

**MINUTES**  
**UMATILLA COUNTY BOARD OF COMMISSIONERS**  
Meeting of February 22, 2023  
9:30 a.m., Room 130, Umatilla County Courthouse  
Pendleton, Oregon

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**Commissioners Present:** Chair Dan Dorran, Vice-Chair John Shafer, and Commissioner Timmons  
**County Counsel** Doug Olsen  
**Guests Present:** Tom Fellows, Umatilla County Public Works Director, Mark Tanner, Jim Littlefield, Paul Wolverton, Josh Roberts, Megan Davchevski, Umatilla County Transit Coordinator, Rachael Reynolds, Sheriff Rowan, Tom Roberts

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**CALL TO ORDER:** Chair Dorran called the meeting to order at 9:31 a.m. He reminded all that the meeting is a public forum and there is a call-in option provided. There is time on the agenda to provide input (or for hearings) to provide comment. The meeting is being video and audio recorded and minutes will be taken. Also, meetings are now live-streaming. Comments will become part of the meeting record. If persons wish to speak before the Board, please identify yourself and state where you live in order to be heard on the record – also note if you are speaking on behalf of others.

**Pledge of Allegiance** was led by Chair Dorran

**Awards/Correspondence/Recognitions.** Presented by Commissioner Timmons - Tom Fellows at AOC presentation, a lot of good information, Brandi Smith from Public Health—Challenge Coin Award winner, was the only front office staff for a while, her ability to multitask, and go above and beyond, has an attitude to do whatever it takes, demonstrated excellent work, help train new staff in environmental health, provided guidance to others, being apart of a great team.

**Minutes** – Commissioner Timmons moved to approve the minutes from the 02/01/23 and 02/08/2023 Board meeting. **Seconded by Commissioner Shafer. Carried, 3-0.**

**Additions to Agenda** – None.

**Public Comments and Recognition of Visitors** This is the time for public input for anything not on the regular agenda. None were heard.

**Business Items**

1. **Sheriff’s Office Laptop Purchase** – Presented by Josh Roberts, Criminal Division Lieutenant. Approval is sought to authorize the purchase of five Lenovo Thinkpad T14 computers from Price Computers for a total cost of \$6,250.00. This purchase would be charged in the budget under Program 1560 line 59106. The Sheriff’s Office uses laptop computers in the patrol cars as Mobile Data Terminals (MDT). The MDT’s let deputies access information in the field on calls for service, persons records, case information, etc. The MDT is a vital piece of equipment in each patrol vehicle. UCSO last purchased MDT’s in 2020, and some date back to 2018. As such, several are at end of life and need to be replaced. IT assisted in the selection of the laptops. **Commissioner Shafer moved to approve purchase as outlined. Seconded by Commissioner Timmons. Carried, 3-0.**

2. Sheriff's Office Rugged Laptop Purchase - Presented by Josh Roberts, Criminal Division Lieutenant. Approval is sought to authorize the purchase of one Toughbook 40 rugged laptop computer from Price Computers for a total cost of \$5,394.00. UCSO's marine/ATV deputies work in areas and conditions that are rather inhospitable to computers. For this reason, we are looking to equip these deputies with rugged laptops that can withstand the elements so they can be used not only in their patrol vehicles, but also on the boats while patrolling waterways, and in the UTV's while patrolling the ATV trails. This would be charged to the budget under program 1560 line 59109. The unit is smaller in terms of screen size, but heavier and sturdier and more protected. **Commissioner Timmons moved to approve purchase as outlined. Seconded by Commissioner Shafer. Carried, 3-0.**
3. Vehicle Repair - Presented by Josh Roberts, Criminal Division Lieutenant. Approval is sought to authorize repairs and payment to Hermiston Auto Body for vehicle #357 for an estimated cost of \$6,555.71. Vehicle #357, a Ford Police Interceptor SUV (Explorer) with one 77k miles, was damaged on 10/19/2022 when a stolen pickup crashed into it while fleeing. The other vehicle's insurance company has made payment for the repairs. This vehicle is needed in the patrol fleet, and thus its return to service is a priority. Multiple estimates were received from multiple body shops. **Commissioner Shafer moved to approve repairs. Seconded by Commissioner Timmons. Carried, 3-0.**
4. Jail Purchase - Presented by Kenny Franks, UCSO Jail Captain. Approval is sought to authorize the purchase of 35 mattresses for the jail facility from Command Sourcing for the amount of \$5,451.14. Not many new mattresses have been purchased over the last couple of years because of the population being down. UCSO has also purged the worn and deteriorated mattresses during this time. New mattresses will need to be purchased before the jail population increases again. **Commissioner Shafer moved to approve purchase as outlined. Seconded by Commissioner Timmons. Carried, 3-0.**
5. Sheriff's Medical Contract - Presented by Kenny Franks, UCSO Jail Captain. Approval is sought to move the jail facility to a 24 hour nursing model starting July 1, 2023. This will help mitigate the risk and provide enhanced pre-book medical screening. The quote from the current provider, Wellpath, would be \$307,587.48 per year. This would allow for medical staff to be in the building 24 hours a day and 7 days a week. The additional cost is in the proposed budget. Nurses currently come in at 6:00 am and leave at 6:00 pm. If there is an issue afterhours, staff take vitals and then relay that over the phone and usually have to be taken to the hospital. It will also help at intake. **Commissioner Timmons moved to approve additional services as outlined. Seconded by Commissioner Timmons. Carried, 3-0.**
6. Sheriff's Office Purchase - Presented by Paul Wolverton, UCSO Patrol Captain. Approval is sought to purchase less lethal equipment and munitions, the cost of which will be split between the Criminal and Corrections Divisions. The total cost of this current order is \$5,789.55. The profession of law enforcement is constantly evolving with changing laws and public expectations. One thing that doesn't change is that law enforcement is expected to respond effectively to criminal violence. Less lethal equipment is relatively new to UCSO. We have been implementing a plan to equip and train both Criminal and Corrections Deputies to meet Use of Force expectations with the best tactics and equipment available; we have a plan to incrementally purchase supplies to further that goal. **Commissioner Shafer moved to approve purchase as outlined. Seconded by Commissioner Timmons. Carried, 3-0.**

7. Fencing Contract - Presented by Mark Tanner, Umatilla County Facilities Manager. Approval is sought to give notice of intent to award the contract for fencing the new Community Corrections Facility in Hermiston to Columbia Basin Fence Company in the amount of \$22,817.01. The department will pay for the cost of the fencing. **Commissioner Shafer moved to approve contract for the fencing. Seconded by Commissioner Timmons. Carried, 3-0.**
8. Maintenance Payable - Presented Mark Tanner, Umatilla County Facilities Manager. Approval is sought to authorize the payable to Murphy's Heating & Air LLC in the amount of \$24,455 for HVAC at the new Community Corrections Hermiston facility. **Commissioner Shafer moved to approve payable. Seconded by Commissioner Timmons. Carried, 3-0.**
9. Transit Vehicle - Presented by Megan Davchevski, Umatilla County Transit Coordinator. Authorization is sought for the Transit Coordinator to request the title to be released from ODOT for the 2010 Dodge Caravan. CAPECO previously operated a transportation program partially funded through Umatilla County's Statewide Transportation Fund (STF) program. CAPECO closed the program effective December 31, 2022. The vehicle was purchased with transit funding; therefore, Umatilla County has an interest in a four-seat 2010 Dodge Caravan with a rear wheelchair ramp. The current mileage is 157,291 and CAPECO staff shared that the vehicle does not run, and they suspect it needs a new alternator. The KBB private sale value is \$2900-\$4800. CAPECO is interested in having the vehicle removed from their facility. The County needs to request the title to be released from ODOT and decide how to dispose of the vehicle. The vehicle could be salvaged, privately sold, auctioned, or transferred to another transit agency. The consensus was to find an entity that could have a use for the vehicle and donate the vehicle. **Commissioner Shafer moved to authorize receipt of title to vehicle and transfer to another agency or entity that had need for the vehicle. Seconded by Commissioner Timmons. Carried, 3-0.**
10. Transportation Advisory Committee - Presented by Megan Davchevski, Umatilla County Transit Coordinator. Approval is sought to adopt the definition of high-percentage of low-income households, as recommended by the UCTAC. Approval is also sought for the amendment of the UCTAC bylaws to include this definition. Following creation of the Umatilla County Transportation Advisory Committee (UCTAC), the committee was tasked with adopting a definition of "high-percentage of low-income households". This was a requirement of ODOT. At the July 21, 2022 meeting, the UCTAC adopted the following definition of high-percentage of low-income households: "any geographic area within Umatilla County that exceeds the percentage of low-income households for the state of Oregon as a whole". This was the same definition that was in used in the previous STIF bylaws. **Commissioner Shafer moved to adopt the definition as presented. Seconded by Commissioner Timmons. Carried, 3-0. Commissioner Timmons moved to amend the UCTAC bylaws. Seconded by Commissioner Shafer. Carried, 3-0.**
11. Public Works Equipment Purchase - Presented by Tom Fellows, Umatilla County Public Works Director. Approval is sought to purchase and pay for a used 2011 Dodge Ram 5500 cab and chassis in the amount of \$17,500. The vehicle is in the State of Oregon surplus property. This unit would replace an older 2002 dodge cab and chassis currently used as a tow vehicle and paint crew vehicle. We will be selling the 2002 at auction after we remove the flat bed and install it on the vehicle we purchase. This unit does not get a great deal of miles annually and does not justify purchasing a new unit. The vehicle is used by the sign crew and for chip seal projects. **Commissioner Shafer moved to approve purchase as outlined. Seconded by Commissioner Timmons. Carried, 3-0.**
12. Utility Relocation - Presented by Tom Fellows, Public Works Director, Doug Olsen, County Counsel. Approval is sought to adopt Order No. RD2023-01. Improvements are planned for a

portion of Canal Road in Stanfield. There are a number of power poles and lines that are located within the road right of way, approximately in the center of the road. Starting in November, 2022, Pacific Power has been requested to relocate the utilities to the east side of the road right of way. At this time, the utility company has not relocated the utilities, and the matter is before the Board to declare the utilities a public nuisance and authorize removal if not moved by the deadline. This is an unusual situation and only rarely happens. Under Oregon law, the county has to allow utilities to utilize right away but utilities have to move on request. **Commissioner Shafer moved to adopt Order No. RD2023-01. Seconded by Commissioner Timmons. Carried, 3-0.**

13. Right of Way Acquisition - Presented by Tom Fellows, Umatilla County Public Works. Approval is sought to authorize means to acquire right of way for the Thorn Hollow bridge replacement. The project is progressing. The engineers are in the process of drafting right of way services agreement. As part of the process, there is a request for potential use of eminent domain to acquire right of way for the project. The matter is before the Board for discussion and approval. **ODOT takes the lead in right of way acquisition. This is part of the usual procedure and doesn't mean we are going to use eminent domain. Commissioner Timmons moved to adopt Order No. RD 2023-02. Seconded by Commissioner Shafer. Carried, 3-0.**
14. Enterprise Zone Agreement Amendment - Presented by Doug Olsen, County Counsel. Approval is sought to amend Long-Term Rural Enterprise Zone Tax Abatement Agreements. The zone sponsors for the enterprise zones in the Cities of Hermiston and Umatilla have been requested to amend the five most recent agreements for a long term enterprise zone abatement. There are two request changes: (1) The statutory requirements for the development – decrease in investment amount and increase in number of employees; (2) Clarifying that non-owned improvements on the property will not be included in the calculation for bond contribution. The changes are before the Board for approval. The City of Hermiston has approved the change. **Commissioner Timmons moved to approve the amendments to Long-Term Rural Enterprise Zone Abatement Agreement. Seconded by Commissioner Shafer. Carried, 3-0.**
15. Fair Position - Presented by Doug Olsen, County Counsel. Approval is sought to extend a temporary position until the position is filled by a permanent employee. Extension not to exceed March 31, 2023. On 12/7/22 the Board approved the double fill of Administrative Aide position for up to 32 hours/week through February 2023 due to the absence of the full time employee. The request is to allow the continuance of temporary employment until the position can be filled. **Commissioner Shafer moved to approve the extension of the temporary employee for the Fair Department through March 31, 2023. Seconded by Commissioner Timmons. Carried, 3-0.**
16. Trailer Purchase - Presented by Thomas Roberts, Umatilla County Emergency Manager. Approval is sought to initiate the RFP for the purchase of a replacement incident support trailer. The grant for the purchase has been approved but not sure if adequate funds to purchase a new trailer. **Commissioner Shafer moved to initiate the request for proposals for the trailer. Seconded by Commissioner Timmons. Carried, 3-0.**
17. Ambulance Service Area Plan Update - Public Hearing - Chair Dorran opened the public hearing at 10:05 a.m. Presented Tom Roberts. On January 18, 2023, the first reading was held on the update to the Umatilla County Ambulance Service Area Plan Ordinance. The second reading of the ordinance is scheduled for February 22, 2023. Following the public hearing, the ordinance may be adopted. The second reading was requested to be at the Board of Commissioners meeting on February 22, 2023. Chair Dorran asked for public comments or questions. There were none. Chair Dorran closed the public hearing at 10:08 a.m.

**Commissioner Timmons moved to adopt Ordinance No. 2023-02. Seconded by Commissioner Shafer. Carried, 3-0.**

18. Wolf Program Payments - Presented by Doug Olsen, County Counsel. Approval is sought to approve payables for the payments to three producers that incurred expenses for missing livestock and wolf deterrents. The Wolf Depredation advisory committee met and reviewed the applications. **Commissioner Dorran moved approve the payables as presented and adopt Order No. BCC2023-08. Seconded by Commissioner Shafer. Carried, 3-0.**
19. Fair Parking Payments - Presented by Doug Olsen, County Counsel. Approval is sought to approve the payment for parking for the 2022 Fair to Eastern Oregon Trade and Event Center in the amount of \$13,691.00. **Commissioner Shafer moved to approve the payment as outlined. Seconded by Commissioner Timmons. Carried, 3-0.**
20. Department Organization Amendment - Chair Dorran opened the public hearing at 10:11 a.m. Presented by Doug Olsen, County Counsel. Changes are proposed to the ordinance for the county department and organizational structure. The changes reflect the current structure, including the renaming of the planning department. The amendments are before the Board for a second reading and adoption. The first reading was held on January 4, 2023. Chair Dorran asked for public comments or questions. There were none. Chair Dorran closed the public hearing at 10:15 a.m. **Commissioner Timmons moved to adopt Ordinance No. 2023-02. Seconded by Commissioner Shafer. Carried, 3-0.**
21. Red Cross Proclamation - Presented by Doug Olsen, County Counsel. Approval is sought to adopt Order No. BCC2023-009. A proclamation to declare March 2023 Red Cross month is before the Board for consideration, recognizing the importance and assistance the organization provides to Umatilla County. The Board has done this proclamation a number of recent years. **Commissioner Shafer moved to adopt Order No. BCC2023-009. Seconded by Commissioner Timmons. Carried, 3-0.**
22. Central Pipeline Project - Presented by Doug Olsen, County Counsel. Approval is sought to authorize additional phases of the Central Pipeline project. This will include Phases 2 and 3 of Central Pipeline project and contracts for the design and construction, Contract with IRZ Engineering for design and construction, Contract with GSI Water Solutions for groundwater Modeling, Approve State Grant Agreement through OWRD, Authorize signing of necessary documents for project and approved contracts. The Central Pipeline project continues to move forward. The Board approved the project in May 2022. Phase 1 equipment has been ordered, and a construction request for proposals will be issued in the near future. Items for Phase 2 (additional pipe) and Phase 3 (recharge basin) are before the Board for consideration and approval. This will include acceptance of grant, contracts for design and construction. **Commissioner Shafer moved to authorize the project outlined by counsel and move forward with the additional phases and contracts. Seconded by Commissioner Timmons. Carried, 3-0.**
23. Compensation Review Committee Appointments - Presented by Doug Olsen, County Counsel. Approval is sought make the annual appointments to the Compensation Review Committee. Chris Bettencourt, Steve Eldrige and Pat Hagen are recommended for appointment. **Commissioner Timmons moved to adopt Order No. BCC2023-07. Seconded by Commissioner Shafer. Carried, 3-0.**

24. Opioid Litigation- Presented by Doug Olsen, County Counsel. Approval is sought to participate in additional settlements and authorize signatures on settlement documents. There are five additional defendants in the national opioid litigation that have pending settlements. The question before the Board is if Umatilla County wants to participate in the settlements with Teva, Allergan, CVS, Walgreens and Walmart, and receive a portion of the settlement proceeds. The payment structure would be the same as the other settlements-sharing a portion with the State of Oregon and on a percentage basis among local governments. By participating the county could not initiate any separate actions against the settling defendants. **Commissioner Timmons moved to participate in additional settlements and authorize signatures on settlement documents. Seconded by Commissioner Shafer. Carried, 3-0.**
25. Energy Association Membership- Presented by Chair Dorrان. Approval is sought to authorize Umatilla County to become a member of Community Renewable Energy Association and payment of annual \$250 dues. It is proposed that Umatilla County become a member of Community Renewable Energy Association. The association was formed to support business and economic opportunities through renewable energy development in a competitive environment. The association advocates for improved policies that support development of more community renewable energy in Oregon. **Commissioner Shafer moved become a member of CREA. Seconded by Commissioner Timmons. Carried, 3-0.**
26. Executive Session – none.

Commissioner Reports:

Commissioner Shafer: None

Commissioner Dorrان: None

Commissioner Timmons: None

Meeting adjourned by Comm. Dorrان at 10:17 a.m.

*Lori Smith*

Executive Secretary – Board of Commissioners