

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS
Meeting of June 1, 2022
8:30 a.m., Room 130, Umatilla County Courthouse
Pendleton, Oregon

Commissioners Present: Chair John Shafer, Vice-Chair Dan Dorran, and Commissioner George Murdock

County Counsel Doug Olsen

Guests Present: Robert Pahl, Chief Finance Officer; Jennifer Blake, HR Director; Dale Primmer, Community Corrections Director; Mark Tanner, Facilities Manager; Tom Fellows, Public works Director; Lora Franks, Sheriff’s Office-Administrative Assistant,

Video link or Calling in: Dan Lonai, Administrative Services Director; Sheriff Terry Rowan; Undersheriff Jim Littlefield (+see list of attendance, copy on file)

CALL TO ORDER: Chair Shafer called the meeting to order at 8:30 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

Awards/Correspondence/Recognitions. – none.

Minutes – none.

Additions to Agenda – none.

Public Comments – none.

Business Items

1. **Environmental Health IGA.** Doug Olsen presented. Request is made to authorize environmental health services for Gilliam County, which is separating from the North Central Health District and is establishing its own Health Authority. As part of this, Gilliam County has reached out to contract Environmental Health Services (Food, Pool, and Lodging) with UCo Health. The intention is to administer this program on behalf of Gilliam County similarly as we do for Morrow County. UCo Health would collect fees from licensed facilities, and Gilliam County will pay an annual stipend of \$8,000. This program does not use general funds, and no impact to general funds are expected. **Commissioner Murdock moved to approve entering into contract with Gilliam County as outlined. Seconded by Commissioner Dorran. Carried, 3-0.**

2. **Radio Contract Renewal.** Presented by Mr. Olsen. A proposed contract for radio ads is before the Board for approval. Elkhorn Media Group has been a fantastic partner in helping to have our messages reach the citizens of Umatilla County. All funding for this contract comes from Oregon Health Authority funding. This does include, but is not restricted to, COVID funding and COVID messaging. This is a non-general fund expenditure. **Commissioner Murdock moved to approve a 12-month contract for radio ads and social media as outlined. Seconded by Commissioner Dorran. Carried, 3-0.**

3. Sheriff Purchase. Presented by Mr. Olsen. Approval is sought to replace several Deputies' vests, which typically expire after five years. The purchase includes nine complete systems including an outer carrier, panels, and inner concealable carrier. Budget of \$12,307.48 is available. **Commissioner Dorran moved to approve the payable of \$12,307.48 to Curtis Blue Line for purchase of 9 bullet-proof vests. Seconded by Commissioner Murdock. Carried, 3-0.**
4. City of Stanfield Payment. Presented by Mr. Olsen. The County employs a former law enforcement officer of the City of Stanfield. As provided by ORS 181A.620, a portion of an employee's training costs is reimbursed by the new employer to the former employer. Authorization is requested for payment to the City of Stanfield in the amount of \$13,303.29. **Commissioner Dorran moved to approve the payment for reimbursement as outlined. Seconded by Commissioner Murdock. Carried, 3-0.**
5. Maintenance Payable. Presented by Mr. Olsen. Approval is sought for a payable for flooring at the new maintenance facility to Pendleton Floors in the amount of \$9,814.13. **Commissioner Murdock moved to approve the payment as outlined; however, in the future, he wants to see requested services and items before they are ordered. Seconded by Commissioner Dorran with conditions as noted. Carried, 3-0.**
6. Stafford Hansell Government Center Chiller. Presented by Mr. Olsen. One unit of the chiller at Stafford Hansell Government Center has stopped working. Repairs to the unit will be costly and, due to the age of the chiller, it is advantageous to purchase a new one. Authorization is requested to issue a request for proposals for a new chiller as outlined. **Motion was made by Commissioner Dorran to authorize issuing a RFP with not to exceed \$120,000 included in the proposal. Seconded by Commissioner Murdock. Carried, 3-0.**
7. Maintenance Payable – Electrical. Presented by Mark Tanner, Facilities Manager. Approval is sought for a payable for electrical work and materials to Double S Electric on the new maintenance facility in the amount of \$6,653.94. **Commissioner Murdock moved to approve the payment. Seconded by Commissioner Dorran. Carried, 3-0.**
8. Hermiston Area Facility Lawn Maintenance. Mr. Olsen presented. The county has recently employed seasonal workers to assist in lawn maintenance. At this point, the county has been unable to fill the position and there is immediate need for lawn maintenance at the Hermiston area facilities. The matter is before the Board to explore options for assistance at these facilities. **Motion was made by Commissioner Dorran to approve seeking alternatives for the service (including possibly contracting). Seconded by Commissioner Murdock (plus adding to consult with Commissioner Dorran to proceed). Carried, 3-0.**
9. Budget Transfers. Presented by Robert Pahl. There were twelve budget transfers, Budget Orders numbers: 2022-58, (General County Program) requires an increase in Transfers Out of \$140,000 and a decrease in Contingency of \$140,000. 2022-59 (Parks Program) requires an increase in Personnel Services of \$10,000 and a decrease in Contingency of \$10,000. 2022-62, (Emergency Management Program) requires an increase in Capital Outlay of \$10,000 and a decrease in Contingency of \$10,000. 2022-63 (On-Site Septic Program) requires an increase in Materials & Services of \$13,000 and a decrease in Contingency of \$13,000. 2022-65, (Stimulus Reserve Program) requires a decrease in Capital Outlay of \$140,000 and an increase in Transfers Out of \$140,000. 2022-66 (Board of Commissioners Program) requires increases in Personnel Services of \$5,000 and in Materials & Services of \$10,000 and a decrease in Contingency of \$15,000. 2022-68, (Victim Witness Program) requires a decrease in Personnel Services of \$3,000 and an increase in Materials & Services of \$3,000. 2022-69 (Administrative Services Program) requires an increase in Personnel Services of \$5,000 and a decrease in Materials & Services of \$5,000. 2022-70, (Veterans Services Program) requires a decrease in Personnel Services of \$18,000 and an increase in Materials & Services of \$18,000. 2022-72 (GIS Program) requires a decrease in Personnel Services of \$10,000 and an increase in Materials & Services of \$10,000. 2022-73, (Community Corrections Program) requires an increase in Capital Outlay of \$32,000 and a decrease

in Contingency of \$32,000. 2022-74 (Fleet Management Program) requires an increase in Capital Outlay of \$200,000 and a decrease in Contingency of \$200,000.

In the matter approving Budget Transfers pursuant to ORS 294.463 for FY ending 6/30/22:

Commissioner Dorrان moved to adopt Budget Order No. 2022-58 (Program 9001 – General County). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Dorrان moved to adopt Budget Order No. 2022-59 (Program 1005 – Parks). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Dorrان moved to adopt Budget Order No. 2022-62 (Program 1585 – Fleet Management Grants). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Dorrان moved to adopt Budget Order No. 2022-63 (Program 5514 – On-Site Septic). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Dorrان moved to adopt Budget Order No. 2022-65 (Program 9190 – Stimulus Reserve). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Dorrان moved to adopt Budget Order No. 2022-66 (Program 1004 – Board of Commissioners). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Dorrان moved to adopt Budget Order No. 2022-68 (Program 2050 – Victim Witness). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Dorrان moved to adopt Budget Order No. 2022-69 (Program 3503 – Administrative Services). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Dorrان moved to adopt Budget Order No. 2022-70 (Program 5770 – Veterans Services). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Dorrان moved to adopt Budget Order No. 2022-72 (Program 3524 – Geographical Information Services). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Dorrان moved to adopt Budget Order No. 2022-73 (Program 1527 – Community Corrections). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Dorrان moved to adopt Budget Order No. 2022-74 (Program 9076 – Fleet Management). Seconded by Commissioner Murdock. Carried, 3-0.

10. Health Insurance Renewal FY22-23 - Pacific Source. Chair Shafer presented. A quote has been received to renew the county's health and dental insurance plans with Pacific Source with an increase in premiums to medical of 8.5% and to dental of 0%. The medical plan loss ratio over the last year ran well into the 90s, putting our group at risk for a double-digit increase. PacificSource continues to work with providers to secure strong contracts to reduce costs for our membership and was able to place the county on their Navigator Network to further control the potential increase to our plans. This has allowed the county to further negotiate this reduced increase for our plan. **Commissioner Murdock moved to approve and accept the FY22-23 rate of 8.5% to medical and 0% to dental as proposed with PacificSource for health/vision and dental coverages. Seconded by Commissioner Dorrان. Carried, 3-0.**
11. Renewal of Liability and Workers' Comp Insurance. Dan Lonai, Administrative Services Director, presented on workers' comp – SAIF renewal only -- a quote plus the payable due to a discount if paid before the election date of 7/1/22 (savings/discount of \$9,000). Action is to continue coverage through CCIS. He noted that no liability insurance quote has been received as of 5/24; it should be received within next week. They are the only carrier in Oregon. It will be quote from them which can't be negotiated. Commissioner Dorrان expressed concern about approving before the quote is received. Mr. Lonai advised liability and property insurance isn't as urgent as SAIF with the discount and savings. It can be approved at later meeting (next scheduled meeting is 6/29/22). Mr. Pahl agreed with Mr. Lonai's comments regarding payment prior to end of year – it is comparable to previous quotes with a slight decrease with the county's experience rating. Further, he agreed the liability part can be approved/authorized at the 6/29 meeting. Commissioner Dorrان preferred to wait until a quote is in-hand. Commissioner Shafer commented, he's on the CCIS Board and feels there's no issue with waiting on the liability insurance action. **Commissioner Murdock moved to approve and renew the SAIF workers' compensation coverage through CCIS. Seconded by Commissioner Dorrان. Carried,**

3-0. Commissioner Dorran moved to approve payment of premium (SAIF). Seconded by Commissioner Murdock. Carried, 3-0.

12. ARPA Funding. Commissioner Murdock advised that he and Commissioner Shafer were involved in a recent meeting at NACo as it pertains to rescue funding, where there was discussion of three areas of concern to be addressed. One is workforce investment. BMCC is having significant funding problems and noted Morrow County redirected their Amazon portion of funds that were to go to BMCC. He wants a discussion relative to ARPA funding and workforce investment to go to BMCC. Commissioner Dorran felt this would be a great conversation. BMCC has relevant vocational programs, targeted to area needs. He agreed the county could request a meeting with BMCC about options. Skilled wage positions are in urgent need. Investment in the area/BMCC if the opportunity with ARPA funding is available. Chair Shafer agreed with his comments and with the idea of discussion with BMCC. Commissioner Dorran recommended/requested that Commissioner Murdock to reach out to BMCC President Browning to schedule a meeting in the near future. It was added the Board doesn't want to get in the middle of negotiations – this would simply be an ARPA funding discussion. Commissioner Murdock agreed to set up an administrative meeting as outlined.

Break for 5 minutes.

Chair Shafer reconvened the meeting @ 9:05 a.m.

13. FY22-23 Budget Hearing. Chair Shafer called the public hearing to order at 9:05 a.m. He advised the budget was approved by the Budget Committee in April and is before the Board for public input and formal adoption. The Board may adopt the budget and take other necessary action to appropriate funds and levy property taxes. Chair Shafer asked for public comments; there were none. He closed the public hearing at 9:07 a.m. **Commissioner Murdock moved to adopt Order No. Budget2023-01. Seconded by Commissioner Dorran. Carried, 3-0.**
14. Supplemental Budgets - Public Hearing. Chair Shafer called the public hearing to order at 9:08 a.m. The staff report was presented by Robert Pahl, Chief Finance Officer. There were six supplemental budgets, Budget Orders numbers: 2022-57, (Public Health Program) requires increases in Local Revenue of \$28,000, in State Revenue of \$37,000, in Federal Revenue of \$40,000, in Materials & Services of \$65,000, and in contingency of \$40,000. 2022-60 (Dispatch Program) requires an increase in Transfers In of \$100,000, and in Materials & Services of \$100,000. 2022-61 (Economic Development Program) requires increases in Transfers In of \$140,000 and in Materials & Services of \$140,000. 2022-64 (Court Security Program) requires increases in Local Revenue of \$40,000 and in Materials & Services of \$40,000. 2022-67 (Jail Program) requires increases in Local Revenue of \$190,000 and in Materials & Services of \$190,000. 2022-71 (Inmate Welfare Program) requires increases in Local Revenue of \$120,000, in Materials & Services of \$50,000, and in Contingency of \$10,000.

Chair Shafer asked for public comments or questions. There were none. Chair Shafer closed the public hearing at 9:10 a.m. Deliberations. None.

In the matter approving Supplemental Budgets pursuant to ORS 294.471 for FY ending 6/30/22: Commissioner Dorran moved to adopt Budget Order No. 2022-57 (Program 5534 – Public Health). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Dorran moved to adopt Budget Order No. 2022-60 (Program 1509 –Dispatch). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Dorran moved to adopt Budget Order No. 2022-61 (Program 1031 – Economic Development Reserve). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Dorran moved to adopt Budget Order No. 2022-64 (Program 9079 – Court Security). Seconded by Commissioner Murdock. Carried, 3-0.

Commissioner Dorran moved to approve adopt Budget Order No. 2022-71 (Program 1586 – Inmate Welfare). Seconded by Commissioner Murdock. Carried, 3-0.

15. Rock It Quarry Site Amendment - Public Hearing. Chair Shafer called the public hearing to order at 9:13 a.m. He then explained the process for the hearing, asking for any abstentions, conflicts of interest, etc. None were heard. He then read the opening statement regarding staff criteria and that process and then called for the staff report. Megan Davchevski, planner, read through the memo outlining action/request sought for: Text Amendment #T-088-22, Plan Amendment #P-133-22, and Zone Map Amendment #Z-320-22, Wade Aylett, Applicant/Owner, requests to expand a prior-approved aggregate quarry (Rock It #2 Quarry) and add it to the county's list of Goal 5 protected Significant Sites; property is located southeast of the I-82/84 interchange. One additional comment was received - she'd elaborate later.

In response to Commissioner Dorran regarding DOGAMI involvement in permitting, Ms. Davchevski advised that reclamation has to follow under DOGAMI guidelines.

Chair Shafer asked for proponents:

Carla McLane, 170 Van Buren Dr., Umatilla OR. On behalf of the applicant. In addition to Ms. Davchevski's comments, she added: thank you for taking time for hearing today. Goal 5 protects natural resources. The site identified is at the Westland interchange, SW quadrant. Office is on-site since 2012. No conflicts have occurred with surrounding area. Criteria must meet standards for quantity and quality of rock (aggregate). Sand and gravel exceeds quantity as well as quality to meet ODOT standards. This would be large significant determination for the whole as supported by evidence. Applicant addresses impacts and potential conflicts with area residents within the impact area. County has code to achieve Goal 5 with mechanism to map the area to protect and place needed conditions. Overlay zone requested to be applied. The county comprehensive plan notes significant size and overlay zone and mapping of the impact area with Goal 5 to be implemented with waiver of remonstrance from future new homes sited in the 1500' impact area doesn't conflict with the proposed large significant site. DOGAMI, once action completed here, the applicant will work with DOGAMI to approve the entire site. Probably 50 years of operation under this site. Potential zoning in the future will be determined. At this time, just taking a guess. Applicant will obtain all necessary permits with all entities as noted. The Board had no questions.

Chair Shafer asked for any more proponents? There were none.

He then asked for any in opposition?

Greg Silbernagel, Oregon Water Resources Department, Pendleton. He spoke to the area being within a critical groundwater area, noting that 5 wells are permitted within the zone; he had submitted documents to that effect. He acknowledged the wells need to be abandoned appropriately and will work with the landowner for that. He talked about water right – 50 gallons is minimum, and not sure that is adequate, however, it is the water right requirement. (Chair Shafer interjected Mr. Silbernagel's comments are probably considered public agency). Ms. Davchevski advised she had presented the Board those written comments (Silbernagl/OWRD). No other public agencies were heard.

Commissioner Dorran to Mr. Silbernagel, regarding his comments about the water right, at the Planning Commission meeting, there were questions regarding the applicant's water use and he checked water uses, which weren't for that property; it is not industrial use. Also, correct permit numbers need to be noted in the application. Certification/historic – he had an irrigation right, then previous owner changed the right; a portion of his irrigation right changed to industrial right to operate the rock pit. But, there's not a lot of water in that area. Commissioner Dorran: the water permits and rights there, as long as they're being used for farm use that doesn't affect his water rights in use now. Mr. Silbernagel noted it is one certificate and two uses – as long as he's farming the ground, he can use the rate. Irrigation would need to be transferred for change of character of beneficial use within five years. So, he would farm the 70 acres and transfer part to a different location to keep the irrigation right.

There were no other public agencies, therefore, no rebuttal. Chair Shafer: any need to keep record open?

However, Carla McLane asked to provide rebuttal, for the record, to Mr. Silbernagel. In looking at his email, Mr. Aylett's attorney (Mr. Porfily) met with Mr. Silbernagel on-site and had discussion and agreement as to what would happen. Mr. Aylett agreed to well abandonment as appropriate and timely. He will continue to farm what is farmable; he recognizes limited water and water rights. As mining happens (they are looking forward 50 years),

he is working with water rights administrator (premier in Oregon) to move forward with all benefits and needs for preserving and protecting.

Wendy Kellington, PO Box 159, Lake Oswego, OR. Attorney for Wade Aylett, applicant. This is a significant site for property – aggregate. Water rights will be transferred as it comes. Remember, there is existing industrial water right as well as ag water right – transferred down the road. She introduced Mr. Aylett, in the room.

There was no need to keep the record open and Chair Shafer closed the public hearing at 9:39 a.m.

Commissioner Murdock asked Commissioner Dorrان to speak to Colonel Jordan Road. Commissioner Dorrان: it is a busy road and busier all the time. He understands the county public works director’s comment about possibly having a different entrance. He also spoke to road counts and the fact that rock trucks/haul trucks are not on Colonel Jordan Road – the operation isn’t using big rock mining trucks on the road. **Commissioner Dorrان moved to approve and adopt Ordinance No. 2022-06. Seconded by Commissioner Murdock. Carried, 3-0.**

16. Development Code Amendment - Public Hearing. Chair Shafer called the public hearing to order at 9:42 a.m. He then explained the process for the hearing, asking for any abstentions, conflicts of interest, etc. None were heard. He then read the opening statement regarding staff criteria and that process and then called for the staff report. Carol Johnson, planner, read through the memo outlining action/request sought for: Text Amendment #T-089-22, Randall & Marie Martin Scout Camp LLC, Applicant/Owner, requests a Post-Acknowledgment Plan Amendment to amend the text to allow/permit youth camps, as provided in OAR 660-33-130(40), through issuance of a Conditional Use Permit on lands zoned Exclusive Farm Use & Grazing/Farm. She explained that a conditional use permit/application would be made later on based on action today (if approved).

Chair Shafer asked for Proponents:

Patrick Gregg, attorney at Corey Byler Rew, Pendleton, PO Box 218, represents Martin Ranch. This is phase 1 of a 2-part process. If approved today, they will move forward with a Conditional Use Permit. Background: law allows for land use, but specific use is requested to be part of the code then move on to the permit. The intention is to have a youth camp for boy and girl scouts – presently owned in joint venture with BSA and GSA at the unique property outside of Pilot Rock. Some property is leased to a cattle operation (Terry Anderson) plus the youth camp. They are not envisioning any type of camp with a huge bunch of people, it is more outdoor excursion activities for scouts with small groups of kids. That is the driving force and intent. Mr. Imhoff is the lead volunteer for scouts at the camp (present).

Commissioner Murdock asked for the specific location. Mr. Gregg: up McKay Creek, north fork. It is one of last properties along the road. First owned by Mr. Martin and, upon his death, a will/trust transferred the property to the Scouts. It was a working cattle ranch for nearly 100 years – all out buildings are still there plus the original home.

Carl Imhoff, 1201 Lindwood Ave, Richland WA. There was established a ranch committee of 3 people including heads of the BSA and GSA. There is some hunting and also some forestry work – 30 acres. In addition to agriculture, it is great opportunity to allow rustic outdoor activities for youth of the region.

No other proponents.

Chair Shafer asked for any in Opposition? None heard. Public agencies? None. Although, an ODOT memo in the packet has no objections at this time. No rebuttal and no reason to continue or keep the record open. Chair Shafer closed the public hearing @ 9:54 a.m.

Commissioner Murdock moved to adopt Ordinance No. 2022-07. Seconded by Commissioner Dorrان. Carried, 3-0.

Executive Session – none.

Commissioner Reports

Commissioner Dorrان: recognized and proud of Umatilla County for Memorial Day (and entire weekend) events. Touring the wall of honor at Hermiston Community Center was very moving and well attended. He also attended services at Hermiston Cemetery. This county and communities are supportive and people stayed. So proud and appreciative of our county.

Commissioner Murdock in addition to Commissioner Dorrان's comments, he noted large signage of Multnomah Falls at Times Square in NY (he traveled there over Memorial Day weekend).

Commissioner Shafer: thanks to first responders with a flood event over the weekend, also SAR with notifications and providing necessary supplies – thanks to Sheriff Rowan. He also thanked Commissioner Dorrان for his service -- the only Veteran on the Board.

Meeting adjourned at 9:58 a.m.

Melinda Slatt

Executive Secretary – Board of Commissioners