

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS
Meeting of August 7, 2019
9:00 a.m., Room 113, Stafford Hansell Government Center
Hermiston, Oregon

Commissioners Present: Chair George Murdock, Vice-Chair John Shafer and Commissioner Bill Elfering

County Counsel: Doug Olsen

Members and Guests Present: Charter Review Committee: Michele Grable, Dan Dorran, Sally Anderson-Hansell, Genna Banica; County Planning Department: Bob Waldher (director), Gina Miller (SWAC and code enforcement coordinator); Mike Jewett, Sanitary Disposal, Inc.; George Anderson, attorney; Katie Saul, Hermiston School District, business services director; Cameron Bendixsen, Hermiston Irrigation District, attorney; County Assessment & Taxation, Paul Chalmers (director) and Rachael Reynolds; Kim Weissenfluh, Developmental Disabilities program manager; Dale Primmer, Community Justice director; Marlene McClintock; Bud Rupe; Suni Danforth; Eva Martin

CALL TO ORDER: Chair Murdock called the meeting to order at 9:00 a.m. He 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 stand or come to the table in order to be heard on the record, identify yourself and state where you live, and also note if you are speaking on behalf of others. He noted there is a point for public input before business items for other than agenda items.

Pledge of Allegiance was led by Commissioner Shafer.

Awards/Correspondence/Recognition – none.

Minutes 7/24/19 and 7/26/19. Motion to approve minutes of meetings of 7/24 and 7/26 was made by Commissioner Elfering. Seconded by Commissioner Shafer. Carried, 3-0.

Additions to Agenda – Discussion regarding UPRR extended blocking of tracks in Stanfield.

Public Comments – none.

Business Items

1. **Charter Review Recommendations.** Consideration of recommendations. Mr. Olsen presented. At the last Board meeting the report and recommendation were made by the committee for proposed changes to the County Charter. A number of members are present today. Under the terms of the Charter, the Board has 60 days to take action. Also, to be timely for the November ballot, measures must be submitted by 8/16. This action would be for referring to the ballot for voters. Recommended changes have now been made by committee and the Board has reviewed them and have had time to consider.

First, proposed is ballot #1 is regarding county management, which would put into the Charter the requirement the Board of Commissioners appoint a manager. It would also seek to add the required appointment of county counsel. This appointment has been done, but is not in the Charter as a requirement. This is so the county manager does not appoint counsel; it would be for more direct oversight by the Board vs. reporting to the manager.

It was agreed to address each item separately.

Commissioner Elfering expressed gratitude to the committee noting they are citizens who volunteered. There were 19 meetings in 15 months. He has read all the minutes, the report and put in a lot of thought. Regarding ballot item #1, he is concerned about the term required regarding a manager; he felt there is a high chance for failure at the ballot box. His position is that it not be placed before voters at this time; he felt there is need for more developing as to function, cost and benefit. The Board needs time to fully vet this. He is not in support of going to vote at this time.

Commissioner Shafer has looked at other counties. Often, the Board chair serves as administrator, depending on population. He also gave thanks to the committee and respects the process. He is concerned about another layer of bureaucracy from employees to commissioners. He's heard a lot of comments that the Board is running well at this time. They currently have the option to hire a manager outside the charter – not as a requirement. He also feels it best not to put this item on the ballot at this time.

Commissioner Murdock advised his intent all along is to honor the committee's work. He strongly believes governing of the county should go to the voters. He supports on this matter to take the Charter Committee's recommended action.

Chair Murdock then asked for public comments.

Suni Danforth, Milton-Freewater. She expressed appreciation to the committee. She attended three meetings. She likes the option of hiring a manager, but does not feel it should be on the ballot. She also agrees with having county counsel – it is a must. She feels the day to day management by department heads/managers with Board oversight works.

Michele Grable, Pendleton, pointed out she was the first county counsel in the early '80s. She noted the committee did not intend to make another layer of bureaucracy – it is the opposite – intent is to free the commissioners to “chase the money” and be advocates for the county. Administrative responsibilities of day to day are department managers, who are under the three commissioners' control. She feels the public should make the decision – give them the option at the ballot box. A manager is needed. She feels the committee is committed and would campaign to make it work, if needed.

Sally Anderson-Hansell, Hermiston, felt a county manager would save more than the cost and would allow the commissioners time to advocate, obtain funds, grants, etc.

Commissioner Elfering moved to oppose the 1st measure to the ballot (Ordinance No. 2019-05. Seconded by Shafer. 2 yes; Chair Murdock voted no. [not adopted]

Mr. Olsen presented resolution Ordinance No. 2019-06, which is to refer ballot measure #2 regarding the method of election. Proposal is if there are two or less candidates, they would only run in the general election in November. If more than two, they would run in May, then a run-off would be held in November.

Commissioner Elfering noted the Charter clearly states it is in November. The proposal clarifies the process and gives voters the choice of the top two candidates. He pointed out disadvantages – if there were two or less in the May primary there wouldn't be a primary and would go to the general election in November. The disadvantage to candidates is they must campaign longer. He is in support of this measure #2.

Commissioner Shafer talked about the comparison of county language as to state language -- the top two would go to vote based on percentage of primary election, rather than the candidate with majority being elected in primary. He likes the state language and feels it clarifies better. He is in opposition to this ballot measure as presented.

Chair Murdock noted spring elections are generally small. He likes representation from all parts of the county. He wants voters to have an option for balance.

Commissioner Elfering moved #2 measure be advanced to ballot to the ballot and adoption of Ordinance No. 2019-06. Seconded by Chair Murdock. 2 yes; Commissioner Shafer voted no. Motion carried 2-1.

Mr. Olsen presented Ordinance No. 2019-07, which primarily changes the wording in the Charter regarding law enforcement department to “Sheriff’s Office”. It was originally thought the Sheriff would manage more than one department. The proposed change would also make clear the Sheriff has all functions provided as set out in Oregon law.

Commissioner Elfering agreed this would make it consistent with other counties and is in support.

Commissioner Shafer pointed out the Sheriff is elected to office. He worked 17 years at Sheriff’s Office and understands its functions. He is definitely in favor of this reference.

Commissioner Elfering moved to advance measure #3 to the ballot and adoption of Ordinance No. 2019-07. Seconded by Commissioner Shafer. Motion carried 3-0.

Ms. Grable followed up to Commissioner Elfering’s comments on measure #1. She suggested putting on the next agenda (or the following) to form a committee to study the appointment of a county manager and all that goes with it -- function, money. Secondly, put to the voters or to just move forward and hire one.

Ms. Danforth suggested it would be cheaper to hire a grant manager.

Chair Murdock promised it would be on a Board agenda – maybe not the next one, but it will in a timely manner be put on a near future agenda.

Marlene McClintock asked who would have time to run out and chase money? Chair Murdock responded the concept is broader than that. Having a manager would permit commissioners to focus on broader issues – strategic planning would be part of that.

Chair Murdock called a brief recess at 9:38 a.m. Back to order at 9:42 a.m.

2. Plan Map Amendment – City of Hermiston - Public Hearing. Chair Murdock called the hearing to order at 9:43 a.m. A summary was presented by Mr. Olsen. This is for a Hermiston Plan map amendment co-adoption to change from urban to urbanizeable. The Planning Commission reviewed and recommends co-adoption. Bob Waldher, Planning Director, gave the staff report. This is somewhat unique in Hermiston. One item of note, during the process a letter came from the Fair Housing Council (he referred to exhibit A in the report). Staff tried to follow up with council as the letter was received after the Planning Commission meeting. It had to do with goal 10 (statewide housing). However, the proposal will actually increase housing in Hermiston (developable lots), which should satisfy their concern.

This amendment would change the area to R3 designation, multi-family for more density and thus more developable lots within the City.

Chair Murdock called for testimony in favor:

George Anderson, 625 W Division, Hermiston. He represents Hermiston School District. He introduced Katie Saul (School District) and also Hermiston Irrigation District’s attorney, Cameron Bendixsen. The purpose of the application is to co-adopt the amendment with Hermiston. He noted the City’s companion resolution. If approved, the area would become R3 residential. He added the Fair Housing Council did not come to any City Council meetings nor the Planning Commission; it only sent a letter after the fact.

In his letter, he addressed the concern; he felt the letter stands on its own. It will definitely increase developable lots. He asked Katie Saul questions for the record. Ms. Saul, 79300 Hurricane Ln, Hermiston. She is Director of Business Services of HSD. More school facilities have been needed over the last two years, according to the facilities master planning committee. That is the conclusion of the general plan regarding the elementary school. In order to add an elementary school and to replace Rocky Heights Elementary as well as adding an annex at the High School to address capacity, things must be in place starting in June to be referred to the ballot. It is an excellent site for housing near to schools. In addition, this summer there have been infrastructure improvements of water and sewer upgrades and also paving of Theater Lane. Plus, a water tower is being installed in that area.

Cameron Bendixsen, attorney for Hermiston Irrigation District, noted the property is well situated for a subdivision with a lot of interest in moving forward. Zoning must be addressed and the Irrigation District recommends co-adoption.

Chair Murdock asked for any opposing? There were none. He asked for public comments? There were none. He closed the public hearing at 9:55 a.m. **Commissioner Elfering commented about the need for housing and he moved to approve the plan map amendment and adoption of Ordinance No. 2019-08. Seconded by Commissioner Shafer. Motion carried 3-0.**

3. Solid Waste Franchisee Rate Increase. Gina Miller, Planning Department, coordinator for Code Enforcement and also staff liaison to SWAC, introduced Mike Jewett, manager of Sanitary Disposal, Inc. (Hermiston's franchise holder). This proposed rate increase would affect approximately 3,200 customers. The last increase was July of 2016. A rate study was done after 2017; they were able to add \$43,000 to reserve. However, last year, due to lack of income with recycling markets, they lost about 2/3 of that income (due to China's cut back). If approved, the increase would raise customers' rates to \$20.10/month (equates to an additional \$1.70/month). In response to Commissioner Elfering's question, Mr. Jewett clarified this is outside Hermiston's city limits. Rates are a bit higher in the county vs. in-city. The increase would take effect 9/1/19.

Chair Murdock asked about recycling. Mr. Jewett noted there is no market for the majority of plastic containers; the exception is milk jugs. Newspaper is going away due to online/internet. Cardboard is still being taken. **Commissioner Shafer moved to approve and adopt Order No. BCC2019-058. Seconded by Commissioner Elfering. Carried, 3-0.**

4. Union Street. Commissioner Shafer presented. Umatilla's City Manager David Stockdale approached him and also sent a letter requesting county approval to transfer jurisdiction of Union Street. Mr. Olsen pointed out Union Street is a public road, not a County Road. And Commissioner Elfering added this is the first time a request like this has been made in advance of annexation. Commissioner Shafer pointed out this road is in Umatilla's UGB. **Commissioner Shafer moved to adopt Order No. BCC2019-059. Seconded by Commissioner Elfering. Carried, 3-0.**
5. Purchase of Vehicles – Sheriff's Office. Mr. Olsen presented. This includes two processes – first, to approve going out for bids and second, to authorize purchase of two new SUVs. Commissioner Shafer pointed out Undersheriff wanted to give local vendors the opportunity to bid. **Commissioner Elfering moved to approve. Seconded by Commissioner Shafer. Carried, 3-0.**
6. Vehicle Purchase – Youth Services. Dale Primmer, Community Corrections Director, presented on behalf of Digna Moreno. Built into the budget was a request for an additional vehicle this year. This request went through the vehicle replacement committee. A request for proposals was authorized and issued. Two proposals were received. Sherrell Chevrolet in submitted a bid for 2019 Cruz of \$19,911, which was the

lower of the two proposals. **Commissioner Shafer moved to approve purchase of the vehicle from Sherrell Chevrolet. Seconded by Commissioner Elfering. Carried, 3-0.**

7. Reclassification of Position. Chair Murdock presented. This is for Assessment & Taxation -- to reclass an Assessment Supervisor position to Range 33. Rachael Reynolds is to be named Deputy Director of A&T. Rachael Reynolds was present and thanked the Board of Commissioners for the opportunity and confidence in her. Paul Chalmers, A&T Director, talked about future plans and added this is a good move and solution for a need in his office. **Commissioner Shafer moved to approve the reclassification. Seconded by Commissioner Elfering. Carried, 3-0.**
8. Employee FTE Increase - Public Health. Joe Fiumara, UCo Health Director, presented. The request is to increase a Nursing Supervisor position from .8 FTE to 1.0 FTE effective 8/7/19 contingent on funding duration. Funding is anticipated to be awarded through partnership with Oregon Center for Children & Youth. **Commissioner Elfering moved to approve. Seconded by Commissioner Shafer. Carried, 3-0.**
9. Creation of Position – Community Corrections. Mr. Primmer presented. Over the last two years, with goal setting and planning, there is need for another supervisor. This would supervise felony parole and probation including community service, electronic surveillance, custody/ treatment settings, dDay management and jail programming – a lot of ancillary services. He is now looking to consolidate under one supervisor. Upon review of budget, he recommends moving forward on creation of the position and filling by promoting from within. He added that two positions are currently open, but electing to not fill them will allow for the cost of this position (PO3 Field Supervisor). **Commissioner Elfering moved to approve creation of the new position. Seconded by Commissioner Shafer. Carried, 3-0.**
10. Creation of Position - CDDP. Kim Weissenfluh, Community Developmental Disabilities Program Manager, presented. She is requesting to add one position for eligibility specialist. Adding one position will streamline the eligibility process. **Commissioner Shafer moved to approve the creation of the new position, effective immediately. Seconded by Commissioner Elfering. Carried, 3-0.** Chair Murdock noted that Mr. Pahl as Chief Finance Officer has approved this addition from the financial aspect.
11. UPRR Complaint. Chair Murdock proposed a resolution of opposition to Union Pacific Railroad for blocking tracks in Stanfield. There have been many complaints received by the City of Stanfield from ranchers, farmers, and travelers of being stuck at the crossing 1 to 1½ hours. Extended blockage of tracks is a big problem. It is not isolated – it happens a lot. In response to Commissioner Elfering’s question, Commissioner Shafer noted when he worked at Dispatch, they received numerous complaints. Chair Murdock directed the complaint letter (or resolution) would go to Union Pacific in Portland as well as Omaha. **Commissioner Elfering moved to approve and to send a letter of complaint to UP. Seconded by Commissioner Shafer. Carried, 3-0.**

Executive Session – none.

Commissioners’ Reports.

Commissioner Elfering commented the Fair is in full swing. Our Commissioners are looking forward to hosting the Walla Walla Board of Commissioners to the Fair later in the day. 100+ degrees temperature affected some attendance yesterday.

The meeting adjourned at 10:30 a.m.

Respectfully submitted, *Melinda Slatt*

Executive Secretary, Umatilla County Board of Commissioners