

**MINUTES**  
**UMATILLA COUNTY BOARD OF COMMISSIONERS**  
Meeting of January 19, 2016  
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

**County Counsel:** Doug Olsen

**Members and Guests Present:** Scott Stanton, Hermiston Fire Dept. Chief; Pat Hart, Hermiston Fire-retired; Bruce Naugher, Hermiston Fire-retired; Ric Sherman, Hermiston Fire Board President; Rick Rohde, Pendleton; Marie Jones, County Finance/Budget Assistant Director; Nate Rivera, EOTEC; Byron Smith, EOTEC; David Bothum, EOTEC; Dan Dorran, EOTEC; Robert Drebak, EOTEC, Angela Young, EOTEC, John Frew, EOTEC; Jennifer Blake, County Human Resources Director; Jade McDowell, EO; Robert Waldher, County Planning Department; Bill Taylor, Pendleton

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**CALL TO ORDER**

The meeting was called to order at 9:05 a.m. Vice-Chair Larry Givens welcomed all. He noted Chair Murdock is on KUMA Coffee Hour and will arrive soon.

**Pledge of Allegiance** Led by Commissioner Elfering.

He reminded those present that the meeting is a public forum. Two hearings: one for fire district and the other is for supplemental budget hearings. It is being recorded and minutes will be taken. Comments will become part of the meeting. If persons wish to speak before the Board, please come to the podium, identify yourself and state where you live for the record.

**Awards/Recognitions/Correspondence** None

**Acknowledgment of Minutes of Previous Meetings** None.

**Additions to Agenda** None.

**Public Recognition/Input** for anyone who wants to address the Board for other than agenda items. None.

**Presentations to the Board.** None.

**Agenda – Business Items**

1. **EOTEC Funding.** Nate Rivera, 642 W Sandpiper, Hermiston. Byron Smith, 180 NE 2<sup>nd</sup> St, Hermiston came to the podium. Regarding EOTEC fundraising, Byron Smith explained with payments over time. EOTEC would borrow and capitalize contributions paying them off in a 5-year time window. The City of Hermiston approved up to \$1.5 million to exceed fundraising goals. Nate Rivera then provided an update on the fundraising process. Tomorrow an article in the East Oregonian will show funds have been raised and committed in the amount of \$450,000

including companies and individuals, which is about 75% level using the extended payment plan. The first year payment is up-front 20% down on a 5-year plan. It gives people a way to participate within their means. This is similar to the stadium commitments plan used previously (commitments were about \$1.2 million). Commissioner Elfering added there are no defaults regarding the stadium project. Mr. Rivera agreed payments are coming in as planned and hoped.

When the fundraising committee takes pledges, a document is signed and 20% of the commitment is expected at that time. He is getting great support and the process is a wonderful way to help spread out donation commitments. Commissioner Givens advised this has been about a 3-month process at the Board level. He noted full faith in credit is the legal way for the County to commit, different than the way Hermiston has authorized its one-half portion. Lending institutions are agreeable with full faith in credit. If it is \$750,000, that would be the commitment from each as the maximum to loan.

Mr. Olsen explained the recommendation is to use the County's full faith in credit to guarantee a loan to EOTEC. For \$750,000 (one-half), this is the recommendation for guaranteed loan to EOTEC for \$1.5 million. Mr. Smith advised the City has already allowed the property to be pledged – this funding piece for County borrowing would have to go back to the Hermiston City Council. It would go through EOTEC as the authority – whatever amount the County gives. Mr. Rivera noted the maximum would be \$1.5 million – he will go out for borrowing as to commitment amounts. H would like to have all in place if the fundraising goal is met.

Commissioner Givens asked if the County passes a resolution today, it will only allow them to borrow up to \$750,000. Mr. Rivera commented that would be a limitation. They are looking for a \$1.5 million commitment. Commissioner Elfering asked Mr. Olsen if it could be added to provide authority if the City does like wise. Mr. Olsen responded yes. Commissioner Givens asked about the \$750,000 amount. Mr. Olsen advised this was his understanding thus it was prepared using one-half the amount, or \$750,000. Mr. Smith said the City agreed to up to \$1.5 million using the land as collateral. To match the Board action, the City Council would have to go back to make changes. It needs to be \$1.5 million agreed to by the City and the County for 100% guaranteed and equally responsible. He added that either way if it is changed, the City would need to revisit.

Commissioner Elfering suggested amending the \$750,000 to \$1.5 million and adding the caveat that authorization is conditioned on the City of Hermiston authorizing likewise. If not, the County deal is off here. **Commissioner Elfering moved to change the County's \$750,000 authorization to \$1.5 million provided the City of Hermiston does likewise. Seconded by Commissioner Givens. No one else wished to speak to the discussion. Carried, 2-0.** (Chair Murdock was absent).

Commissioner Givens posed a question to John Frew about the EOTEC schedule. John Frew, Frew Development Group, came to the podium. He has been working closing with Mr. Rivera and the City of Hermiston regarding cash flow. No money has been spent other than what has been previously scheduled. The totality of funding will allow moving forward. The fundraising will be keeping things on schedule for August 2017 events.

Commissioner Elfering noted he attended a meeting of the County Tourism Committee that included a tour of EOTEC. Mr. Frew said he viewed the site for the first time since it had been closed in. He constructs these types of facilities throughout the nation. Commissioner Givens advised there is another tour being planned in the next week or two. Mr. Rivera advised he can appear as needed before the Board for any updates on EOTEC fundraising.

(Chair Murdock arrived at 9:22 a.m.)

2. Fire District Creation. Vice-Chair Givens called the hearing to order at 9:23 a.m. Scott Stanton, Fire Chief for Hermiston and Stanfield, 320 First St, Hermiston, came to the podium. The previous ballot measure for a new district failed proposing a rate of \$2/\$1,000. After feedback and restructuring, he is hoping for a May vote at rate of \$1.75/\$1,000. This is the amount needed to fully function at the service level required. It is critical to get on the ballot since fiscal outlook is not good. Funding needs to be in place for equipment. There is critical demand and he requested the Board approve moving to ballot.

Commissioner Elfering asked what the plan is if the measure does not pass. Mr. Stanton responded two fire districts would need to dissolve and new commitments for Board members would need to happen. It is all or nothing. If anything fails, more time is needed. Contingency plans would be reduction in staffing, equipment and apparatus would be curtailed – ultimately they would be back before voters (for a bond or levy). There have been delays in response since they cannot handle the volume of calls. Regarding an increase in district size, Mr. Stanton said there would be a small increase at the east end of Hermiston (about 3,000 to 4,000 acres), otherwise the district would be the same; the legal description is the same as last year's voter's request. Tax rate is \$1.20 in Hermiston and Stanfield is \$2.06 – overall the two would be \$1.75 tax rate. The current proposal rate is about \$106,000. Both city councils supported the measure in November. Public safety is a critical infrastructure need to citizens – this is a good compromise. He talked about compression in Hermiston, otherwise there would be an increase of 55 cents. Stanfield will see a decrease .31 cents. \$1.75/thousand is what will appear on tax statements. About an additional \$900,000 would be available with passage by voters. No bond has ever been needed in Hermiston in 65 years. He talked about coverage, response, level of service, a document for strategic plan with goals and objectives. There may be a future substation at the far east end (affected property owners are Hawman and Bracher). Class protections, insurance, volunteers, etc. were also discussed. Mainly it is the medical aspect that is driving the need. About 80% of calls are medical related.

Commissioner Givens opened the hearing to public comment. None were heard. He closed the hearing at 9:35 a.m. **Commissioner Elfering felt citizens of the district have a right to vote on this and he moved to approve/adopt Order No. BCC2016-010. Seconded by Chair Murdock.** Comments: Chair Murdock is very interested and supportive of the action; it was thoroughly vetted the first time around. The more fire protection, the better in rural areas; he strongly supported the action. **Carried, 3-0.** As part of the Order, the final hearing on formation of the fire district is set for February 17, 2016.

3. Supplemental Budgets. Marie Jones, Finance and Budget Assistant Director, presented. Chair Murdock opened the hearing at 9:38 a.m. Budget Order 2016-32 (General Fund-Victim Witness Program) increase Federal Revenues \$1,220 and increase Local Revenues \$14,077 by increasing

Materials and Services \$26,374 and decrease Contingency \$11,077 to adjust revenues and requirements not known at time of budget adoption. Budget Order 2016-33 (Unitary Assessment) increase Beginning Fund Balance \$41,301 by increasing Materials and Services by same amount. Chair Murdock called for questions. None heard. He asked for those in favor; those against? None were heard. He closed the hearing at 9:40 a.m. **In the Matter of Approving Supplemental Budgets Pursuant to ORS 294,471 for Fiscal Year ending 6/30/16 - Unitary Assessment, Commissioner Givens moved to approve/adopt Budget Order 2016-33. Seconded by Commissioner Elfering. Carried, 3-0. Commissioner Elfering moved to approve/ adopt Budget Order 2016-32 for Victim Witness Program. Seconded by Commissioner Givens. Carried, 3-0.**

4. [Investment Policy Update] off the agenda to a future meeting.
5. Sam Cook Building Flooring. Mr. Olsen reported. This is to request for proposals for replacement of a portion of the flooring at the Sam Cook Building in Hermiston. The quote for work exceeds \$10,000, thus the need for formal procurement process. **Commissioner Elfering moved to authorize a request to issue proposals for flooring. Seconded by Chair Murdock. Carried, 3-0.** Chair Murdock noted he had previously discussed this with Mr. Lonai, Administrative Services.
6. Transferred Employee Compensation. Mr. Olsen reported. The recommendation is to allow employee compensation for a transferred employee. Sheriff Rowan noted at time budgets were built with the Athena contract, it was to maintain the same level of compensation for at least a 1-year period. Compensation has been calculated and the contract will support it. **Commissioner Elfering moved to approve compensation of the transferred employee. Seconded by Chair Murdock. Carried, 3-0.**
7. Position Reclassification- Emergency Management. Mr. Olsen presented. This was discussed at the end of the December 30 Board meeting when a presentation was made in hopes of making the position full-time. After staff investigation, funds are not available for full-time. Funding is available for .6 FTE. **Commissioner Givens moved to approve reclassification of position of Emergency manager upon vacancy to a .6 position. Seconded by Commissioner Elfering.** Discussion: Jennifer Blake, HR Director asked if there is a formal resignation. Sheriff Rowan commented he believes the time period has been moved up due to another work offer. The reclass is to be effective as soon as possible. Sheriff Rowan added that the current employee would like to assist with training if at all possible. He advised he would get information to the Board ASAP. **Carried, 3-0.** Commissioner Givens noted need to advertise for recruitment when dates are identified. Marie Jones, Assistant Director of Finance and Budget advised there is no overlap of position and funding. Budget would need to be further researched to accommodate for training if that is decided by the Board.
8. Bower Contracts. Mr. Olsen presented. Two items are related to Eastern Oregon Business Source/Susan Bower. First is a new contract to cover economic development and the other is for an extension of the current contract in Human Resources and Professional Development. This is to set specific dollar amounts for both contracts. The proposal is to keep the contract until 6/30/17. Chair Murdock commented that Susan Bower's work in wide variety of areas has been transformational to the County. He supported it strongly. Commissioner Elfering noted his

conversations with Ms. Bower regarding economic development will be very helpful to move in the direction planned for the year. **Commissioner Givens moved to approve amending Eastern Oregon Business Source/Susan Bower's existing contract for HR and professional development. Seconded by Chair Murdock. Carried, 3-0. Commissioner Givens moved to approve the new contract to Eastern Oregon Business Source/Susan Bower for economic development assistance. Seconded by Commissioner Elfering. Carried, 3-0.**

9. AOC Resolution. Read by Commissioner Elfering regarding the Occupation of the Malheur National Wildlife Refuge (in the form of Board Order No. BCC2016-011). **He moved to approve/adopt Order No. BCC2016-011. Seconded by Commissioner Givens.** Discussion: Commissioner Givens advised that Harney County, Burns, has now lost its superintendent of the school district as well as a few other teachers and others. There is a lot of tension created by the occupiers. Judge Grasty has asked AOC Executive Director Mike McArthur and Laura Cleland, AOC Communications & Operations Director, to help with public relations and to put together resolutions for keeping order and safety in the county. This order is based on that resolution. Chair Murdock noted in conversing with Sheriff Rowan, Umatilla County is working with OSSA and AOC and all are in accord working to peaceful resolution. Commissioner Elfering noted accountability is needed by the federal government. **Carried, 3-0.**
10. B2H Comments. Bob Waldher, Planning Department, presented. He handed out a memo regarding the recommendation for the preferred alternative of the south route. He met with Morrow County Planner, Carla McLane, and toured the area of the routes identified. The determination is the Umatilla-South Alternative is the best route. This was recommended by Umatilla County back in October as it least impacts high-value agriculture and dwellings. The request also includes authority for George Murdock as Chair to the sign the recommendation letter along with Morrow County and submit it by the 1/22/16 deadline for comments.

Mr. Waldher noted Morrow County supports Umatilla County for the southern route (the west side of Bombing Range Road alternative). Commissioner Elfering agreed with support of the south alternative; he felt reducing impacts to the County is needed. He asked about costs to the builder of the project – would there be an increase in cost using the originally suggested route vs. alternate routes. Mr. Waldher did not know the answer, but believed the alternate route cost has been factored in somewhat. Chair Murdock noted that Mr. Waldher and Ms. McLane drove part of the route, Highway 395 to Morrow County out to Gurdane Road and the Butter Creek Highway area. A lot of the route appears to be on the ridge lines of Butter Creek Highway. Commissioner Givens noted he has also driven those areas and there are very few homesteads there. Access roads will be needed and areas will need to be put back to natural habitat. **Commissioner Givens moved to approve the recommendation and authorize Chair Murdock to sign the finalized recommendation along with Morrow County. Seconded by Chair Elfering. Carried, 3-0.** The board thanked Mr. Waldher for his hard work.

### Commissioner Comments.

Commissioner Givens. With Harney County issues, he will not be going to southern Oregon counties 1/26-28. Travel plans will change in the next 2 weeks. He made good contacts on his trip to Washington, D.C. January 4- 8; the only exception was Senator Bloomenauer; the rest were productive. He met with Congressman Walden in his capitol office as well as his Rayburn Building office. They talked about ongoing issues in Oregon. He also met White House Chief

of Staff and talked about the need to look at policies of federal lands and their process and management and the need to coordinate with local entities. He added the BLM and federal representatives were close to a resolution of the Hammond issue in Harney County, but when the Bundys showed up and took over, negotiations were off the table, which was very unfortunate. He commented it was embarrassing being from Oregon with all the negative issues while he was in Washington DC.

Commissioner Elfering. Work continues on agreements for water rights with the Oregon Military Department and the Columbia Development Authority. This is the final thing to be done before conveyance of the depot property to CDA. This should be the end of conveyance issue. Later today, he will meet with the Highway 395 North group regarding roads and discussion of local improvement districts to the future to bring to them to County standard and ultimately to be assumed by the County. The project is totally being driven by those who live/work in that area. January 20 and 21 he will be at City-County Insurance Services to discuss insurance matters – premiums and etc.

Chair Murdock. He will attend BOPTA (Board of Property Tax Appeals) training in La Grande. He will meet with Morrow County Commissioners tomorrow regarding a joint resolution regarding the B2H transmission line. He is working on budget moving forward. In working with CFO Robert Pahl, all departments are being asked to hold the line. He feels we are at close to maintaining stable level of funding for current programs. This is an enviable position by most counties in the state. As matter of record, he is overseeing beginning the process of reorganizing Health and Human Services this spring and into next fiscal year.

The meeting adjourned at 10:10 am.

Respectfully submitted,

*Melinda Slatt*

Executive Secretary,  
Umatilla County Board of Commissioners