

**MINUTES**  
**UMATILLA COUNTY BOARD OF COMMISSIONERS**  
Meeting of May 23, 2023  
9:00 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:** Jim Littlefield, Umatilla County Undersheriff, Mark Tanner, Umatilla County Maintenance Manager, Sterrin Ward, Umatilla County Civil Captain, Dave Price, Blue Mountain Alliance President, Marlene McClintock, RWMF President and UCRD Secretary

**Video link or Calling in:** Dan Lonai, Umatilla County Administrative Services, Suni Danforth, Member of Blue Mountain Alliance

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**CALL TO ORDER:** Chair Dorran called the meeting to order at 9:01 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 and ask that they be three minutes or under. 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.** Commissioner Timmons- recognize everyone that works in the county.

**Minutes** – Commissioner Shafer moved to approve the minutes from the 05/04/2023 Board meeting. Seconded by Commissioner Timmons. Carried, 3-0.

**Additions to Agenda** – None.

**Public Comments and Recognition of Visitors**

Dave Price, 80488 Zerba Road, Milton-Freewater - Nolan Hills contested case. He received a copy of the decision of the ALJ in the EFSC proceeding. The main point was the county ordinance and the two mile setback was not required on the Nolan Hills project. The land use attorney file a contested case and he is thankful for that. This is a serious and critical issue, ramifications goes into the area of local control. We have to look at the next step, submit or file exceptions to the decision and that has to be done by June 12, and then there would be a hearing at EFSC to see if the judge is correct on her decision. Next step is the supreme court and very important that this be followed through, not only the two mile setback and a lot of ordinances throughout the county and the state, critical that this issue be followed up on and followed through, not easy or quick. He represents Blue Mountain Alliance and they don't have standing. Reason they didn't do anything is that he had a discussion with one of the primary owners and discussed the Umatilla Development code. They said they would follow the land use development code and they would follow the setback, took them for their word. The new ordinance was enacted, with a lot of people testifying and hearings under Goal 2. Umatilla County did exactly what Goal 2 says. If this was allowed to stand

that area would be in jeopardy would create a “gold rush”, what started this whole thing, foothill of the blue mountain is where it started, encourage to go to the next step.

Marlene McClintock, 85175 Hwy 339, Milton Freewater - Understand that the contested case was denied. This decision needs to be fought by the county. This is the 50<sup>th</sup> anniversary of the land use laws of the state. There are many unknown consequences, expensive but we have to save our land.

Commissioner Dorran – This is an EFSC siting issue. If it would be rejected by the Supreme Court it would be binding throughout the state. A legislative change may be better to pursue. There is extensive legislation this year on energy siting projects. Umatilla County has fought very hard for that legislation, fought hard for “may” language. There are a lot of other variables. The county does have to look at the expense. There are a lot of other projects that need to get done. It is always important to get public comment.

Commissioner Shafer – Your time was not wasted and you hit home, we have already demonstrated our commitment to this, and we will see what the cards hold.

Commissioner Timmons - It is irritating that the state can step in and step over the county. I appreciate your stance, and it gives us a lot to talk about. May have to be through the legislature that that is corrected, and it is very expensive. Thank you for coming in.

Bob Waldher- Umatilla County Community Development Director – Under Goal 2, local jurisdiction are to adopt a comprehensive plan. Umatilla County put together a citizen group to amend its comprehensive plan and development code. The county has adopted these local standards.

Suni Danforth, 225 Maple Avenue Milton Freewater, OR - Empowering you to fight this in the Supreme Court, and defending our local ordinance and land use laws. This is the 50<sup>th</sup> anniversary. The state is not wanting to follow the law. EFSC has never granted a contested case. Some have suggested that the legislature would fix this, please use money that is paid by energy and data money. Speaking as a citizen, and as a member of Blue Mountain Alliance. There was a discussion about this last week at the planning commission meeting. Best to fight this, why do we have rules or laws if we are not going to defend them

### **Business Items**

1. **Justice Reinvestment Grant** – Presented by Doug Olsen, County Counsel. Approval is sought for the annual grant application for a Justice Reinvestment grant and authorize Chair to signed letter of support. The 23-25 Justice Reinvestment Grant Application has been drafted and is before the Board for review and approval. A letter of support from the Board is now part of the application process. **Commissioner Timmons moved to approve the grant application and authorize Chair to sign letter of support. Seconded by Commissioner Shafer. Carried, 3-0.**
2. **Elections Payable- Maintenance** – Presented by Dan Lonai, Umatilla County Administrative Services Director. Approval is sought to approve and sign the payable to Election Systems & Software in the amount of \$10,442.25 for the ballot reader maintenance. This is a yearly routine expense for conducting elections, and has been budgeted. This is maintenance for one machine but we do have two and use one for a backup. This is only for a charge of one. **Commissioner Shafer moved to approve payable as outlined. Seconded by Commissioner Timmons. Carried, 3-0.**
3. **Elections Payable- Envelopes** Presented by Dan Lonai, Umatilla County Administrative Services Director. Approval is sought to approve and sign the payable to BMS Technologies in the amount of \$7,119.05 for envelope printing, stuffing and mailing for the May election. This is a yearly

routine expense for conducting elections, and has been budgeted. **Commissioner Timmons moved to approve payable as outlined. Seconded by Commissioner Shafer. Carried, 3-0.**

4. IT Payment – Presented by Dan Lonai, Umatilla County Administrative Services Director. Approval is sought to approve the antivirus quote for \$13,346.80 for this budget year. Approval is also sought for the payment of the remaining amount, \$16,267 after July 1, 2023 out of next year's budget. Attached is a quote for \$29,613.30 for years of maintenance. By going to a three-year agreement the county would save over \$10,000. IT does not have this amount in their budget for 2023, but the vendor has agreed to allow the county to purchase the three years of maintenance by paying \$13,346.00 this budget year and paying the remainder, \$16,267 after July 1, 2023 out of next year's budget. **Commissioner Shafer moved to approve payment of the antivirus quote for \$13,346.80 for this budget year. Seconded by Commissioner Timmons. Carried, 3-0. Commissioner Timmons moved to approve payment of the remaining amount, \$16,267 after July 1, 2023 out of next year's budget. Seconded by Commissioner Shafer. Carried, 3-0.**
5. Wellness App Renewal – Presented by Jim Littlefield, Umatilla County Undersheriff. Approval is sought for the renewal of the annual subscription for the CordicoShield Wellness App for \$15,000. In April, 2022, UCSO purchased the CordicoShield Wellness App. The annual subscription for 2023-24 is due. Usage data (which is anonymous) shows that staff have and are using this app extensively. The expense was budgeted in this fiscal year's operating budget, and the cost will be split between the Communications, Corrections, and Criminal. Since July of 2022 through April of 2023. **Commissioner Shafer moved approve to approve the renewal of the annual subscription for the CardicoShield Wellness App for \$15,000. Seconded by Commissioner Timmons. Carried, 3-0.**
6. Sheriff's Office Purchase – Presented by Jim Littlefield, Umatilla County Undersheriff. Approval is sought to upfit of 2023 Chevy Silverado by VLS in the amount of \$12,254.59. On 4/5/2023 UCSO received a 2023 Chevy Silverado from the County's Enterprise fleet program for use by the evidence technician. This vehicle requires special upfitting to make it fully functional for that need. On 4/5/2023, UCSO reached out to four upfitters that could conduct the work: • RACOM in Spokane Washington, • Day Wireless in Kennewick Washington, • UCFD1 in Hermiston, • Vehicle Lighting Solutions (VLS) in Logan Utah. Only two of the four responded with quotes. VLS not only came in with the lowest cost (over \$4700 less), but also had the best lead time to complete the work. VLS quoted the upfit cost to the 2023 Chevy Silverado at \$12,254.59. We received another quote today for \$17,000. **Commissioner Timmons moved to approve the upfit of 2023 Chevy Silverado by VLS in the amount of \$12,254.59. Seconded by Commissioner Shafer. Carried, 3-0.**
7. Washer/Dryer Purchase – Presented by Mark Tanner, Umatilla County Maintenance Manager. Approval is sought for the notice of intent to award the contract for washer/dryer units purchase to Dynamic Sales and Services in the amount of \$96,119.78. The County issued an invitation to bid for replacement of the two washer units and four dryer units at the Justice Government Center. One bid was received from Dynamic Sales and Service in the amount of \$96,119.78. The recommendation is to award the contract to the bidder. New washers are new technology and the should cut the drying time in half. They have a lot of energy savings. **Commissioner Timmons moved to approve notice of intent to award contract for washer/dryer units to Dynamic Sales and Services in the amount of \$96,119.78. Seconded by Commissioner Shafer. Carried, 3-0.**

8. Maintenance Payable - Presented by Mark Tanner, Umatilla County Maintenance Manager Approval is sought for a payable to Murphy's Heating and Air LLC in the amount of \$8,745.00. The payable is for emergency repairs to the HVAC system at the Public Health facility. The payable is before the Board for approval due to the amount. This is on the original unit. Comm Timmons asked about getting a part but for long term this would be a better option. **Commissioner Shafer moved to approve payable as outlined. Seconded by Commissioner Timmons. Carried, 3-0.**
9. Public Health Purchase - Presented by Doug Olsen, County Counsel. Approval is sought for the purchase of 16 new AEDs for placement in county buildings and payment to Cardiac Life in the amount of \$33,158.52. The 4 AEDs in use by UCo Health have gotten old, and replacement parts for maintenance will soon no longer be available. With this news, UCo Health reached out to other county building locations and inquired about the status of any existing AEDs or desires to place additional AEDs for better coverage. We found that all of the existing AEDs are aging and need to be replaced. Additionally, we found that there are 7 locations where new AEDs would be beneficial. UCo Health is proposing to make a one time purchase to place 16 new AEDs in various county buildings. Funding for this purchase would come from PH Modernization funds. Purchase price in the original quote was based off of NASPO contract. There is a QRF that provides these and we are required that we buy them from them. We were not aware of this until after this pinky was put together. Quote was \$21,000 but they were a year out. Another quote for 45-day replacement but have not gotten that yet. The AED need to be purchased before the end of this fiscal year for the health department. The one at the Courthouse is over 10 years old. We have to purchase them from a QRF even if the cost is higher but can negotiate. The request is to purchase the AEDs from the QRF for a not to exceed amount. **Commissioner Shafer moved to approve the purchase of up to new 18 AEDs and not to exceed \$35,000. Seconded by Commissioner Timmons. Carried, 3-0.**
10. Crisis Communication Workshop - Presented by Chair Dorran. Approval is sought for payment of \$10,000 to support additional costs associated with the Crisis Communication workshop. Umatilla County Local Emergency Planning Committee (LEPC), along with Umatilla County Emergency Management, is sponsoring a Crisis Communications workshop later this month. One of the tasks that UCo Health's PHEP Coordinator has been working towards is more community engagement into emergency planning and would like to support this event and assist with some of the costs that the grant does not cover. The funding for this event would come from our Public Health Modernization Funds. All reimbursement will be by receipts and invoices. **Commissioner Shafer moved to approve the payment of \$10,000 to support additional costs associated with the Crisis Communication workshop. Seconded by Commissioner Timmons. Carried, 3-0.**
11. Reader Board Purchase - Presented by Chair Dorran. Approval is sought for the authorization to purchase 2 VCN signs with mounts from LiteSys Inc. in the amount of \$28,124.30. This is primarily a safety product designed to keep employees as well as the public safe while working on county roads. This would be purchased through a Washington state contract listed on the proposal. They will be using the Emergency Manager one for a through traffic issue. **Commissioner Timmons moved to approve the purchase of 2 VCM signs with mounts from LiteSys Inc in the amount of \$28, 124.30. Seconded by Commissioner Shafer. Carried, 3-0.**
12. Board Payable- Hermiston - Presented by Chair Dorran. Approval is sought for a payable to City of Hermiston in the amount of \$12,000. The payable is for the county's share of lobby services for the west end area provided by Pac/West Lobby Group. The payable is before the Board for approval due to the amount. **Commissioner Shafer moved to approve the payable to City of Hermiston in the amount of \$12,000. Seconded by Commissioner Timmons. Carried, 3-0.**

13. Board Payable- Pendleton - Presented by Doug Olsen, County Counsel. Approval is sought for a payable to City of Pendleton in the amount of \$12,000. Approval is sought for a payable for the county's share of lobby services for the Pendleton area provided by Oxley & Associates. The payable is before the Board for approval due to the amount. **Commissioner Timmons moved to approve the payable to City of Pendleton in the amount of \$12,000. Seconded by Commissioner Shafer. Carried, 3-0.**
14. CHL Fingerprint Machine - Presented by Doug Olsen, County Counsel. Approval is sought for the purchase of new CHL Fingerprint machine for \$5,600.00. The CHL fingerprint machine is out of date and has stopped sending prints to the state because of an update that the state pushed out to their vpm software. Staff tried to get quotes from different companies but the only one to respond was Dataworks with a quote that includes a 12-month warranty pricing of \$5,600.00. **Commissioner Shafer moved to approve the purchase as outlined. Seconded by Commissioner Timmons. Carried, 3-0.**
15. Treatment Court Payable - Presented by Chair Dorran. Approval is sought for a payable to NADCP in the amount of \$5,370. The payable is for training for treatment court. The payable is before the Board for approval due to the amount. This is paid through the treatment court grant and is a budgeted item. One county employee is going and multiple state court employees. Commissioner Timmons would love to get some feedback on this training. **Commissioner Timmons moved to approve the payable to NADCP in the amount of \$5,370. Seconded by Commissioner Shafer. Carried, 3-0.**
16. District Attorney Payable - Presented by Doug Olsen, County Counsel. Approval is sought for a payable to Wildhorse Resort in the amount of \$17,074.92. This is for costs for the regional child abuse conference. The payable is before the Board for approval due to the amount. This cost will be reimbursed through grants and attendance fees. The cost of the conference is \$34,000 and \$12,000 will be paid by a juvenile grant, guardian care facility is taking care of approximately \$5,000 and what left is primarily food items and that is about \$14,000 and that is going to be paid out of fees collected. The \$25,000 that has been allocated has not been touched and looks like it won't be used for this year but will be saved for next year. The attendance fees were about \$22,000. **Commissioner Shafer moved to approve the payable as outlined. Seconded by Commissioner Timmons. Carried, 3-0.**
17. West Umatilla Mosquito Control District - Presented by Doug Olsen, County Counsel. The term for Cindy Harvey on the West Umatilla Mosquito Control District Board of Trustees has expired. She is willing to be reappointed and have been recommended for appointment. The appointment is before the Board for approval. This is for a four year team. **Commissioner Timmons moved to adopt Order No. BCC2023-023. Seconded by Commissioner Shafer. Carried, 3-0.**
18. Fee Ordinance Amendment - Chair Dorran opened the public hearing at 10:01 a.m. Presented by Doug Olsen, County Counsel. The proposed changes from Departments for the annual update to the Comprehensive Fee Ordinances are before the Board for consideration. The First Reading is scheduled for May 23, 2023. There are 5 changes but a few more will be coming. Chair Dorran asked for public comments or questions. There were none. Chair Dorran closed the public hearing at 10:05 a.m. **Commissioner Shafer moved to set reading of Ordinance No. 2023-05 for June 21, 2023. Seconded by Commissioner Timmons. Carried, 3-0.**

19. Supplemental Budgets - Chair Dorran opened the public hearing at 10:06 a.m. The staff report was presented by Doug Olsen, County Counsel. There were 13 supplemental budgets, Budget Order number 2023-107 (Economic Development Reserve Program) requires an increase in Transfer In of \$1,000,000 and in Materials & Services of \$1,000,000. Budget Order number 2023-110 (Subcontracted Services Program) requires increases in State Revenue of \$700,000 and in Materials and Services of \$700,000. Budget Order number 2023-113 (Economic Development Reserve Program) requires increases in Transfer In of \$1,000,000 and an increase in Materials & Services of \$1,000,000. Budget Order number 2023-114 (Facilities Reserve Program) requires increases in Transfer In of \$1,500,000 and in Capital Outlay of \$1,500,000. Budget Order number 2023-115 (Foreclosed Property Program) requires increases in Local Revenue of \$80,000 and in Materials & Services of \$80,000. Budget Order number 2023-116 (Tax Collector Program) requires increases in Local Revenue of \$10,000 and in Materials & Services of \$10,000. Budget Order number 2023-117 (GIS Program) requires increases in State Revenue of \$13,000 and in Materials & Services of \$13,000. Budget Order number 2023-118 (Health Department Program) requires increases in Local Revenue of \$13,000, in State Revenue of \$80,000, in Personnel Services of \$90,000 and in Materials & Services of \$98,000, and a decrease in Contingency of \$98,000. Budget Order number 2023-127 (Corrections Assessment Program) requires increases in Beginning Cash of \$12,000 and in Transfer Out of \$12,000. Budget Order number 2023-128 (Local Improvement Distribution Program) requires increases in Local Revenue of \$5,000,000, in Materials & Services of \$4,000,000, and in Contingency of \$1,000,000. Budget Order number 2023-129 (BMIP Sheriff Special Program) requires increases in Local Revenue of \$5,000 and in Materials & Services of \$5,000. Budget Order number 2023-130 (Fleet Management Program) requires increases in Transfer Out of \$200,000 and in Capital Outlay of \$200,000. Budget Order number 2023-135 (Public Land Corner Preservation Program) requires increases in Beginning Cash of \$60,000 and in Materials & Services of \$60,000. Chair Dorran asked for public comments or questions. There were none. Chair Dorran closed the public hearing at 10:11 a.m. Deliberations. None.

**In the matter approving Supplemental Budgets pursuant to ORS 294.471 for FY ending 6/30/23:**

**Commissioner Timmons moved to adopt Budget Order No. 2023-107 (Program 1031 - Economic Development Reserve Program). Seconded by Commissioner Shafer. Carried, 3-0.**

**Commissioner Timmons moved to adopt Budget Order No. 2023-110 (Program 5497 – Subcontracted Services Program). Seconded by Commissioner Shafer. Carried, 3-0.**

**Commissioner Timmons moved to adopt Budget Order No. 2023-113 (Program 1031 – Economic Development Reserve Program). Seconded by Commissioner Shafer. Carried, 3-0.**

**Commissioner Timmons moved to adopt Budget Order No. 2023-114 (Program 9040 – Facilities Reserve Program). Seconded by Commissioner Shafer. Carried, 3-0.**

**Commissioner Timmons moved to adopt Budget Order No. 2023-115 (Program 3017 – Foreclosed Property) Seconded by Commissioner Shafer. Carried, 3-0.**

**Commissioner Timmons moved to adopt Budget Order No. 2023-116 (Program 3066 –Tax Collector Program). Seconded by Commissioner Shafer. Carried, 3-0.**

**Commissioner Timmons moved to adopt Budget Order No. 2023-117 (Program 3524 –GIS Program). Seconded by Commissioner Shafer. Carried, 3-0**

**Commissioner Timmons moved to adopt Budget Order No. 2023-118 (Program 5534 –Health Department Program). Seconded by Commissioner Shafer. Carried, 3-0**

**Commissioner Timmons moved to adopt Budget Order No. 2023-127 (Program 9011 – Corrections Assessment Program). Seconded by Commissioner Shafer. Carried, 3-0**

**Commissioner Timmons moved to adopt Budget Order No. 2023-128 (Program 1650 –Local Improvement Distribution Program). Seconded by Commissioner Shafer. Carried, 3-0**  
**Commissioner Timmons moved to adopt Budget Order No. 2023-129 (Program 9056 –BMIP Sheriff Special Program). Seconded by Commissioner Shafer. Carried, 3-0**  
**Commissioner Timmons moved to adopt Budget Order No. 2023-130 (Program 9076 –Fleet Management Program). Seconded by Commissioner Shafer. Carried, 3-0**  
**Commissioner Timmons moved to adopt Budget Order No. 2023-135 (Program 4521 –Public Land Corner Preservation Program). Seconded by Commissioner Shafer. Carried, 3-0**

20. Budget Transfers - Presented by Doug Olsen, County Counsel. There are four budget transfers orders before the Board for consideration. Budget Order number 2023-131 (Local Improvement Distribution Program) requires an increase in Transfer Out of \$200,000 and decrease in Contingency of \$200,000. Budget Order number 2023-132 (Capital Purchases Management Program) requires an increase in Materials & Services of \$20,000 and a decrease in Contingency of \$20,000. Budget Order number of 2023-133 (Unitary Assessment Program) requires an increase in Materials & Services of \$30,000 and a decrease in Contingency of \$30,000. Budget Order number of 2023-134 (General County Program) requires an increase in Materials and Services of \$155,000 and a decrease in Contingency of \$155,000.

**Commissioner Shafer moved to adopt Budget Order No. 2023-131 (Program 1650 – Local Improvement Distribution Program). Seconded by Commissioner Timmons. Carried, 3-0.**

**Commissioner Shafer moved to adopt Budget Order No. 2023-132 (Program 9077 –Capital Purchases Management Program). Seconded by Commissioner Timmons. Carried, 3-0.**

**Commissioner Shafer moved to adopt Budget Order No. 2023-133 (Program 2047 –Unitary Assessment Program). Seconded by Commissioner Timmons. Carried, 3-0.**

**Commissioner Shafer moved to adopt Budget Order No. 2023-134 (Program 9001 – General County Program). Seconded by Commissioner Timmons. Carried, 3-0.**

Commissioner Reports:

Commissioner Shafer: None

Commissioner Dorrان: None

Commissioner Timmons: None

Meeting adjourned by Chair Dorrان at 10:15 a.m.

*Lori Smith*

Executive Secretary – Board of Commissioners