

**MINUTES**  
**UMATILLA COUNTY BOARD OF COMMISSIONERS**  
Administrative Meeting of February 12, 2015  
9:00 a.m., Room 130, Umatilla County Courthouse  
Pendleton, Oregon

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**Commissioners Present:** Chair, George Murdock; Vice-Chair, Larry Givens; and  
Commissioner Bill Elfering (appearing via telephone)

**County Counsel:** Doug Olsen

**Members and Guests Present:** David Peterson, Wheatridge Wind Legal Counsel; Phil Wright,  
EO; Jennifer Blake, Human Resources; Capt. Dave Williamson,  
UCSO; Tamra Mabbott, Planning Director; Carol Johnson,  
Planning Department.; Kim Lindell, Elections Manager; Mary  
Olsen, Developmental Disabilities Program Director

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**CALL TO ORDER**

The meeting was called to order at 9:00 a.m. Chair George Murdock reminded all present that the meeting was a public forum. It is being recorded and minutes will be taken. If persons wish to speak before the BCC, identify yourself and where you live for the record.

**Pledge of Allegiance.** Those in the room stood, saluted the flag and recited the Pledge of Allegiance.

**Awards/Recognitions/Correspondence.** None.

**Acknowledgments of Minutes of Previous Meetings.** None at this time.

**Additions to Agenda.** None.

**Public Presentations.** None.

**Agenda**

1. **Wheatridge Project.** Tamra Mabbott, Planning Director, presented. An application for a wind facility project has been filed with EFSC. She prepared draft comments for the preliminary application, which are now due. Under permit review by EFSC, these comments are submitted as a review and special advisory group. Ms. Mabbott also referred to Wendy Kellington’s 2/15/15 memo to defend county’s interpretation to applicability of the County Code. The application is to be permitted by the state without a connection line for distribution. The County Code requires a route in the plan to connect a facility to the grid as part of the application. It needs Board concurrence. Ms. Mabbott noted the area in question on the map projected on the monitors. Commissioner Elfering asked a question about her memo (comment paragraph 3 of p 19, “consultation with landowners”) for clarification of consultation, coordination, collaboration or other? Ms. Mabbott said the word “consultation” could be changed – this was the language used in the application. She added that consultation should also include others besides landowners. It was noted, again, no transmission lines are

included in application. Commissioner Givens and Chair Murdock discussed “consultation” wording. Ms. Mabbott advised Exhibit K is where comments of the Board of Commissioners are pointed out. Also in Exhibit K a road use agreement is recommended, which was proposed by the County and Wheatridge Wind agreed. She wants to also include landowners adjacent to the project location. Commissioner Givens noted this project is not the same as Forest Service issues. Ms. Mabbott added that Wheatridge Energy has agreed to much more binding language.

David Peterson with Tonkon Torp, 888 SW 5<sup>th</sup> Ave, Portland, came to the podium. He is Wheatridge Energy’s attorney. He was asked by his client to attend the meeting today, more or less to observe. He advised he is available to answer questions and can provide information about the transmission solution. At this time, several routes are being considered by the applicant and UEC and possibly also Columbia Basin Electric. The primary goal is to work with local co-ops in ultimately deciding route. There is one route wholly in Morrow County. He talked about the permitting process -- they will be built by the cooperatives. Wheatridge feels it makes most sense for cooperatives to handle this as they have the best understanding of the area and community contacts to address concerns. Once a decision is made about the route, co-ops will be submitting an application to EFSC, or Umatilla County or Morrow County for review and approval of the transmission lines. He noted impacts are taken seriously and public, local concerns are taken seriously. Permitting will be forthcoming for transmission lines. They will not be bypassing the County regarding permitting. He noted cooperatives and reviewing the project in conjunction with landowners. Bob Levy is a representative for the area landowners. Chai Murdock noted Mr. Levy is a major landowner, and he is also well apprised of legal issues.

Commissioner Givens asked about footprint – it is next to the Bombing Range. What is the process Wheatridge is using for working with the Navy on this area? Mr. Peterson talked about an alternative corridor – it will not be on the range. The Navy is an active participant in the process. Commissioner Givens asked about height restrictions of the towers. Mr. Peterson responded there are no tower height restrictions for the Navy, but there may be for the Lexington Airport (Morrow County).

Chair Murdock asked Ms. Mabbott to comment. She expressed appreciation for landowners working through the process. A significant impact of the Wheatridge project is the transmission lines. She wanted to see the application include transmission lines as part of the EFSC review. Commissioner Givens noted the importance of connectivity. Mr. Peterson advised he had requested review of Morrow County’s comments (Carla McLane). Morrow County felt it an advantage in having the electric co-ops as part of the coordination.

Commissioner Givens asked Ms. Mabbott to comment. She agreed UEC and the County have a good working relationship. She agreed coordination would be best for a single corridor to serve multiple projects. She also noted the need to include access roads. It would be best to look at the entire package all at once. Chair Murdock asked for her recommendation. To confirm on record agreement with the interpretation of relevancy of County Code to the project (this increase the burden for review by EFSC). In addition, for the board to adopt the letter of comments and send it today to meet deadline for comments.

Commissioner Givens noted past issues over the same kinds of projects and as a result, Code was set to address those issues.

**Commissioner Givens moved to move forward with submitting letter as outlined. Seconded by Commissioner Elfering. Carried, 3-0.**

**Also, for the record, Ms. Mabbott asked to make it clear that the Board disagrees with interpretation by the EFSC notice of UCDO 152.616(HHH)(1)(5) and the Board believes these requirements of the code and are substantive sections that do apply to the application. And, further, the project and its transmission line should address UCDO 152.059(c) Land Use Decision and 152.617(II)(7) Standard -- so moved by Commissioner Givens. Seconded by Commissioner Elfering. Carried, 3-0.**

2. Appointments to the Umatilla County Weed Board. Mr. Olsen reported. All of current board members' terms are expiring or will soon expire. The recommendation from the department is to reappoint the six members as outlined in Order No. BCC2015-020. **Commissioner Givens moved to approve and adopt Order No. BCC 2015-020 appointing Bill Etter, McKenzie Hansell, Richard Kopp, Randall Montgomery, Nancy Porter and Andrew Spratling. Seconded by Commissioner Elfering. Carried, 3-0.**
3. Personnel - Planning Reclassification. Commissioner Givens noted the increased work load of business in the Planning Department associated with applications/permits, etc. and added tasks being required in land use issues and additional ties to economic development and natural resource issues (Forest Service Plan and water issues). These things have resulted in the need for reorganizing staff. He asked Ms. Mabbott to speak to some of the issues occurring in the Planning Department. Chair Murdock also asked her to include leadership of that department.

Ms. Mabbott had previously presented a background memo to the Board of Commissioners. She talked about history of predecessors in the Planning and Land Use Department (including Bob Perry, Assistant Planning Director, and then J. R. Cook). She has worked with the Board and Human Resources about the need to recognize the Lead Planner, Carol Johnson. Ms. Mabbott requests approval of a new job description and job reclassification for Ms. Johnson to Lead Senior Planner. The reclassification would also give Ms. Johnson the authority to sign documents in Ms. Mabbott's absence. Chair Murdock noted as far as the budget is concerned, he spent time with Robert Pahl, CFO, going through budget for Land Use and Planning and made some adjustments in order to handle /accommodate the reclassification fiscally. Commissioner Elfering also noted that Economic Development was a part of this reorganization to make a part of land use planning tied to it. Chair Murdock agreed.

Commissioner Givens added he wanted time to sit down with the Planning Department as his liaison assignment to look at reorganization to come up with more ideas for better efficiency and also involving the two other commissioners because of broader range of issues in which they are dealing. Chair Murdock noted he and Ms. Mabbott have also discussed with Human Resources the need to schedule a work session shortly to discuss the Planning Department. **Commissioner Givens moved to approve requested action reclassification of job description, title and salary for Carol Johnson to Lead Senior Planner. Seconded by**

**Commissioner Elfering. Carried, 3-0.** Chair Murdock asked Melinda Slatt to work with Ms. Mabbott for sufficient time on Tuesday, 2/17, for the topics discussed today to be addressed. **The effective date is March 1, 2015 – all Commissioners agreed for it to be part of the motion.**

4. Power, Data and Phone Cabling Approval. Chair Murdock advised this involves wiring at the Juvenile Center to accommodate the DD program moving into office space there. He noted Mary Olsen, DDP Director, was present and could address this item. Ms. Olsen noted the current phone lines will not accommodate the need of 10 staff in the DD Program. Also there is a bid for wiring in addition to the phones; the bids are inclusive. Chair Murdock also discussed the intent of the DD Program to move from the current state space to a currently County-owned facility (the original juvenile detention facility). Ms. Olsen said the cost to be paid to the State was \$7,400 per month for utilities only. They amended that to about \$4,000. However, it will cost about \$2,000 per month for DDP to share office space at the Juvenile Center. It would be about \$20,000 to \$25,000 to remodel. It may be only about a week and ½ to get the facility ready. Over a long period of time, the DDP would save about \$2,000 per month. Ms. Olsen noted the facility is county owned and is vacant at this time. Chair Murdock noted costs would be shared between the Juvenile Department/Community Justice and DDP. **Commissioner Givens moved to approve the quotes for Double S Electric (\$2,604) and Uni-Tech (\$8,889) to install power, data and phone cabling. Seconded by Chair Murdock. Carried, 3-0.** Also, for the record, Chair Murdock applauded the cooperation of the DD Program and Community Justice in terms of their welcoming the DDP to the juvenile facility. Ms. Olsen agreed that Youth Services and Kim Weissenfluh have been very cooperative in this move.
5. Larger Phone System for Juvenile Facility. (Item was previously discussed in part in item 4). The current phone system is not large enough to handle the additional phone lines needed to support the Juvenile and DDP. A quote of \$10,154.50 was received from Uni-Tech to replace the existing with a larger one. The old phone system would be moved to a smaller building in need of a phone system. **Commissioner Givens moved to approve replacement of the juvenile facility's phone system for \$10,154.50 (quote from Uni-Tech). Seconded by Chair Murdock. Carried, 3-0.**
6. Mobile Data Terminals. Capt. Dave Williams, UCSO presented. As part of the process of fully converting to the RIMS system, request is made to authorize acquiring 13 tablets in UCSO patrol vehicles. The tablets are needed to streamline and make paperwork in the field work more efficient. He noted the plan to outfit vehicles. Total is \$20,735 to equip 13 vehicles. Also included are hardware, cases, etc. Budget is available. Chair Murdock pointed out using school parking lots for field work sends a good message. **Commissioner Elfering moved to approve authorization to purchase 13 computer tablet mobile data terminals for the Criminal Division fleet. Seconded by Commissioner Givens. Carried, 3-0.**
7. M-F Ambulance Service Area Health District. Mr. Olsen reported. This billing results from an election in 2011 for permanent tax rate and board member election for the newly created Milton-Freewater Ambulance District. Commissioner Givens asked Mr. Olsen about the discussion back at that time (2011), what was the decision? Did they agree to pay whole

thing with payments? Or is the County paying 50%. Mr. Olsen noted the minutes read there was not any official action taken; there was only a suggestion made for a payment schedule. The Ambulance District responded with an offer to pay half. No other follow up was made and no arrangements were forthcoming for partial payments. Commissioner Elfering wondered why this was not brought up sooner. Commissioner Givens agreed – he did not remember a counter-offer coming in. The district originally did not feel they needed to pay anything since the County formed the district boundaries and established that for an election. He remembered the Ambulance District did not understand there would be a cost for the election. He also remembered the Election Department had a calculation to know what the costs would be; was that recorded in minutes? Mr. Olsen answered no. The Ambulance District said they were unaware of any costs to be paid. Back to the offer, Commissioner Givens asked if the Ambulance District wanted to make payments. Mr. Olsen responded they did not to make payments -- they would make one immediate payment. **Commissioner Givens moved to accept the M-F Ambulance District's offer of paying one-half, or \$1,725.33, and the County would cover the other half of the Elections billing. Commissioner Elfering agreed – he also noted previous discussion of potential ramifications – this is a one-time situation. He seconded motion.** Commissioner Givens felt any other future districts formation should and could be advised beforehand. Kim Lindell, Elections Manager, said in the future costs would be provided in writing for everyone. She noted in Oregon Administrative Rules, any special districts are responsible for costs incurred for elections. She said with the agreement today, she hopes the Ambulance District will pay their half promptly. She continued with information about elections and formation, paying and options if a district is not formed. **Carried, 3-0.**

8. Community Services Fund. Chair Murdock reported. He and Mr. Olsen have been working on having the fund reflect how it is being used. The parameters originally placed by the Board are too narrow for the potential uses for the fund. The recommendation is it should be renamed the Community Services and Staff Development Fund, and to expand the uses in order to sustain professional growth. Robert Pahl, CFO, was consulted. He agreed and felt it would be better to access funds directly rather than transferring funds. Order No. BCC 2015-021 would change the name as noted above and would acknowledge the fund function. **Chair Murdock moved to approve and adopt Order No. BCC2015-021. Seconded by Commissioner Givens. Carried, 3-0.**
9. Waiver of Criminal History. Chair Murdock noted the situation has been reviewed in detail by Jennifer Blake, Doug Olsen, himself and Carolyn Mason – they have no qualms about the waiver. Commissioner Givens noted this has been done in the past. He had no issues with it. **Commissioner Givens moved to waive the criminal history and hire the individual. Commissioner Elfering seconded. He was comfortable with it – he feels it has been thoroughly vetted and reviewed. Carried, 3-0.**

### Commissioner's Reports.

Commissioner Givens: He has spent a lot of time on DOGAMI; Waters of US and also air quality proposals by EPA. He will leave on Wednesday, February 18 – he will not be able to attend the scheduled board meeting. And, he will not be available to attend the Milton-Freewater First Citizens banquet (the evening of 2/19). Commissioner Elfering noted he also cannot attend

– he’s flying out. Chair Murdock advised he probably could attend the event and leave the next day.

Commissioner Givens continued regarding DOGAMI, they have hired a new deputy director out of interviews done previously. The one chosen was murdered after 3 weeks on the job. The second choice individual has agreed to take the position. DOGAMI is still working on reorganization. He testified before the Senate Natural Resources Subcommittee and the Governor’s office agreed to biennium funding. DOGAMI’s business plan needs updating for sustainability. Funding was previously approved for 1 year, so it is good news and a big help for 2 years’ funding.

Transportation – A package is being proposed. Commissioner Givens recently met with Rep. Bentz, Ontario area. A group there is putting together a transportation package. He noted two projects (State Capitol retrofit) and an entire new Multnomah County Courthouse. After legislative review of them, transportation was an option to be funded. He talked about the importance of transportation – farm to market roads systems. This package would bring in a lot of money to the state and is far reaching. Chair Murdock noted for Commissioner Elfering’s benefit, at Monday’s meeting with AOC – a letter of support was presented. (Commissioner Elfering noted he had seen the email.) Chair Murdock continued, when the County submits comments regarding transportation, he suggested Public Works Director Tom Fellows should be involved with letter template and be specific to Umatilla County. Commissioner Givens noted many areas want NO taxes to pay in part for transportation, no matter what.

Commissioner Givens and Ms. Mabbott testified at the Senate hearing of SB 258. There was not much testimony in support of it. They testified in opposition to it, as well as Blue Mountain Alliance and Senator Bill Hansell. Changes in wording may be made. No confirmation of what will come of it. The proposed Bill may not even come out of committee.

Courthouse Security Issues. Commissioner Givens noted an issue in our County. Last week, someone brought a gun into the courthouse. It was taken care of – the individual was arrested. However, it points out the need to beef up security. Court security is something our Board needs to further investigate. Chair Murdock added that the previous morning he met for 2 hours with Dwight Johnson, Undersheriff Littlefield, Stewart Harp, Roy Blaine, Ramona Hern. They will come back on the 2/18 Board agenda with a report by Capt. Harp about courthouse security with proposals for steps to be taken, including one that firearms are not allowed in courts – this was interpreted to prohibit firearms of any kind where there are courts. Commissioner Givens noted because state courts are located in the Courthouse, the public cannot be armed in the courthouse in general – this is a statute. He advised he met recently with Dwight Johnson who explained the situation of the person with the firearm. Chair Murdock anticipates that discussion and more information will be had at the 2/18 Board meeting. Commissioner Elfering asked about enforcement. Chair Murdock advised the first step of banning is to post notice. Commissioner Givens advised he has visited with legislators about this issue of court security and that there may be a way to secure funding to deal with security issues.

WVWMPQ (Walla Walla Valley Metropolitan Planning Organization): Commissioner Givens advised he will not be chair of that group after this month. He will serve on the board, but with the large amount of time required, he will not be the chair. Walla Walla Commissioner Jim Johnson will serve as chair. A director position is to be recruited. He elaborated on the recent history of director and Walla Walla’s position. MPO needs a full- time director.

Blue Mountain Forest Plan. He attended a meeting in Baker City yesterday. The goal was to determine how to move forward and present the Plan and how to incorporate all the comments the Forest Service received from interaction with citizens over the Plan. The big issue has been trust. Major areas of concern are to be incorporated sub-issues under the following: access and wilderness, level of restoration (access and wilderness received the most comments), also best available science is imperative for a fair evaluation of forest issues, social, economic, and collaboration components, and finally, grazing and grazing land. The task yesterday was to find a strategy to develop a process to come to communities of Eastern Oregon Counties involved in the Plan and host meetings to address the 5 main concerns. It may (or may not) lead to rewriting some of these areas of the Plan to address those issues. Commissioner Givens advised there will be losers and there will be winners. Not everyone can be accommodated. Formats discussed under participation and engagement: Town Hall meetings, field trips, open houses, round-tables, listening sessions, panelists, and others are planned. Generally, it was felt the Forest Service should not host the meetings. It should be small groups hosted by stakeholders or some type of third parties – not the government coming in saying here is the Plan. Four counties were represented at yesterday’s meeting -- Umatilla, Grant, Union, and Baker. Baker County has taken the stance they will not work with Forest Service. A Memorandum Of Understanding (MOU) is still being put together by the Forest Service. There are CFRs (Codes of Federal Regulations) that limit ability to participate.

He noted success in Harney County to work with the Forest Service. In addition, Union County probably will do the same thing. Baker County will not. There will likely be another meeting to finalize the engagement approach process. A date has not determined at this time. A framework will be put together and counties are being asked to help with roundtables, town hall meetings and with field trips. He noted probably this will take place sometime in March. Counties have one year to put this together – it will take a lot of cooperation and work among counties and forest supervisors.

Commissioner Elfering asked about coordination and cooperation – do people/entities understand the difference? He was concerned about groups listening to comments, but not doing anything with those comments. He is also concerned with CFRs and making counties sign an MOU “or else”. Commissioner Givens noted Harney County signed an MOU in their area. Commissioner Givens felt Baker County’s biggest comment was exactly what Commissioner Elfering said – they do not trust the Forest Service -- “they don’t listen”. CFRs have to be addressed. He went on to discuss different counties coordinating vs. cooperating. Our County follows Goal 5 under land use planning and we have listed a lot of resources --natural, forest and grazing land – all listed under the Goal 5 portion of our Plan. However, there are some federal regulations and a lot of environmental protection laws – the Forest Service is having trouble following and negates a lot of what they are trying to accomplish in light of limited staff. Commissioner Elfering noted the importance of mutually coming up with a Plan moving forward. He would like to set up a meeting with him, Commissioner Givens as natural resources liaison, with the Regional Forester, and Forest Supervisors of Umatilla, Wallowa-Whitman, and Malheur to get perspective and ways to educate our constituency as to letting us manage our own land. He noted at one point the BLM was looking to transfer land to Umatilla County (near Harris Park) but it would go with all the federal regulations. He advised he would try to set up a meeting.

Commissioner Elfering noted he is connected by email while he is out of the office. It works well to be connected by phone at Board meetings. He plans to attend the East End Mayors meeting on

Wednesday, 2/17. He reported the Highway 395 Corridor TAC open house will be at SHGC 2/18. On next Tuesday, Wednesday and Thursday he will be in Hermiston and Boardman. After that, he will travel to Washington, DC for the NACO conference. He believed that his schedule would be more open in March. He is still trying to get the Umatilla Basin Water Commission to wind up – a meeting has been hard to plan with the right people at the right time.

Chair Murdock noted he has been busy in the office. He wanted Commissioner Elfering to have Ms. Mabbott's information about the Planning Department proposal work session taking place next week. Melinda will scan and email that information to him in advance of next week's land use planning work session. There is a lot going on in the Natural Resources arena.

Discussion included reorganization and the way Commissioners have liaison assignments to departments which are getting busier and busier. Many times groups request meeting with all three Commissioners when it might be sufficient to only meet with a certain Commissioner in a particular liaison department. There is expertise with those assignments and with schedules getting busier and more filled up, time is of the essence. There is a need to streamline to be more effective and efficient.

Relative to the budget, Chair Murdock reported Mr. Pahl is still meeting with department heads. After that time, he and Mr. Pahl will go back through the budget before coming back to the Board as far as balancing or what else is required.

There was no further business.

The meeting was adjourned at 10:40 a.m.

Respectfully submitted,

*Melinda Slatt*

Executive Secretary  
Umatilla County Board of Commissioners