

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS
Meeting of May 16, 2018
9:00 a.m., Room 130, Umatilla County Courthouse
Pendleton, Oregon

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

County Counsel - absent: Doug Olsen

Members and Guests Present: Alisha Southwick, UCO Health-RN; Mikayla Mormance, UCO Health-RN-Student; Jennifer Blake, County Human Resources Director; Teddy Orr, County Weed Department; Bob Brown, Earl Brown & Sons-General Manager; Pete Veliz, Oregon Department of Agriculture-Manager; Paul Bloom, Oregon Department of Agriculture-Entomologist; Todd Davis, Davis Orchards-Owner; Ron & Doro Lefore, Lefore Apples-Owner; Robert Pahl, County Chief Finance Officer; Kent Madison & Laura Madison, 3R Valve; Tammy Sundin, County Community Corrections Office Manager; Dale Primmer, County Community Corrections Director

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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.

Minutes of Previous Meeting. Commissioner Elfering moved to approve the minutes of the 5/2/18 Board meeting. Seconded by Commissioner Givens. Carried, 3-0.

Additions to Agenda. None.

Chair Murdock pointed out Doug Olsen, County Counsel, is out and Jennifer Blake, Human Resources Director, is filling in in his absence.

Public input. 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. There were none.

Business Items:

1. **Land Use Hearing – 3R Valve Zone Change Request.** Chair Murdock turned the meeting over to Commissioner Givens as liaison to Planning. Commissioner Givens called the public hearing to order at 9:04 a.m. Carol Johnson, County Planner, presented the staff report. This is a continuation hearing for a request by 3R Valve LLC, Kent Madison, owner. Since the 1/16/18 hearing, the applicant narrowed the Goal 3 request for use of the property only for an RV park. Also, additional information has been applied to the analysis in the Board packets and also included in the staff report presented to the Board

last week. This seems to complete the necessary information for Goal 3 exception and use. It is the Board's option to approve or deny the request.

Commissioner Givens asked, to clarify, the major changes then would allow the conditions to be met? Ms. Johnson responded yes; the findings are in the revised information. In addition, she handed out an email dated 5/9/18 from Madison that included four items regarding Exclusive Farm Use land. **Commissioner Givens moved to submit the new information from Land Use/Planning to be incorporated into the record (the 5/9 email with 4 bullet points) -- this would be exhibit 23.** Ms. Johnson pointed out new items, #s 15-22, should also be admitted to the record. **Commissioner Givens amended his motion to add the exhibits 15-22 (+ 23) be admitted to the record. Seconded by Commissioner Elfering. Carried, 3-0.**

He asked for any proponents. There were none.

He asked for opponents. There were none.

Ms. Johnson elaborated on the Goal exception (it preserves and maintains agricultural lands for farm use) in response to Commissioner Elfering's question.

Commissioner Givens then closed the public hearing at 9:09 a.m. He turned the regular Board meeting back over to Chair Murdock.

Commissioner Elfering moved to approve the request and adopt Ordinance No. 2019-01. Seconded by Commissioner Givens. Carried, 3-0.

2. ODOE Transmission Line Comments. Bob Waldher, Planning Director, presented. This is for B2H (Boardman to Hemingway) transmission project. In September last year, a completeness review for an amended site certificate was submitted to the Oregon Department of Energy. At the end of April, ODOE asked for confirmation about responses provided by Idaho Power. After Planning staff review, it was agreed the responses were adequate. At this time, it is recommended the Board concur with the completeness review and submit a letter to ODOE prepared by Mr. Waldher regarding an amended preliminary application for site certificate. **A motion was made by Commissioner Givens to move forward with comments to ODOE along with a letter to be signed by Chair Murdock. Seconded by Commissioner Elfering. Carried, 3-0.**
3. Trails Project Grants Letter of Support. Mr. Waldher presented. For about the last year, there has been work on developing a concept for trail system in west Umatilla County. In addition, he has worked with Susan Bower at Eastern Oregon Business to apply for two grants to be submitted by the end of June. One application is to the National Park Service for the Transportation Growth Management Program and the second application is to ODOT and LCDC for the River Trails and Conservation Assistance Program. Both require commitment letters, which he prepared and are ready to be signed. Other stakeholders are providing letters of commitment.

In response to Commissioner Elfering's question about in-kind contributions, Mr. Waldher advised each is a bit different. The TGM grant is technical assistance and would go to hiring a consultant; it would require a 12% match (it can include in-kind and doesn't require actual dollars). **Commissioner Elfering moved to support for both grants and to have Chair Murdock sign the letters. Seconded by Commissioner Givens. Carried, 3-0.**

4. Blue Mountain Horticulture Society. Pete Velez, Hermiston. His area covers all of the county as well as the Milton-Freewater area (and Morrow and Gilliam Counties). They have concerns of apple maggots. He read a letter being sent to Ms. Taylor (Director, Oregon Department of Agriculture) on

behalf of Blue Mountain Horticulture Society and the apple growers and packers in the Milton-Freewater area requesting establishment of an apple maggot pest-free zone. Without such designation, there would be a huge adverse economic impact.

The goal of growers is to more closely monitor the Pendleton area as single digit finds of pests over the last several years recently increased to triple digits. This could affect their marketing of apples. He advised Milton-Freewater has an earlier market vs. Washington.

Paul Bloom, Oregon Department of Agriculture, Hermiston, Entomologist. His area goes south to Klamath Falls. He gave apple maggot report noting quarantined counties in west and south of the state. He and others have monitored this area for many years (for him, back into 2000). Around 2005-6 eradication was launched to get rid of flies in Pendleton. For about three years now there has been a resurgence of flies, which is widespread in Pendleton. Their concern is even though there is no immediate production in Pendleton, it may spread to the Milton-Freewater area.

In response to Commissioner Elfering's question about control, Mr. Bloom noted a spray program was administered, but there is no direct ongoing effort. He believes the group would like to see a pest control person to launch a plan in Pendleton to remove "hosts".

Todd Davis, Milton-Freewater, President of the Blue Mountain Horticulture Society, advised that three to four years ago, a position was funded through the County. There is need again to have a person work on the maggot situation. Hopefully, the Board can agree to provide funds for a position as noted.

Bob Brown, General Manager of Earl Brown & Sons. There are ramifications of losing early markets. It is beyond cold treatment days and they are now getting ready to sell and export. Inspection of apples is being required by Washington. The economic impact would be devastating if a plan is not instituted. It is important to have backbone to go out for host trees and "backyard trees". Milton-Freewater needs to have the designation of a pest-free zone.

In response to Commissioner Givens' question asked about how in-town has dealt with issues, Mr. Brown advised the industry would have a landowner program – they would give away fruit to those whose trees were removed. He reiterated that an official person is needed to monitor host trees – apples, pears, hawthorns. In addition, ornamental crabapple and ornamental hawthorns are big pest hosts.

Health Inspection Service requires an application along with data of the production area that it is free from apple maggot – it would be the recognized authority for shipping exports all over the world. The first big need is to work with the State of Washington for shipping from Milton-Freewater. If pest-free designation is lost, every acre and shipment would have to be inspected, which would be very expensive.

Commissioner Givens asked what they envision for staffing – specifically regulatory. Mr. Brown noted the State of Oregon is doing the trapping – they are looking to receive additional funding for that part. As far as a future County request, inspection is needed. Commissioner Givens elaborated about the prior history of a half-time person in that area. But what about possible expansion to Pendleton? Mr. Davis noted it is mainly for Milton-Freewater to protect their area -- a 1-mile buffer so that their quarantine area is clean; however, they need some authority to go after problems.

At this time, Mr. Brown advised they wanted to start with a presentation; there is no fund request at this time. They just wanted to report issues and talk about history. They have a pest district/zone (just in the Milton-Freewater area), but they must have enforcement capability.

Discussion turned to possibly forming a county-wide district; county counsel would need to be involved in the proper legal process. Mr. Velez noted it is not just cutting down trees, it is an outline of what to do to reduce problems by spraying on regular schedule. The enforcement person may monitor that and document to be sure trees that are left are healthy. Again, the main concern is the production area.

Commissioner Givens asked Teddy Orr, County Weed Supervisor, to come forward to speak. Mr. Orr noted discussion with Public Works, he assumed would be responsible for supervising the position. More discussion about time spent, limitation of possible 10-15 hours every 2 weeks. Ultimately, the position would be a specifically for duties discussed today. Previously, the position was a shared-expense deal with 50% match, up to \$10,000. The position was ultimately terminated. It would be a unique person with the requirements, special training, and could be managed in his and Tom Fellows' opinion.

Chair Murdock added today is not a funding issue, but a request to approve moving forward with a conversation. **Commissioner Givens moved to go forward with discussion including the Weed Department staff as well as Robert Pahl (CFO) and Doug Olsen (legal counsel) and Tom Fellows, Public Works Director. Seconded by Commissioner Elfering. Carried, 3-0.**

5. Elections Payables. Chair Murdock noted items 5-8 are usual and customary elections expenses (Ballot Reader Maintenance = \$5,570. Ballots = \$17,397.46. Envelopes (printing, stuffing and mailing) = \$5,521.79. Postage = \$20,000). **Commissioner Givens moved to approve payables. Seconded by Commissioner Elfering. Carried, 3-0.**
6. Copier Purchase - Community Corrections. Dale Primmer presented. Community Corrections is seeking to replace three copiers. This is a budgeted expense – for purchase vs. lease in the past. Savings would be about \$10,000 for three copiers on the Oregon NASPO contract. Total purchase for three copiers is \$17,833. Tammy Sundin, Community Corrections Officer Manager, expressed her appreciation. **Commissioner Elfering moved to approve. Seconded by Commissioner Givens. Carried, 3-0.**
7. Human Resources Contract. Jennifer Blake, Human Resources Director, presented. Human Resources is requesting approval of contract proposal for the Equal Pay Act in order to perform study of pay structure to comply with the new law. It is recommended for approval to move forward. **Commissioner Givens moved to approve contract with HR Answers. Seconded by Commissioner Elfering. Carried, 3-0.**
8. Academic Achievement Awards Special Revenue Account. Robert Pahl, CFO, presented. Items 8-10 are an effort to bring some funding into the actual budget, which they have not been previously. This fund was set up several years ago. This and the next two items are all special revenue accounts and should be changed to actually be budgeted items. **Commissioner Givens moved to approve Order No. BCC-2018-043. Seconded by Commissioner Elfering. Carried, 3-0.**
9. Juvenile work Crew Special Revenue Account. The request is to set up a special revenue account for funds received by the work crew. **Commissioner Givens moved to approve Order No. BCC18-044. Seconded by Commissioner Elfering. Carried, 3-0.**

10. Tax Prepayment Special Revenue Account. The request is to set up a special revenue account for funds that are received as tax prepayments for those situations allowed by state law. **Commissioner Givens moved to approve Order No. BCC18-045. Seconded by Commissioner Elfering. Carried, 3-0.**

11. Supplemental Budgets. Chair Murdock called the public hearing to order at 9:47 a.m. Mr. Pahl gave the staff report. There are six supplemental budgets, Orders Nos. as follows: 2018-60 (Foreclosed Property) requires increase in Local Revenue of \$100,000 and increase in Materials & services in same amount. 2018-61 (Alcohol, Drug & Gambling Services) requires increases in State Revenue of \$80,000, Personnel Services of \$30,000 and in Materials & Services of \$50,000. 2018-65 (Wind Farm Distribution) requires increases in Local Revenue of \$200,000 and in Materials & Services of \$230,000 and decrease in Contingency of \$30,000. 2018-66 (Court Security Program) requires increases in Transfers In of \$30,000 and in Personnel Services of \$30,000. 2018-67 (Economic Development) requires increases in Beginning Cash Balance of \$52,600, in State Revenue of \$7,400 and in Materials & Services of \$60,000. 2018-68 (Gen Fund-Health Department) requires increases in Local Revenue of \$57,000, in State Revenue of \$76,160, in Personnel Services of \$3,607 and in Materials & Services of \$129,553.

Chair Murdock closed the public hearing at 9:49 a.m.

In the matter approving Supplemental Budgets pursuant to ORS 294.471 for FY ending 6/30/18: Commissioner Elfering moved to adopt Budget Order 2018-60 (Program 3017 – Foreclosed Property). Seconded by Commissioner Givens. Carried, 3-0.

Commissioner Elfering moved to adopt Budget Order 2018-61 (Program 5487 – Alcohol Drug & Gambling Treatment Services). Seconded by Commissioner Givens. Carried, 3-0.

Commissioner Elfering moved to adopt Budget Order 2018-65 (Program 1650 – Wind Farm Distribution). Seconded by Commissioner Givens. Carried, 3-0.

Commissioner Elfering moved to adopt Budget Order 2018-66 (Program 9079 – Court Security Program). Seconded by Commissioner Givens. Carried, 3-0.

Commissioner Elfering moved to adopt Budget Order 2018-67 (Program 1029 – Economic Development). Seconded by Commissioner Givens. Carried, 3-0.

Commissioner Elfering moved to adopt Budget Order 2018-68 (Program 5534 – Health Department). Seconded by Commissioner Givens. Carried, 3-0.

12. Budget Transfers. Mr. Pahl presented. There are five transfers, Orders Nos. as follows: 2018-58 (General Fund-General County) requires increase in Transfers Out of \$30,000 and decrease in Contingency in same amount. 2018-59 (General Fund-Jail) requires increase in Personnel Services of \$20,000 and decrease in Contingency in same amount. 2018-62 (SE66 Treatment) requires increase in Personnel Services of \$15,000 and decrease in Contingency in same amount. 2018-63 (SE80 Gambling Prevention) requires increase in Personnel Services of \$5,000 and decrease in Contingency of same amount. 2018-64 (Wellness Hubs) requires increase in Personnel Services of \$20,000 and decrease in Contingency in same amount.

In the matter approving Transfers of Appropriations pursuant to ORS 294.463 for FY ending 6/30/18: Commissioner Givens moved to adopt Budget Order 2018-58 (Program 9001 – General County). Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Givens moved to adopt Budget Order 2018-59 (Program 1540 – Jail). Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Givens moved to adopt Budget Order 2018-62 (Program 5421 – Human Services-SE66 Treatment). Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Givens moved to adopt Budget Order 2018-63 (Program 5424 – Human Services-SE80 Gamble Prevention). Seconded by Commissioner Elfering. Carried, 3-0.

Commissioner Givens moved to adopt Budget Order 2018-64 (Program 5640 – Wellness Hubs). Seconded by Commissioner Elfering. Carried, 3-0.

13. Budget Committee Appointment. Chair Murdock presented a resolution, Order No. BCC2018-042, accepting the resignation of Nancy Mabry and making the appointment of Bobby Levy to the Budget Committee. Appreciation was expressed to Nancy Mabry who has been a member of the Budget Committee for the last several years – her insight was very helpful. **Commissioner Elfering moved to approve adoption of Order No. BCC2018-042. Seconded by Commissioner Givens. Carried, 3-0.**

There was no executive session.

Commissioner Reports.

Commissioner Elfering attended a conference last week in New Mexico for CityCounty Insurance Services; there was important discussion about insurance services. Yesterday, he attended a housing meeting in Hermiston hosted by Regional Solutions; there was good attendance – 35. Discussion included new issues along with prior housing concerns; presentations were made by Morrow County and Port of Morrow.

Commissioner Givens had nothing to add.

Commissioner Murdock reported that he had chaired the AOC Courthouse Facilities Task Force in Salem on Monday. Umatilla County's security upgrade application received favorable response and is now 4th on the list; it is highly likely in next session that full funding of \$465,000 for renovation will be awarded.

The meeting adjourned at 9:57 a.m.

Respectfully submitted,

Melinda Slatt

Executive Secretary, Umatilla County Board of Commissioners