

**MINUTES**  
**UMATILLA COUNTY BOARD OF COMMISSIONERS**  
Meeting of September 21, 2022  
9:00 a.m., Room 130, Umatilla County Courthouse  
Pendleton, Oregon

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

**County Counsel** Doug Olsen

**Guests Present:** Dave Price, BMA; Robert Pahl, Chief Finance Officer; Mary Hoehna & Klaus Hoehna, Weston; Susan Bower, EO Business Source and candidate; Cindy Timmons; Ann Jolly, PCP; Jim Hatley, Pilot Rock; Polly Johnson, PCP; Marlene McClintock, UCRP & RWMF; Terri Johnson, UCRP; UCRP & PCP; Kathy Wilson; Season Lopes; Val Bradley; Nancy Hass; Richard Jolly, Weston; Carol Johnson and Tamara Ross, County Planning department; Theodore Orr, County Weed department.

**Video link or Calling in:** *See sign-in sheet (on file)*

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**CALL TO ORDER:** Chair Shafer called the meeting to order at 9:00 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.** – Commissioner Murdock noted receipt of many thank you letters from 4H and FFA kids auctioning animals at the Fair in August. And he reminded all that the Pendleton Junior Livestock Show is this weekend, September 26.

**Minutes** – None.

**Additions to Agenda** – Commissioner Dorrn: The Charter Review Committee last year listened to many items, but there was one item that didn't get put on the ballot. Earlier this year discussion was had with some committee members with commitment of internal discussion plus outside input and then to come back with public discussion about a county administrator. The Commissioners have completed that action. He requested putting on the agenda discussion to act on the Charter Review/manager topic. **Commissioner Dorrn moved to have put on today's agenda for discussion, to proceed to a decision with public input for action, if any, at the October 5, 2022 Board meeting. Commissioner Murdock seconded the motion, but only to revisit the subject, at this time.** Chair Shafer heard the motion and, to counsel, asked to clarify his options. He won't be calling for a vote on that motion and second. Counsel Olsen advised, it is up to the chair.

**Public Comments** for anything not on the regular agenda.

**Klaus Hoehna**, 78061 Lupine Ln., Weston. Retired military 31 years and a citizen. At a recent meeting of about 40 individuals, some were talking about the county manager position. He did some research and that is his topic today. From the Charter Review Committee from 2019 and review of meeting minutes, he questioned some things. He hopes in the future with any internal discussion and of questions about the expert county manager that was reported in the paper, he feels the system currently in place works well and public officials are responsible with dialogue one on one. What's in place he strongly believes in it. With a manager, they aren't like a public official. A county manager would be appointed and not accountable to the citizenry. He doesn't see need, at this

time, for a manager with day-to-day operations. There's also cost concern from some articles he has read (\$160,000 + benefits). That is compared to Clatsop County. He would like to see what the outside expert recommended and what internal discussion was – this is of interest to the general public. If there's something to share, make it public. Points coming up are policy issues, advocacy, and strategic planning – that is handled. Is there a current strategic plan? Chair Shafer responded, yes. He agreed with Mr. Hoehna and doesn't see need to pursue a county manager, at this time.

Susan Bower, 70839 Lakeside Rd, Pendleton. Thoughts to share on this topic – county hiring a county manager. With her personal experience – similar to that position and also a management consultant with businesses, non-profits, and governments – although not involved with the Charter Review Committee discussion, she has been contracted with the county since 2013. She's worked with three administrations here. Incredibly positive growth – effective fulfillment by the commissioners. Business experience and accountability is there – she believes in less government control and less management. She emphasized department heads need leadership and they are better when they have better managers for their employees. Functions are essential to a healthy organization and to maximize department heads' potential. She also doesn't believe another manager position is necessary. Candidates for commissioner are experienced and accountable. Maybe question is not to create a new position, but should there be required credentials for a county commissioner? As with other elected officials.

Dave Price, 80488 Zerba Rd, Athena. He has been attending numerous meetings around the county the last few months where this subject has come up. He feels people are reluctant about creating a new position; concern about the level of government locally and throughout the entire nation. He doesn't feel government structure should enlarge. Another layer is not necessary; elected officials work effectively with citizens they serve. And, as a practical matter is considering the cost of a new position, which would be substantial and expensive. Where would the funds come from? Would they be diverted from somewhere else? He feels, at this time, the county seems reluctant to move to a manager position and agrees with others.

Chair Shafer advised in consideration of time, he asked to hear from someone who is in favor of hiring a county manager – in fairness. No one responded.

Polly Johnson, 69880 Highway 395 S, Pendleton. She agrees with others who came before, but from a business owner standpoint for over 30 years (here and in Douglas County), plus she has served on many boards in the county. Commissioners are in charge of the county budget and must be wise stewards of that budget. As a business owner in looking to add funds for a position, the bottom line must be considered. She pointed out that recently, legislators looked at reducing their salaries and benefits, but it didn't pass. That is an option at the county level – same as consideration as a business owner. She encourages when considering an additional position (although she's not for it), to consider both sides of equation to come to a decision moving forward.

Marlene McClintock, 85175 Highway 339 Milton-Freewater, represents Republican Women of Milton-Freewater (precincts 121 and 120). In regard to discussion about home rule charter, the initiative was taken to the voters to change the county charter. She has asked voters about this, and they believe they would lose the ability to have one on one discussions with a commissioner. Part-time commissioners would be worse – even less time to handle business of the county. A manager would be expensive, with a lot of additional items and associated costs they would want/need. She has concerns with a whole new level of costs. A manager isn't accountable to the citizenry. Commissioners have oversight and accountability. Elsewhere in the state there are problems like this – citizens would have to live with someone if a manager is not acceptable. There are many other types of businesses that are downsizing, thus less earnings. This is the second or third time the ideology has been voted down in 20 years. She stands with other residents about the ideology of a manager; she doesn't want a manager.

Chair Shafer asked for anyone in favor of the manager? None were heard. He directed all to agenda item regarding charter review which will be discussed (item #7).

Commissioner Murdock clarified there's not a singular question on the floor: 1) If the county wants a county manager and 2) Does the county want to put hiring a manager to a vote to the people.

Richard Jolly, 54462 Upper Dry Ck Rd., Weston. At a prior Board meeting(s), he asked in regard to Nolin Hills project, if AOC has been made aware of it? Commissioner Murdock, as President of AOC – yes, it has. In addition, it was interesting in discussion at a meeting in Ontario with AOC and other commissioners, Umatilla isn't the only county in the state that has a 2-mile set back rule. Baker County has the same. AOC is aware of the issue and counties are discussing it. Chair Shafer pointed out AOC district meetings throughout state (he's chair of District 1) have discussed it. Commissioner Dorran also noted Jackson County also has this 2-mile setback rule. Mr. Jolly: this is an important issue – local and statewide, and now the same condition at the federal level. He suggested local representatives could help the county with the focus and wants the county to hear citizens. Commissioner Murdock, as President of AOC, has shared that word throughout the state.

Again, in the interest of time, Chair Shafer asked for any public input from those in favor of a county manager. With none being heard, he moved on to business items at 9:30 a.m.

### **Business Items**

1. Comprehensive Plan Amendment – Public Hearing. Chair Shafer called the public hearing to order at 9:30 a.m. He asked for any conflicts of interest from Commissioner, and hearing none, then gave the introductory comments, opening statement, and advised of the process for the hearing. He called for the staff report, which was presented by Tamara Ross, Planning Department. This is for Text Amendment #T-091-22, Plan Amendment #P-134-22, and Zone Map Amendment #Z-321-22. The applicant, Jim Hatley, requests to expand a previously approved aggregate quarry (Schuening Quarry – owned by the Rosemary Schuening Estate) to include 25.8 acres of a 151.4-acre site to the Comprehensive Plan list of Goal 5 protected Significant Sites and apply the Aggregate Resource Overlay Zone. The property is located on the north side of the Oregon Trail Highway, near Old Airport Road, just outside Pendleton's Urban Growth Boundary. The zone is Exclusive Farm Use. Ms. Ross provided background, criteria for approval (Oregon Administrative Rules) and that the Planning Commission recommended approval at its 7/28/22 public hearing.

The Board may decide to accept and adopt the Planning Commission's findings and recommendations, or determine new findings with a decision to approve or deny the PAPA. Commissioner Dorran asked if this amendment excludes asphalt plants? Ms. Ross noted the applicant would go through the required process of permitting if he decides to put in an asphalt plant. She noted this action today doesn't exclude that.

Chair Shafer asked for public comments (proponents or the applicant)? None were heard. Upon call, there were no comments from opposition or public agencies either. He closed the public hearing at 9:36 a.m. **Commissioner Murdock moved to adopt Ordinance No. 2022-011 (Amending the Comprehensive Plan and Adding a Site to Goal 5 Aggregate Resources Inventory for Schuening Airport Land LLC/Hatley). Seconded by Commissioner Dorran. Carried, 3-0.**

2. UTV Purchase. Presented by Teddy Orr, Weed Department. Approval is sought for purchasing a new UTV (2022 Polaris Ranger from Polaris Sales in the amount of \$19,624.67). Price is from the SourceWell government contract. Budget is available for the purchase. **Commissioner Dorran moved to approve the purchase. Seconded by Commissioner Murdock. Carried, 3-0.**
3. Emergency Management Trailer Repairs. Presented by Commissioner Dorran (for Tom Roberts, not present). Approval is sought for roof repairs to the Emergency Management Communications and Command trailer. It is an older trailer. He expressed hesitation since he believes the trailer is old and may not be worth the estimated cost of repairs. Estimates were requested and it is recommended to use Drakes RV at an estimated cost of \$5,484.07. Scheduled repairs were delayed to this fiscal year. **Commissioner Dorran moved to approve the repairs at the approximate cost of \$5,484.07. Seconded by Commissioner Murdock.** Before the vote, suggestion was made to get an estimate of the value of the trailer – for economic validity.

**Commissioner Dorrان amended his motion to require the Emergency Manager to get information on the value of the trailer and if it is worth putting money into it. Agreed and seconded by Commissioner Murdock, Carried, 2-1. Nay by Chair Shafer.**

4. Administrative Services Payable. Presented by Chair Shafer (for Mark Tanner, not present). He advised that Mr. Tanner texted him additional information – this (electronic door at the Juvenile/DD facility) was to happen in 2020, but parts were used for other areas/projects, and then became an emergency situation. Approval is sought for a payable for materials and services for an electronic door system at the Juvenile/DD facility. The payable (to Uni-Tech Communications Inc.) is before the Board for approval due to the amount of \$23,834.72. These were prior approved, but in 2020 systems were upgraded. This is for the juvenile facility only, per Mr. Olsen. He advised materials and services were ordered, but haven't been paid for until now. Discussion ensued, being over a year out, wasn't the bill paid? Commissioner Murdock was uncomfortable approving payment without specificity. After more discussion about expense that was allocated, passage of time from August of 2021, no billing until now, parts were used in different locations, etc. Chair Shafer suggested not taking action and getting answers before the next (or following) meeting. **Chair Shafer tabled for more information to a future Board meeting.**
5. Vehicle Purchase. Chair Shafer presented. With supply chain issues, the county is seeking to order additional vehicles in the event previous orders fall through. If ordered and they aren't needed, duplicates produced can be canceled without penalty. This is a back up to previous orders. Authorization is sought for purchase of up to 15 vehicles through the fleet management program. This will maximize return on the sale of vehicles and update the fleet. Funding would be through the fleet management fund. **Commissioner Dorrان moved to approve the purchase and authorize the chair to sign documents with Enterprise Fleet Management. Seconded by Commissioner Murdock. Carried, 3-0.**
6. ARPA Grant (Local Community Investment Project). Commissioner Murdock presented. To help small communities, ARPA funds can be made available for local community investment projects. In this case, recommendation is to provide \$20,000 in ARPA funds to the City of Helix to continue city hall renovation. Commissioner Dorrان recused from the vote. **Commissioner Murdock moved to approve the grant and payment as outlined. Seconded by Chair Shafer. Carried, 2-0. Commissioner Dorrان recused.**
7. Charter Review. Presented by Mr. Olsen. The Umatilla County Charter requires that every four years, the Board shall appoint a Charter Review Committee of not less than five citizen members to review the Home Rule and Charter and its operation. In December, 2017, the Board initiated the process for a review, and on February 21, 2018, the Board appointed a Charter Review Committee. That committee met through June, 2019, and provided its report to the Board in July, 2019. The four period from 2017 has expired. The matter is before the Board to discuss how it wants to proceed with the required Charter Review. The last time, applications were requested and then reviewed by the Board. Commissioner Murdock would like representation from all over county -- it is important. Commissioner Shafer and Dorrان agreed. Mr. Olsen advised there have to be at least five members. Last time it started with nine and ended up with eight. Commissioner Murdock also felt it would be fair for those applying to be made aware of expectations of time in addition to an overview. Mr. Olsen noted the meetings monthly can be virtual and the Committee also can decide what it wants to review. Commissioner Murdock added regular participation by the whole committee is very important. **Commissioner Dorrان moved to initiate the process for Charter Review. Commissioner Murdock commented that Mr. Olsen took a heavy lift and the Board was mostly left out of discussion with the committee until the end. He seconded the motion. Mr. Olsen will revisit the application from last time and, with Board input, post and leave it open for about 30 days. Carried, 3-0.**

## Commissioner Reports

Commissioner Dorran felt a tenuous precedent was set earlier, if unintended, with the legally made motion and legally made second should have been put to vote. He is disappointed since public notice couldn't be made. He hopes the water hasn't been tainted for people applying for the next review committee. However, he has faith in a charter review committee to achieve what is needed even if it takes many months. With the home rule charter voted in by citizens, he hopes this Board is responsible to follow through on commitments to that committee.

Commissioner Murdock felt his comments are part of the record and the Board does have a moral obligation to its citizen committees.

Chair Shafer pointed out, in his opinion, the commitment was fulfilled to the last charter review committee after previous vote by the commissioners to not advance it to the ballot.

**Executive Session** – none.

Meeting adjourned at 9:54 a.m.

*Melinda Slatt*

Executive Secretary – Board of Commissioners