain the right of way, directing staff to engage in the necessary negotiation.

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Commissioner Murdock seconded. Doug Olsen suggested that the board officially take action on Canal Road. **The motion carried 3-0. Commissioner Murdock moved to accept the ODOT proposal for the Canal Road mitigation. Commissioner Elfering second and the motion carried 3-0.**

2. **Annexation Petition – City of Milton-Freewater:** Doug Olsen reported that the petition was advanced based on a statute allowing residents to petition a municipality for annexation in the event of a public hazard. He noted that there were sufficient signatures on the petition by residents of the area.

Commissioner Givens noted that only two of the signatures belonged to property owners. Doug Olsen stated that statute required residents' signatures and that the statute did not require landowners only to be qualified signers.

Commissioner Elfering asked if the city would have input. Doug Olsen stated that in this circumstance that it would have input, but the county would make the recommendation and that the investigation information would also be provided to the Oregon Health Authority (OHA) for the final determination.

Commissioner Givens and Paul Chalmers briefly discussed the location of the proposed annexation. Paul Chalmers stated that he was asking because for the location because a successful petition would affect the land value in that area.

Commissioner Givens stated that the county needed to be sure that the City was noticed. Doug Olsen replied that the city received a copy of the petition and would receive a notice of hearing.

Commissioner Elfering asked if the action needed was only to set the hearing. Doug Olsen added that the public hearing would be the start of an investigation before sending the petition to the state.

Commissioner Elfering asked if there was any evidentiary requirement. Doug Olsen replied that there was no requirement, but that could be done. He added that the OHA had data from the water quality report and the public health report.

Commissioner Givens expressed concern regarding the domino effect. Doug Olsen replied that the ability to petition was restricted to the UGB zone. **Commissioner Elfering, in the matter of application of initiation of annexation process due to public health danger, moved approval of Order Number BCC2013-063. Commissioner Murdock seconded. The motion carried 3-0.**

3. **Finance Software System Maintenance:** Dan Lonai reported that a yearly maintenance fee was paid every year on the finance, payroll and budget software system since 1998. The current year's cost was just below \$40,000 and the program met statutory requirements. Commissioner Elfering asked if there was a newer program. Dan Lonai replied that there was, but it would cost about \$120,000 to upgrade the current program and to switch would cost several hundred thousand dollars. **Commissioner Elfering moved approval of the finance system payable in the amount of \$39,143.33. Commissioner Murdock seconded and the motion carried 3-0.**

4. **Change date of August 7, 2013 Board Meeting to August 1, 2013 due to Umatilla County Fair:** **Commissioner Murdock moved to change the date of the August 7, 2013 Board Meeting to**

August 1 due to the Umatilla County Fair. Commissioner Elfering seconded. The motion carried 3-0.

5. **Lifeways Presentation:** Judy Cordeniz opened the presentation by introducing herself. She joined Lifeways in July 2012 with a background in hospital administration. The organization applied an overview of the process of integration of health disciplines in the treatment of its clients when it was considering restructuring itself. As a result of the overview review, the organization was restructured to have a chief executive officer and two directors.

In Umatilla County, Lifeways had multiple locations: in Milton-Freewater, the Hermiston clinic, the Pendleton clinic and was considering expansion of the Pendleton clinic relative to kids' programs. They were also looking at establishing a sub-acute residential center in Hermiston.

She announced that Lifeways had hired Dr. Amy Boudreau as their resident psychiatrist and planned to hold an event upon her arrival. Commissioner Givens asked where Dr. Boudreau would be housed. Judy Cordeniz replied that the doctor would be based out of Hermiston and the organization would consider tele-psychiatry.

a. **Mike Gregory:** Mike Gregory opened his report, stating that he asked Mark Mulvihill to join the meeting because the stakeholders had high expectations of one another when he entered the arena and his input was crucial. He expressed his appreciation to Connie Caplinger for assisting in holding the bar high.

His first introduction to the interdisciplinary approach within the county was the wraparound group, which was developed for access to children in a holistic approach to the mental health process.

His review of the past two years indicated an increase in service provision via his charts. The timeliness of service became a priority when feedback from the community in 2010 indicated that timely access was necessary. In response, Lifeways adjusted its timeframe to begin assessment within 24 to 48 hours and to get the client in to see a counselor within 10 days.

In terms of crisis services provided in the past two years, the program had provided 2,500 services to 1,000 clients. The reduction in the following year signified the effect of adjusting the response on the non-crisis side and included the increase of collaboration with GOBHI.

Commissioner Givens asked if there was any correlation between the communities in the income strata and the jail location in Pendleton. Mike Gregory replied that Pendleton was a magnet because of the location of the prison and the Blue Mountain Recovery Center location. Commissioner Givens asked how that affected economic development and bringing income to communities. Mike Gregory noted that it would be wise to pay attention to those factors.

Connie Caplinger introduced Commissioner Murdock as an early investor in the wraparound process. Mike Gregory commented that the wraparound group impressed him, as no other group seemed to have the maturational and education oriented focus.

He invited the commissioners to tour the Lifeways facilities at some time, noting that the organization served about 3,000 people in Pendleton.

He noted that the concern originally on his arrival was crisis response. That was refined such that the civil commitment rate improved. The current goal was to maintain the gain and continue cooperation with law enforcement personnel.

In the past year, most of the focus was devoted to adjusting to the new health care landscape. He equated the CCO process with trying to get somewhere with no roadmap and no headlights. The first ever joint biennium implementation plan was submitted to develop a coordinated plan. That was available on the state website and incorporated into agreements.

He noted that those who had worked through to mental health recovery made important links as peer counselors and would be utilized more.

There were plans to reorganize the nursing team to further support nurse practitioners and psychiatric day treatment program at Hawthorne School. That program had moved from a struggling program to a supported expanding process.

The regional Acute Care Council began developing a crisis intervention team (CIT) between law enforcement and community partners to help train officers on how to handle the person in crisis. GOBHI was staffing that effort.

There was a brief discussion of results of the campaign to preserve Blue Mountain Recovery Center as a half-victory with the receipt of funding for a new program.

There were new youth program contracts in negotiation with the Eastern Oregon Combined Care Organization (CCO) and the Department of Human Services.

With respect to Dr. Boudreau, Mike Gregory reported that she achieved a PH.D. in neuro-science.

He announced that SB964 incorporated the wraparound values to keep families together or reunite families in their programs.

The west Umatilla schools were developing a school based mental health pilot, which was the result of Hermiston School District's need for assistance. That need generated the pilot program utilizing 2 para-professionals and 2 mental health professionals. That process supported employment within the Lifeways organization and the school project increased its employee base by 30%. It also contributed to the support of employment, oriented to helping those in recovery to obtain and maintain employment.

Commissioner Givens asked where the new residential care facility would be located in Hermiston. Judy Cordeniz replied that it would be on the Lifeways campus near Good Shepherd Medical Center.

Commissioner Elfering asked Mike Gregory to explain the relationship between Lifeways and GOBHI. Mike Gregory answered that GOBHI acted in the role of an insurance company, where Lifeways was a care provider. As a result, the new residential care center process would be opened for proposals on a bid basis.

b. **Mark Mulvihill:** Mark Mulvihill stated that he was to give the perspective from the educational arena, especially the Oregon Education Investment Board view.

First, the 40-40-20 goal was a heavy lift because 40% of kindergarten aged children were considered at high risk for need for services although that had improved since the 1990's when the risk factor was at 80%. The dream was to see integrated health services in schools. The existence of 90-90-90 factors in performing schools result from integrated services and wraparound programs that utilized local resources to integrate services.

One of the missing pieces was mental health and Umatilla County did not have that until Mike Gregory took over. Once the process began, it started with the middle school aged clients because they had the highest rate of issues. To maintain the client in his or her existing home was the goal, taking into consideration that the child's home, dysfunctional or not, was better than residential treatment.

He noted that eastern Oregon was leading the integration process and that innovation would happen quicker in a rural area because there are fewer individuals and there is greater investment in the community because of the rate of engagement between educators and families.

Connie Caplinger noted that the county appreciated the opportunity to work with Mike Gregory and Mark Mulvihill and the wraparound group and that the county allowed the program to maintain and house the staff for the CARE Coordinator program.

Commissioner Givens commented that it was difficult, but also amazing to see all the different groups come together in considering a whole new philosophy.

Commissioner Murdock commented that the economic issue was mitigated when the agencies invested in early intervention, which was expected to help to alleviate the major portion of the budget for the costliest programs such as the jail, juvenile, community corrections and law enforcement in the future.

6. **Approve \$7,680 for fire sprinkler upgrade as required by fire code:** Dan Lonai noted that about 2 years ago the county learned that the old fire suppression system had been disconnected. That traced back to the 3rd floor jail remodel where it seemed that the contractor simply cut off the pipes for the sprinklers in the sallyport, stating that the fire marshal approved. That opinion had since changed and the county needed to have active sprinklers.

His department was faced with a choice to put in a new system or reactivate the old. The contractor that did the courthouse remodel provided a bid, but funds were not available at that time. A local contractor from La Grande provided a bid in the amount of \$7,680. The county was told it must demolish the system or make it active because it was currently in violation of fire codes.

Commissioner Givens asked if there was a need to use a different chemical in that space due to the risk of freezing. Dan Lonai replied that it seemed not so because the radiant heat from the building kept the interior of the sallyport above freezing. In the interim, the holding cell in sallyport had to be closed because of the non-working sprinklers.

Commissioner Murdock moved to approve the expenditure of \$7,680 for the fire sprinkler system upgrade to meet fire code, to be taken from the maintenance budget. Commissioner Elfering seconded. The motion carried 3-0.

7. **Annual support to intra-county water entities:** The annual payment of \$10,000 to each to the Umatilla County Soil and Water Conservation District, Walla Walla Watershed Council and Umatilla Basin Watershed Council were ordinarily used to seed grant matches. **Commissioner Elfering moved approval of payment of \$10,000 each to Umatilla County Soil and Water Conservation District, Walla Walla Watershed Council, and Umatilla Basin Watershed Council. Commissioner Murdock seconded and the motion carried 3-0.**

8. **Hermiston Urban Renewal Plan:** Commissioner Elfering commented that Mark Morgan, Hermiston's assistant City Manager, presented a briefing to the commissioners at the end of the Senior Managers' meeting on July 10th about the Urban Renewal District.

Paul Chalmers pointed out that the city's plan did not require county approval and that it could implement the plan without county approval. The effect of the plan would freeze the tax rate over a 20 year period to improve the district, after which the urban renewal district would be removed. The process was similar to those done in Milton-Freewater and Pendleton. The area for the district, which consisted of a footprint of downtown Hermiston, would establish a frozen value.

Commissioner Givens commented that the cost to the county was the deferral of any increase in growth for 20 years for that footprint. Paul Chalmers added that the Milton-Freewater plan was to expire shortly.

Connie Caplinger commented that there was a list of projects in the packet provided by the city.

Commissioner Elfering noted that it seemed to be the first time the urban renewal district plans were presented to the board. Paul Chalmers confirmed that and applauded the city for its openness. **Commissioner Elfering, in the matter of support for the creation of an urban renewal district within the City of Hermiston, moved approval of Order No BCC2013-064. Commissioner Murdock seconded. The motion carried 3-0.**

New Business: None.

Commissioners' Reports:

Commissioner Givens: The chair reported that he was to attend training for the Special Advisory Group to EFSC at Tamastlikt for the remainder of the day and would travel to Dallas from there for the NACo Energy Environment and Land Use Committee at the national conference.

Commissioner Elfering: Commissioner Elfering reported that he attended the Umatilla Basin Water Commission meeting and noted that the dissolution process was moving forward. It appeared that Westland Irrigation District would be responsible for the reporting and monitoring of the project. The close out actions were taking longer than expected to transition and the commission was awaiting its attorney's review to bring the final recommendations back to it for close out. The commission expected more forward motion on July 23rd when they were to hold an executive committee meeting. If all went well, they hoped to complete the

final actions by early August. He added that retired Commissioner Doherty had vacated the office at Stafford Hansell Government Center and moved to the EOTEC space in his capacity as a member of the EOTEC Board. Commissioner Elfering reported that he would be departing Thursday morning for Ft Worth, Texas.

Commissioner Murdock: The commissioner reported that he had completed his nook and cranny tour of the courthouse and noted that Dan Lonai was very thorough. The commissioner also produced some information related to minor changes being made in the board office as well. He announced that the east end mayors group formation planned for its first meeting on Thursday, July 18th.

Other Discussion: None.

Scheduling of Next Meeting: The next meeting will be held August 1, 2013.

ADJOURNMENT

The meeting was adjourned at 10:39 a.m.

Respectfully submitted,

Laura Headley
Executive Secretary
Umatilla County
Board of Commissioners