

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS
Meeting of March 21, 2018
9:00 a.m., Room 130, Umatilla County Courthouse
Pendleton, Oregon

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

County Counsel: Doug Olsen

Members and Guests Present: Robert Hall; Bob and Sue Keys; Roselee Gannaway; Richard and Robin Jolly; Alisha Southwick, UCo Health RN; Tom Fellows, County Public Works Director; Joyce Langley; Brent Smith, Attorney representing Joyce Langley Jennifer Blake, County Human Resources Director; Paul Chalmers, County Assessment & Taxation Director; Jim Setzer, UCo Health Director; Dan Lonai, County Administrative Services Director

CALL TO ORDER

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

Pledge of Allegiance was led by Commissioner Givens.

Chair Murdock 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. He noted a point for public input before business items for other than agenda.

Awards/Correspondence/Recognition. None today.

Minutes of Previous Meeting. Commissioner Elfering moved to approve the minutes of 2/21/18, 3/8/18 and 1/21/18 Board meetings. Seconded by Commissioner Givens. Carried, 3-0

Additions to Agenda. Doug Olsen noted the addition of item #4, Westland Road Traffic Control Changes.

Public Input and Recognition of Visitors. Chair Murdock advised this is the time for public input (for other than a scheduled item on the agenda) and also for recognition of visitors. Robert Hall, Pendleton, requested to present pictures that he recently took showing a road sign – shot out with a high powered gun. Two Sundays ago he walked up Lee Street Grade across the 8th Street Bridge. A guy was in the road shooting his pistol – Mr. Hall was concerned and cautious but he decided to go past him. Upon return home, he called Sheriff’s Office Dispatch to report the incident. He then went back to pick up the brass, which he believed was 9 mm. He wasn’t sure what the man was shooting at. However, in that area five signs in the 500 ft. area have been shot out, which he understands is a problem county-wide. There is also a garbage dumping ground which also draws shooters. He found a wallet and reported it to the Pendleton Police Department. He was told by PPD the State Police in that area have a monitoring camera used occasionally (in particular regarding sign shooting). He asked the Commissioners about the County’s ability to install video or still cameras to perhaps catch culprits shooting up signs. It is expensive to taxpayers.

He and other citizens walk there. It is disturbing to see someone shooting a gun in the middle of the road in broad daylight when he knows it is against the law. He wanted the Commissioners to be aware. In response to a

question by Commissioner Givens, Mr. Hall advised there was no vehicle. He went back later to take pictures – the man had left and he was not prepared to confront him.

Chair Murdock pointed out soon the 8th Street Bridge will be dismantled and will change the access up Lee Street Grade. They thanked Mr. Hall for the presentation and information.

Business Items:

1. Salmon Point Livestock District Petition – Public Hearing Continued. Mr. Olsen advised this is the deliberation phase. Chair Murdock called the hearing to order at 9:14 a.m. Mr. Olsen advised the hearing was continued from 2/7/18 after public hearing; during that hearing the record was closed. The Commissioners then started to deliberate and desired to view the site. Today’s action is for deliberation.

Commissioner Givens added that several individuals contacted him and he relayed to them the hearing was closed, meaning there would be no new testimony or additions to the record. Commissioner Elfering noted he was not at the February 7, 2018 hearing, but he reviewed the video of the proceeding, is aware of the area and toured it as well, and is fully informed on the matter. Commissioner Givens recently viewed the area (as did Chair Murdock, separately). There are various fences there. Commissioner Elfering noted it is interesting that Board action is not to make the decision but it is to allow the vote by those neighbors – he is inclined to go along with an election. **Commissioner Elfering moved to allow action on petition to go forward for a vote conducted as required and adopt Order No. BCC2018-13.** Before he seconded, Commissioner Givens asked Mr. Olsen about the timeline. Mr. Olsen advised it cannot be done at the May 15 election, but the Elections Department says it can be done any Tuesday in April since the time was missed for the May election. The proposed date is April 17. 166 active voters would receive a ballot by mail. In response to Chair Murdock’s question about the amount of land, Mr. Olsen advised it takes a minimum of 2000 acres. **The motion was seconded by Commissioner Givens. Carried, 3-0.**

[Recess for 2 minutes.]

2. Contract for Asphalt Oil. Tom Fellows, Public Works Director, presented. Every year an oil contract (cationic emulsified asphalt) is let for the chip seal program – quotes were requested and two were received. Western States Asphalt had the low quote for the main product used at \$381/ton - delivered. It is recommended to go with the lower amount. In response to Commissioner Elfering’s question about comparison to last year, Mr. Fellows noted it is about \$60/ton more (that was Idaho Asphalt). **Commissioner Givens moved to approve the contract with Western States Asphalt for the chip seal oil for 2018. Seconded by Commissioner Elfering. Carried, 3-0.**
3. Public Road Work. Mr. Fellows presented. This is for McKinney Avenue in Hermiston repairs. Mr. Thomas, a resident on McKinney Avenue, contacted him and requested reimbursement for the cost of repairing potholes. It is a public access road but not a county road. Residents understand that and there have been lots of conversations over the last 6-8 months. He told Mr. Thomas that the Board must be aware and take action. This is not out of the ordinary – repair work and reimbursement to residents – it is legally allowed. Commissioner Givens asked Mr. Olsen about the process of residents regarding a petition to make McKinney Avenue a county road. Mr. Olsen advised that has not been done for decades; he is investigating. Commissioner Givens was concerned about the private part of the process – would it be a taking? Mr. Olsen noted property owners could consent but there is a statutory process to establish a roadway; in addition, the road may not be wide enough to consider (the public road portion is 50 ft. but it may be 45 ft. in some portions). Mr. Fellows advised he was unsure and would need to research. A number of roads are 60 ft., but requirement by statute is 60 ft. Mr. Olsen agreed. Chair Murdock commented that in addition to his field trip to Salmon Point, he also drove out a road

towards the Experiment Station; the road was incredibly bad and he found out later it was McKinney Avenue. It is even bad compared to mountain roads. Mr. Fellows noted patching McKinney will help. **Commissioner Givens moved to approve Order No. RD2018-03. Seconded by Commissioner Elfering. Carried, 3-0.**

4. Westland Road Traffic Control. Mr. Fellows presented. Lamb-Weston requires road improvements with their business expansion; they are anticipating 500 more vehicles. They need traffic control and they requested to have a temporary reduction of speed in that stretch of road – partly due to a temporary traffic signal, but it also doesn't match well with the 55 mph currently posted. They need 45 mph for safety in stopping. Lamb-Weston also proposes to widen some on Cottonwood Bend Road to accommodate turn lanes anticipating about 60% of construction traffic will be to the Tri-Cities and 40% towards Hermiston. They will also install other signs – LED and other markers for advance warning. He is satisfied they did an excellent job of a traffic control plan. After this project is completed, he feels another speed study will be needed. He talked about road width, but it may not be an issue. Chair Murdock suggested covering a broader concern about that area. Discussion turned to many onion trucks pulling onto a 55 mph road. It was strongly suggested to continue studying speed on Westland Road. Mr. Fellows advised that is the direction it is headed; ODOT does the speed studies at the County's request. More discussion about liability. Mr. Olsen noted if the process is followed appropriately with the State requirements, he believed that liability is reduced; he will check. Mr. Fellows doesn't believe "statistics-wise" is enough to "trip" requirements (MUTZD – the recognized standard) for adding a traffic signal. **Commissioner Elfering moved to approve and adopt Order No. RD2018-04. Seconded by Commissioner Givens. Carried, 3-0.**
5. Purchase of Vehicle. Alisha Southwick, UCo Health, presented. This is request to issue invitation to bid for an all-wheel vehicle for Public Health grant supported positions. Grant money is available in the budget. **Commissioner Givens moved to approve. Seconded by Commissioner Elfering. Carried, 3-0.**
6. Temporary Disease Investigator. Jim Setzer, UCo Health Director, presented. This is a temporary position for a Communicable Disease Investigator, which has been open since October. He has been filling in the position since then. He requests hiring ASAP with routine investigative, documenting and administrative requirements of the C.D. position. Chair Murdock noted he has vetted this with Mr. Setzer and H.R. Due to difficulties of hiring, this is a creative way to provide the needed services. In response to a question by Commissioner Elfering, Mr. Setzer noted the job specifications and the individual's credentials would be reviewed and if they are met, the temporary person could become permanent. However, at this time, recruiting is just for a temporary position. Day-to-day is different in our rural communities. Mr. Setzer continued noting issues are 2-fold: a shortage of available nursing staff as well as private and public and other providers; and secondly, the county is at a disadvantage in recruitment in some ways. He has been undertaking discussions with H.R. regarding competitiveness in the field and all are trying to be creative. **Commissioner Elfering moved to approve. Seconded by Commissioner Givens. Carried, 3-0.**
7. Prescription Drug Overdose Program. Ms. Southwick presented. A grant coordinator was hired to oversee Prescription Drug Overdose Prevention activities in four counties (Umatilla, Union, Baker and Malheur). Additional job duties of the person's credentials now include teaching activities in the county; this is a cost-savings to the County for education and teaching. She is requesting reclassification from the current Grant Coordinator (Range 20) to Prevention Education Specialist (Range 25). The grant runs until June of 2019. **Commissioner Givens moved to approve. Seconded by Commissioner Elfering. Carried, 3-0.**

8. Sale of Property. Mr. Olsen presented. This tax foreclosed property is located in Umatilla in an abandoned strip of railroad right of way. It was foreclosed in 2014 and was not sold at auction (for \$55,240). The minimum bid amount of \$8,286 was received from Leonard and Barbara Jeppeson to purchase the property. **Commissioner Elfering moved to adopt Order No. BCC2018-022. Seconded by Commissioner Givens. Carried, 3-0.**

9. BOPTA Summary. Paul Chalmers, Assessment & Taxation Director, presented. He gave some background. After attending training, he wanted the deliberations to not be personal. Request was made (and done) to have staff reports a week in advance for committee review prior to the actual BOPTA hearing. Deliberations took about a day – they worked through lunch and finished at about 3 p.m. One person called in from out of state. About 15 minutes per case was allotted; stipulated agreements were made in advance with 14 going to a hearing. There was a lot of prior groundwork. Chair Murdock commented there was a lot of citizen participation and guidance – this intent has worked well. He also noted Terry Carty has resigned and a position on the BOPTA Board is open (Pendleton area). **Commissioner Elfering moved to approve Order No. BCC2018-021 and to thank the BOPTA Board with letters. Seconded by Commissioner Givens. Carried, 3-0.**

10. Modular Purchase. Dan Lonai, Administrative Services Director, presented. The School Board at Milton-Freewater Grove Elementary contacted him advising they will post a surplus property notice for modular units for government agencies for \$1 per unit. It will be a draw of the hat to pick through applications. The units must be moved off their property by July 1. He requested permission to apply for a unit or two to utilize for the Fair temporary housing until a building is built with funding approved (hopefully in the next year or two). The units have wheels so it would be easier to move; estimated cost is about \$20,000 or more. He noted they are a double-wide vs. single wide (which is what the modular unit is used for security at the Fair). Commissioner Givens added the City of Hermiston must approve placing the building on EOTEC grounds. There was discussion about location, connection, floor plan, etc. Chair Murdock pointed out this could be used for the Fair office maybe permanently. Mr. Lonai advised there are several units with different ages from 1997 to 2005. **Commissioner Givens moved to approve bidding for two modular units and also complete due diligence regarding condition as well as cost. Seconded by Commissioner Elfering. Carried, 3-0.**

11. Charter Committee Appointment. Chair Murdock suggested Darla Huxel, Umatilla Police Chief, serve as an alternate for the committee. With an 18-month period for discussion, it is a good idea to have an alternate. Umatilla area representation would be a good addition. Chief Huxel could be appointed and she is willing to participate on a regular basis and submitted an application for appointment. **Chair Murdock moved to adopt Order No. BCC2018-023. Seconded by Commissioner Elfering. Carried, 3-0.** Mr. Olsen noted at the first meeting in March, Michele Grable was voted chair and Don Miller was voted vice-chair. The second meeting is April 3 and will include a presentation by Rob Bovett, legal counsel for AOC.

There was no executive session.

Commissioner Reports.

Commissioner Elfering: March 19 Kelly Nobles took him and others on tour of the proposed location for the Umatilla Trail – Columbia River to Echo – some of which is located on his property.

Dispatch Budget -- he will have a meeting soon.

LPSCC – had a bidding for providers on drug court being reinstated; there was one bidder (not county Human Services).

A Hazmat table top exercise was held March 14 at the Sheriff's Office; he only attended a portion. Commissioner Givens also attended; he talked about communication and coordination with many agencies; he feels elected officials need to stay out of the way; their main purpose is to get information out to state and federal agencies, sign declarations and work to get assistance immediately. It is best to allow the process to work and stay out of the way.

Commissioner Givens: He is still waiting on information about the Blue Mountain Forest Plan. Numerous lawsuits have been filed and threatened. He is also looking at mitigation of water projects in the county's west end. He has worked with J.R. Cook (NOWA) to coordinate meetings with Union County. He also talked about the watermaster in Milton-Freewater. He attended a meeting Monday night where a report was made by Greg Silbernagel. The person hired for assistant watermaster has good background and experience. The County will continue to provide an office in Milton-Freewater.

Commissioner Murdock: Thank you to Melinda Slatt for her hard work arranging the joint meeting yesterday with Morrow County. It was a great session including agreement to meet summer and spring and winter (at Stafford Hansell in Hermiston). Morrow County hosted the first meeting in Heppner in part to tour their newly remodeled courthouse. Meeting locations can rotate. Commissioner Givens felt the counties have a lot in common – good neighbors. Commissioner Elfering agreed issues discussed were mutual and looking for resolutions together. Chair Murdock noted Phil Wright, East Oregonian, relayed to him there was a great amount of information and he envisions at least three issues that warrant more investigation for news stories.

Chair Murdock also reached out to Judge Schafer, Gilliam County, to continue conversations of transit. In addition, he spoke to Antone Minthorn at the Economic Summit held in Pendleton early in March with hopes to plan a May joint meeting with the County Commissioners and the CTUIR Board of Trustees.

The meeting adjourned at 10:19 a.m.

Respectfully submitted,

Melinda Slatt

Executive Secretary, Umatilla County Board of Commissioners