

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS
Meeting of June 7, 2017
9:00 a.m., Room 130, Umatilla County Courthouse
Pendleton, Oregon

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Commissioners Present: Chair Larry Givens, Vice-Chair Bill Elfering and Commissioner George Murdock

County Counsel: Doug Olsen

Members and Guests Present: Russ Pelleberg, Manager-City of Umatilla; Becky Hewitt, Senior Planner-Angelo Planning Group; Clint Spencer, Planner-City of Hermiston; Lolly Anderson; Jerry Baker, Chair-County Budget Committee; Brandon Seitz, Planner-County; Tom Fellows, Public Works Director; Marie Simonis, County Budget/Finance; Robert Pahl, County CFO; Tamra Mabbott, Planning Director; Joleen Horning, Admin. Assistant-Columbia Development Authority; Capt. Dave Williamson, Sheriff's Office; Detective Kacey Ward, Sheriff's Office; Phil Wright, East Oregonian.

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CALL TO ORDER

The meeting was called to order at 9:00 a.m. Chair Larry Givens welcomed all.

Pledge of Allegiance was led by Commissioner Murdock.

Chair Givens reminded those present that the meeting is a public forum. It 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 come to the podium, identify yourself and state where you live for the record.

Awards/Correspondence/Recognition. None.

Minutes of Previous Meeting(s). Commissioner Elfering moved to approve the minutes of the 5/22/17 Board meeting. Seconded by Commissioner Murdock. Carried, 3-0. Commissioner Elfering moved to approve the minutes of the 5/24/17 meeting. Seconded by Murdock. Carried, 3-0.

Additions to Agenda. None.

Public input for those items other than on agenda Chair Givens advised this is the time for public input (for other than a scheduled item on the agenda) and also for recognition of visitors. Due to the lengthy agenda and need to adjourn by 11 for another meeting, he asked that presentations be limited to 3 minutes.

Presentations. None.

Business Items:

1. **Budget Hearing.** Chair Givens recognized the Budget Committee Chair, Jerry Baker, in attendance today. He gave appreciation to him for his hard work -- as well as the other committee members. He opened the hearing at 9:03 a.m. and asked for the staff report. Robert Pahl, CFO, presented. The FY17-18 budget was developed with county departments and public budget meetings were held in April with approval of the budget being presented today. An Order was prepared by Doug Olsen. He asked for comments from the public. None were heard. He asked Chair Baker to make comments, if he would like. Budget Chair Baker noted with the budget message presented the budget is artificially balanced – that is, money was set aside and department heads were asked to make cuts from their budgets to achieve the balanced budget.

He urged caution and being frugal in spending moving forward. Commissioner Murdock added because revenues are based on tax collection, the biggest hope for the county to meet future obligations is expansion of assessed value. Fortunately, our county is one of the fastest growing in the state and we need to be open for business and an attractive place to conduct business for revenue. Chair Givens closed the public hearing at 9:06 a.m. **Commissioner Murdock moved to adopt Order No. Budget 2018-01 for the fiscal year 2017-18 budget (which includes making appropriations and Levying Property Taxes). Seconded by Commissioner Elfering. Carried, 3-0.**

2. CDA Goal 11 Exception – Cities of Umatilla/Hermiston. The public hearing was called to order at 9:08 a.m. by Chair Givens. He asked for abstentions or biases. Commissioner Elfering disclosed he serves on the board of the Columbia Development Authority.

First hearing is regarding the City of Umatilla. Staff report was made by Tamra Mabbott, Planning Director. She noted Brandon Seitz will give a detailed staff report. This is for Comprehensive Plan Text Amendment #T-17-073, CDA (applicant), Amstad Farms Land Company LLC (property owner) for a Goal 11 (Public Facilities and Services) for an exception in the future to allow extension of sewer line to the Army Depot. Second, similar application for the City of Hermiston. Comp. Plan Text Amendment, #T-17-074, CDA (applicant), Westland Irrigation District (owner).

Brandon Seitz presented the detailed staff report. This is to allow for an exception to provide sewer services outside city limits as allowed per statute – statewide planning goals. It is a reasons exception to serve provide services outside Umatilla’s UGB to the depot. Morrow County also has a smaller piece of the depot and has gone through the same process. He referred to a map showing boundaries. Chair Givens posed a question about a 60 foot easement from Powerline Road to the Depot – it appeared to be part of an irrigated circle – but the easement wouldn’t take property out of agriculture production. He also asked about the size of the sewer line. Russ Pelleberg, City of Umatilla Manager, advised it will be determined (but probably 6 and 10” pressure) to be built in the off-season and at depth to allow farming over the top of it. In response to Commissioner Murdock’s question about water -- is it an issue? Is that completely unrelated? Mr. Pelleberg advised it is a utility easement and will include the potential for other utilities in this easement. This has been discussed with private land owner; they are looking to make one easement corridor. Discussion continued about how many years out is planning, CDA’s development studies for production on Depot property, extra room for sizing of more capacity, any possible problems with extending at a future date. Mr. Pelleberg advised the City is anticipating potential growth based on interest and they have a good idea of potential build-out. A pump station will be needed based on land layout. There is a lot of great potential for the property.

Chair Givens asked for proponents. Jolene Horning, Administrative Assistant for CDA, advised they are very excited for the opportunity with both applications being discussed today. The goal is for the Army to transfer the property to the CDA in December 2017. There is good economic development associated with this area. CDA appreciates County Planning staff for all their efforts.

Becky Hewitt, Angelo Planning Group for CDA agreed with the staff report. In answer to some of the questions asked earlier: the total area that crosses private land (Amstad Farms) is a little over 9,000 linear feet minus the easement of 60 feet = 12.88 acres would be affected. The exception is specific to sewer with approval to extend water, which could be done in same easement. The Goal 11 exception doesn’t directly address water; if it is needed at a later date, another goal exception would be needed.

Chair Givens asked for opponents. None were heard. He asked for any public agencies to comment. None were heard; therefore, no rebuttal was needed. He asked staff if any public agencies had

commented. Ms. Mabbott noted there was coordination of DLCD, but Planning had not received a letter from them of support or opposition. Chair Givens closed the public hearing at 9:23 a.m.

Deliberation. Commissioner Elfering noted time of disruption of farmland is minimal and the project passes between circles, which are not farmed anyway. It serves the CDA for future development and is benefit to the county. **Commissioner Elfering moved for approval of the Goal 11 Exception as it relates to the City of Umatilla. Seconded by Commissioner Murdock. Carried, 3-0.**

Goal 11 Exception for Hermiston. Ms. Mabbott advised that this will allow connection of preliminary design done; actual construction would require coming back to the county. The staff report was made by Mr. Seitz. Chair Givens asked for proponents. Clint Spencer, Hermiston City Planner, advised Hermiston fully supports the exception and recommends the county include the Goal 11 Exception in the Comprehensive Plan. The City will follow suit. This exception, again, is only for sewer; it is on the county right-of-way. Additional permitting would be needed in the future for actual construction.

Chair Givens asked for opponents. None were heard. He asked staff if any public agencies had commented. Mr. Seitz noted Westland Irrigation had, but was satisfied with the action. Chair Givens closed the public hearing at 9:30 a.m.

Deliberation. Commissioner Elfering noted this is similar to Umatilla's amendment; the purpose is to serve the CDA as it builds out; there is enormous impact on both communities. **Commissioner Elfering moved to approve the Goal 11 Exception as it relates to the City of Hermiston. Seconded by Commissioner Murdock. Carried, 3-0.** Mr. Olsen noted since these actions are amending the comprehensive plan, and ordinance must be adopted. **Commissioner Elfering moved to adopt Ordinance No. 2017-09 (amending Comp Plan to include Goal 11 Exceptions for Extension of Sewer Lines of Cities of Umatilla and Hermiston to the Umatilla Army Depot). Seconded by Commissioner Murdock. Carried, 3-0.**

4. Seasonal Road Closures. Tom Fellows, Public Works Director, presented. This is to propose updating those roads limited on seasonal use (last updated in 2009) in order to limit damage to roads. A lot of improvements have made it unnecessary to close roads and limit travel. In review of the closure list, a number of roads can be taken off the list-as reflect in the Order. **Commissioner Murdock moved to adopt Order No. RD2017-04. Seconded by Commissioner Elfering. Carried, 3-0.**
5. Public Works Equipment Replacement. Mr. Fellows presented. This list is updated annually after budget hearings in an effort to get the best buy quickly when it is up for sale – this allows going out for a request for proposals quickly. The current budget available is \$500,000. In response to Commissioner Elfering's question about what is the disposition of old equipment, Mr. Fellows answered if it is scheduled for replacement, it may be traded in; other times they go to public auction. The list (projected on the monitors) shows the anticipated cost of each item – he elaborated on some items. Commissioner Murdock commented it is a great well thought-out program. **Commissioner Elfering moved to adopt Order No. RD2017-03. Seconded by Commissioner Murdock. Carried, 3-0.**
6. Mobile Data Extraction Device Purchase. Capt. Dave Williamson presented. The request is to authorize purchase of equipment for forensic data extraction in the amount of \$10,733. Detective Kacey Ward applied for and was awarded a Wildhorse grant (\$10,000) to go towards the equipment. Det. Ward advised it is the unit plus cords, software, etc. This is all portable and can be done in the field – a laptop is used for forensics such as this. He explained different cell phones may be able to be accessed. Discussion continued about chips, data, readability, etc. The Cellabrite devise works on cell phones, cameras, tablets etc. -- all kinds of digital media. Search warrants are used and also consent forms. This device is updated technology that will hopefully lessen the potential of cases being lost without the

information obtained. **Commissioner Elfering moved to approve moving forward with purchase of the Cellabrite equipment as outlined. Seconded by Commissioner Murdock. Carried, 3-0.**

7. Budget Transfers. Robert Pahl, Chief Finance Officer, gave the staff report. There are 15 transfers of budgets and four Supplemental Budgets to consider today. Budget Order 2017-60 (Community Corrections – Transitional Housing) requires transfer of appropriations for funding not known at time of budget adoption. This requires an increase in Materials & Services \$2,000 and decrease in Contingency by same amount. Budget Order 2017-61 (AWERE CBP) requires transfer of appropriations for funding not known at time of budget adoption. This requires an increase in Materials & Services \$50,000 and decrease in Contingency by same amount. Budget Order 2017-62 (Special Transportation) requires transfer of appropriations for funding not known at time of budget adoption. This requires an increase in Materials & Services \$30,000 and decrease in Contingency by same amount. Budget Order 2017-63 (Milton-Freewater Facility Improvements) requires transfer of appropriations for funding not known at time of budget adoption. This requires an increase in Materials & Services \$25,000 and decrease in Contingency by same amount. Budget Order 2017-64 (Courthouse Facility Improvements) requires transfer of appropriations for funding not known at time of budget adoption. This requires an increase in Materials & Services \$25,000 and decrease in Capital Outlay by same amount. Budget Order 2017-65 (Community Services Development) requires transfer of appropriations for funding not known at time of budget adoption. This requires an increase in Materials & Services \$20,000 and decrease in Contingency by same amount. Budget Order 2017-66 (General Fund - Surveyor) requires transfer of appropriations for funding not known at time of budget adoption. This requires an increase in Materials & Services \$2,000 and decrease in Personnel Services by same amount. Budget Order 2017-67 (Developmental Disabilities) requires transfer of appropriations for funding not known at time of budget adoption. This requires an increase in Materials & Services \$20,750 and decrease in Capital Outlay by same amount. Budget Order 2017-68 (Alcohol Drug & Gambling) requires transfer of appropriations for funding not known at time of budget adoption. This requires an increase in Materials & Services \$105,000 and decrease in Contingency by same amount. Budget Order 2017-69 (911 Dispatch) requires transfer of appropriations for funding not known at time of budget adoption. This requires an increase in Personnel Services \$10,000 and decrease in Materials & Services by same amount. Budget Order 2017-74 (General County – Building Maintenance) requires transfer of appropriations for funding not known at time of budget adoption. This requires an increase in Materials & Services \$25,000 and decrease in Contingency by same amount. Budget Order 2017-75 (General County – Administrative Services) requires transfer of appropriations for funding not known at time of budget adoption. This requires an increase in Personnel Services \$3,000 and decrease in General Fund Contingency by same amount. Budget Order 2017-76 (General County – Cooperative Extension Services) requires transfer of appropriations for funding not known at time of budget adoption. This requires an increase in Materials & Services \$22,000 and decrease in General Fund Contingency by same amount. Budget Order 2017-77 (General County - Criminal) requires transfer of appropriations for funding not known at time of budget adoption. This requires an increase in Materials & Services \$80,000 and decrease in General Fund Contingency by same amount. Budget Order 2017-78 (Alcohol, Drug & Gambling Services) requires transfer of appropriations for funding not known at time of budget adoption. This requires an increase in Personnel Services \$30,000 and decrease in Contingency by same amount.

In response to Commissioner Elfering's question about a lot of the transfers are from contingencies, Mr. Pahl said after adjustments are made there will be about \$300,000 in general fund contingency. **In the matter of Approving Transfers of Appropriations Pursuant to ORS 294.463 for the Fiscal Year ending 6/30/17: Commissioner Elfering moved to adopt Order Budget2017-60 (Transitional Housing/ Community Corrections – Program 1531). Seconded by Commissioner Murdock. Carried, 3-0.**

Commissioner Elfering moved to adopt Order Budget2017-61 (AWERE CBP – Program 1602). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to approve Order Budget2017-62 (Special Transportation – Program 1013). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to approve Order Budget2017-63 (Milton-Freewater Facility Improvements – Program 9088). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to approve Order Budget2017-64 (Courthouse Facility Improvements – Program 9089). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to adopt Order Budget 2017-65 (Community Services Development – Program 5260). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to adopt Order Budget 2017-66 (Surveyor – Program 4564). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to approve Order Budget2017-67 (Developmental Disabilities – Program 5490). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Murdock moved to approve Order Budget2017-68 (Alcohol, Drug & Gambling Services – Program 5487). Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Murdock moved to approve Order Budget2017-69 (911 Dispatch – Program 1509). Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Murdock moved to adopt Order Budget 2017-74 (General County – Building Maintenance – Program 3506). Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Murdock moved to adopt Order Budget2017-75 (Administrative Services – Program 3503). Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Murdock moved to adopt Order Budget2017-76 (General County – Cooperative Extension Services – Program 4016). Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Murdock moved to adopt Order Budget2017-77 (General County – Criminal – Program 1560). Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Murdock moved to adopt Order Budget2017-78 (Alcohol, Drug & Gambling – Program 5487). Seconded by Commissioner Elfering. Carried, 3-0.

8. Supplemental Budgets. Chair Givens opened the public hearing at 9:55 a.m. for supplemental budgets. Mr. Pahl provided the staff report. The four supplemental budgets notice appeared in the 5/30/17 East Oregonian. Budget Order 2017-70 (Criminal) requires a supplemental budget to appropriate funding unknown at time of budget adoption. This requires an increase Local Revenues \$146,000 and Materials & Services \$146,00. Budget Order 2017-71 (Wellness Hubs) requires a supplemental budget to appropriate funding unknown at time of budget adoption. This requires an increase in Local Revenues \$3,650, State Revenues \$14,351 and Materials & Services \$19,600. It also requires decreases in Federal Revenues \$46,634 and Personnel Services \$48,233. Budget Order 2017-72 (Mental Health Administration) requires a supplemental budget to appropriate funding unknown at time of budget adoption. This requires an increase in State Revenues \$20,000 and Materials & Services \$20,000. Budget Order 2017-73 (Foreclosed Property) requires a supplemental budget to appropriate funding unknown at time of budget adoption. This requires an increase in Local Revenues \$180,000 and Materials & Services \$180,000.

Chair Givens asked for questions. None were heard. He asked for any public questions/comments. None were heard. He closed the public hearing at 9:58 a.m.

In the matter of Approving Supplemental Budgets Pursuant to ORS 294.463 for the Fiscal Year ending 6/30/17: Commissioner Elfering moved to approve Order Budget2017-70 (Criminal – Program 1560). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to adopt Order Budget2017-71 (Wellness Hubs – Program 5640). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to adopt Order Budget2017-72 (Mental Health Administration – Program 5488). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Elfering moved to adopt Order Budget2017-73 (Foreclosed Property – Program 3017). Commissioner Murdock seconded. Carried, 3-0.

9. Exempts Salaries. Mr. Olsen advised this is for cost of living adjustments for exempt positions and to formalize approval. Elected official salary increases are not included in this action. The proposal for COLA of 2%, which is based on COLA increases on three of the union contracts. The practice is exempts would receive the highest of the bargaining units for those exempt employees; it is budgeted for 2%. **Commissioner Elfering moved to approve FY2017-18 at 2% for exempt salaries. Seconded by Commissioner Murdock. Carried, 3-0.**

10. Fee Ordinance Amendment. Public Hearing. Chair Givens opened the public hearing at 10:02 a.m. Mr. Olsen presented the staff report. This came before the Board on 5/22 for first reading and is now before the Board for a second reading. A number of changes were requested in the amendment; no changes have been made since the first reading. Chair Givens asked for any questions. None were heard. He asked for any public comments? None were heard. He closed the public hearing at 10:03 a.m. **Commissioner Murdock moved to adopt Ordinance 2017-08. Seconded by Commissioner Elfering. Carried, 3-0.**

11. Rodeo City Inn Update. Mr. Olsen presented an update after Eli Stephens' 5/22/17 presentation to the Board. There is a franchise agreement for the property and according to the new owner repairs are to start sometime this week. He referred to pictures projected on the monitor showing the current condition of the property. The owner advises that he has bought about 12 motels; this is the last one to be cleaned up. Furniture cannot be delivered until the place is secure and improved/painted and cleaned up. Mr. Olsen has spoken to Mr. Stephens on the update. This issue is not technically a solid waste code violation. This is the first property that really has had this problem and the county doesn't have an ordinance or regulation to cover it (related to derelict buildings). Multiple complaints have been received on this particular building. For the future, the Board may consider changing the code to address this situation. Chair Givens advised he would like to formulate an ordinance to address these types of issues. In response to Commissioner Elfering's question about an ordinance, Mr. Olsen advised the ordinance can be applied to specific zones (i.e., commercial zones). Commissioner Elfering agreed with Chair Givens' comments. In addition, he would like to see an exclusion of farm zones. Mr. Olsen will prepare an ordinance for a future Board meeting. Commissioner Murdock feels this is a good move especially as it is a gateway to Pendleton and it is also a hazard. He also agreed with about pursuing some type of authority to handle this type of problem. Mr. Olsen advised the property was closed by the courts 2-3 years ago. He compared county to city codes regarding hazardous places. Discussion continued about new standards and codes for existing building vs. different ones for new construction. Structurally, it is pretty sound, but it will require windows, doors, painting, cleaning, etc. Mr. Olsen will provide updates at the next few Board meetings.

No Executive Session was needed.

Commissioner Reports.

Commissioner Elfering. Met 5/31 with various entities regarding the Umatilla Trail -- from Echo to the Columbia River. Still in the early discussion stages about possibilities, possible routes, costs, etc. He has had various meetings about power service issues. He recently met with a constituent regarding EOTEC – looking to mitigate problems as they arise. He will be out of the office for vacation (1 week), then to Washington, D.C. for an annual meeting for defense communities (regarding transferring military facilities into public use). He will be out 6/10-21.

Commissioner Murdock has been working on the State transportation package. Chair Givens will communicate that by consensus moving forward. Chair Givens felt all commissioners should sign showing county support. There may be hang-ups over the funding formula; it is not a bill that everyone likes or not all like everything that is in it. However, the transportation package needs to move forward. He will attend AOC meetings on Monday.

Chair Givens will continue working with the Forest Service on the Blue Mountain Forest Plan ; although it has been requested the plan be provided ahead of time, that has not happened. The Forest Service has asked for Jim Pena, Region 6 Director (OR and WA) to attend the next meeting to discuss some changes to the plan. However, all is still up in the air.

Another issue he's been working on is Department of Agriculture/Water Quality for the Milton-Freewater area. He is meeting with Tom Demianew (Dept. of Ag.) later this week.

He continues to work on the County Fair. Sixty days and all must be ready, which has required meeting often with different groups to finalize plans. Landscaping and fencing is coming together.

He travels to Salem on Sunday for Association of Oregon Counties meetings, to develop new format to operate – funding comes from counties and some grant funding – and adjustments must be made by them just like other entities.

For the record, Commissioner Murdock noted at the second Board meeting in July (7/19), items to be included for discussion are: long-term maintenance plan by Dan Lonai and Developmental Disabilities Program's 2017-18 reorganization plan (for better efficiencies).

The meeting adjourned at 10:22 a.m.

Respectfully submitted,

Melinda Slatt

Executive Secretary, Umatilla County Board of Commissioners