

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS
Meeting of May 1, 2024
9:00 a.m., Room 130, Umatilla County Courthouse
Pendleton, Oregon

Commissioners Present: Chair John Shafer, and Vice-Chair Cindy Timmons

County Counsel Doug Olsen

Guests Present: Robert Pahl, Umatilla County Chief Financial Officer; Tom Fellows, Umatilla County Public Works Director; Dan Lonai, Umatilla County Administrative Director; Megan Davchevski, Umatilla County Community Development Planning Manager; Annette Kirkpatrick, Hermiston Irrigation District Manager; Joseph Fiumara, Umatilla County Health Director; Alisha Lundgren Umatilla County Health Deputy Director; Vanessa Calvillo, Umatilla County Health Nursing Student; Ivana Pena, Umatilla County Health Nursing Student; Tyler Brandt, Hermiston Home Works President; Larry & Cindy Bonifer, Weston residents; Dan Greenough, Hermiston School District;

Video link or Calling in: Commissioner Dan Dorran

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 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 Shafer.

Awards/Correspondence/Recognitions. None

Previous Minutes for approval 1/17/2024: Commissioner Timmons moved to approve the minutes from January 17, 2024 Board meeting. Seconded by Commissioner Dorran. Carried, 3 - 0.

Additions to Agenda – None.

Public Comments and Recognition of Visitors – Larry Bonifer, 54761 Pine Creek RD, Weston OR. I have an issue with road being graveled, 2 miles or so. The other 8 miles of the road is in terrible shape. There are mud holes, bed rock coming up, you have to get out of your car and move rocks. I don't know why that part of the road is being graveled, only 1 person uses it half the year. The gravel could have been used anywhere else. I have pictures on my phone if you wish to see them. Chair Shafer confirms this is a County Road and asks Mr. Bonifer to email the pictures. Mr. Bonifer is unsure how to do that. He feels that this was a misuse of taxpayer dollars. Commissioner Dorran will reach out to Mr. Bonifer regarding this issue.

Business Items

1. Hermiston Ordinance – Chair Shafer opened the public hearing at 9:05am. Chair Shafer read an opening statement aloud. Megan Davchevski, Umatilla County Planning Manager presented staff report: On March 11, 2024, Hermiston City Council adopted Ordinance 2356, amending the Comprehensive Plan Map from “Urbanizable” to “Urban” for an 80-acre tract located on the south side of East Highland Avenue. The City Council also adopted Ordinance 2357 annexing said property effective upon co-adoption of Ordinance 2356. Chair Shafer called for any extensions, biased, conflict of interest, declaration of ex parte contact and objections jurisdiction. There were not any. Chair Shafer called for proponent’s, applicant or representative.

Tyler Brandt 469 SW Cottonwood Dr. Hermiston OR. I am the President of Hermiston Home Works, this is my project. This application to annex and rezone this property is one of the only pieces of property that is within city limits and offers sufficient amount of raw land to do large scale development in this quadrant of town. This was previously used for farming wheat, but the way the land is shaped makes it difficult to farm. There is a pivot with a half circle, other than that it uses wheel lines and hand lines. The city is growing and has needed land like this to keep housing prices affordable. Commissioner Timmons confirms that it is farmland right now and that you just hate to see farmland be taken. Mr. Brandt adds there is a significant amount of water rights on this property, roughly 60 acres of water rights. There was discussion about transferring these water rights to someone who could make good use of the water. Commissioner Dorran asks if there are any issues with the railroad and access on the back side of this property. Mr. Brandt explains, he is not aware of any issues. There is a 200 foot rail-road right of way. There is not a development plan for the 25 foot strip right now, they are still trying to come up with ways to use that portion. With the airport being right there, the FAA might have a little more to say about what is built around the airport. He discussed possibly building hanger homes or an upscale RV park.

Annette Kirkpatrick, Manager Hermiston Irrigation District, 366 E Hurlburt Ave, Hermiston OR. I will speak in favor of or neutral to this. I also sit on the City of Hermiston Planning Committee and have been working with Mr. Brandt. I also do not like to see good farmland out of production. There has been an issue with a little too much water in this location. So, in this case, it might be beneficial for us to turn this into a development and benefit from the water rights in a different location that could better utilize all of the water rights. This project could also tie in well with the Gettman Road project.

Chair Shafer called for additional comments in opposition or neutral to: None. Call for rebuttal: None. Public hearing is closed at 9:22am. **Commissioner Dorran moved to approve and to adopt Ordinance No. 2024-03. Seconded by Commissioner Timmons. Carried, 3-0.**

2. Trailer Purchase - Presented by Tom Fellows, Umatilla County Public Works Director. The Public Works Department is requesting authority to purchase 2 surplus pup trailers from Lincoln County. These would replace 2 - 1957 model year trailers we sold last year, we could no longer get parts for them. Lincoln County is selling these trailers for \$10,000 each. Years of these trailers are 2003 and 2005, there should be a lot of life left in them. **Commissioner Dorran moved to approve the purchase of 2 pup trailers from Lincoln County for a total in the amount of \$20,000.00. Seconded by Commissioner Timmons. Carried, 3-0.**

3. Road Signs - Presented by Tom Fellows, Umatilla County Public Works Director. East Umatilla Chemical Control District has requested the placement of signs at various locations on County Roads. The signs would warn drivers of the protected area of the East Umatilla Chemical Control District, and reference a website for further information on the district and its use restrictions. By State law, the Board has the authority to approve the placement of the signs on County Roads. The cost of the signs and the installation would be paid by the District. **Commissioner Timmons moved to adopt Order No. RD2024-04. Seconded by Commissioner Dorrان. Carried, 3-0.**
4. Ott Road Improvements - Presented by Tom Fellows, Umatilla County Public Works Director. Property owners adjacent to Ott Road have been in discussions with the County regarding the paving of a one mile portion of the road. The owners have been provided an estimate for the improvements of approximately \$37,000, but the final cost will not be known until the work is performed. Some of the owners have paid for a share, while other owners are requesting to pay their share through a payment agreement. The matter is before the Board to approve the improvements and to authorize contract for payments. Mr. Olsen confirms that the County has received \$27,000 and contracts to make payments that total \$37,000. **Commissioner Dorrان moved to authorize the Public Works Department to proceed with the improvements to Ott Road as time permits, and to authorize Chair to sign any necessary contracts for the project. Seconded by Commissioner Timmons. Carried, 3-0.**
5. Hermiston School District Health Center – Presented by Alisha Lundgren, Umatilla County Public Health Deputy Director. Hermiston School District has a Health Center space located at the High School. This center is currently not operating and in partnership with UCo Health is seeking to staff and operate the Health Center to provide services for youth and staff of Hermiston School District. UCo Health will hire a Nurse Practitioner and Office Assistant and supervise operations of the center. HSD is funding the operational costs of the center. UCo Health and HSD will pursue additional revenues to sustain services. This project is not requesting general fund support. Commissioner Timmons asks, what services are provided. Ms. Lundgren explains the focus of school services are to provide preventative services such as sports physicals, well visits, vaccinations, other preventable things. Acute care as well, simple services that can help keep kids in school. She introduced Dan Greenough from the Hermiston School District who spoke in favor of this and getting kids the care that they may not otherwise receive. **Commissioner Timmons moved to approve the partnership with Hermiston School District for the staff and operations of Health Center services contingent upon final executed MOU and BAA. Seconded by Commissioner Dorrان. Carried, 3-0. Commissioner Timmons moved to approve the creation of a 0.8 FTE Nurse Practitioner and 0.8 FTE Office Assistant II position contingent upon final executed MOU and BAA. Seconded by Commissioner Dorrان. Carried, 3-0.**
6. CDA Authorization - Presented by Doug Olsen, Umatilla County Counsel. At its meeting on March 26, 2024, the Columbia Development Authority board voted on the transfer of CDA property. Written notice of the proposed action was not provided prior to the meeting as required by the Authority IGA. The CDA Board has not taken any action to address the failure to follow the governing agreement. The matter is before the Board to discuss what action the County will take in response and to remedy the violation. Commissioner Dorrان states I am disappointed that we have to consider this action. This is not what the CDA was built on it is not the foundation that was brought. I do this with reserve but very strongly in favor of the motion. Commissioner Timmons ask what are we looking at with legal action? Mr. Olsen explained the options. **Commissioner**

Shafer moved to direct staff to take available legal action to secure our position with CDA. Seconded by Commissioner Dorran. Carried, 3-0.

Commissioner Dorran exited the meeting. 9:41am

7. Crime Property – Presented by Doug Olsen, Umatilla County Counsel. The Board previously adopted a Crime Property Ordinance, providing for a process to declare property a nuisance based on incidents at the location that involve criminal activity. After notice to the property owner and occupants, the ordinance authorizes action filed in Circuit Court to restrain and enjoin the nuisance. Based on reports of the Sheriff's Office, notice of potential property has been sent earlier for a specific location. Despite the notice, the activity has continued, and the Sheriff's Office is now requesting the Board to authorize filing of a complaint in the Circuit Court. Commissioner Timmons ask where the property is and what activity. Mr. Olsen responds, it is located out of Hermiston, mostly disorderly conduct. **Commissioner Shafer moved to authorize action under Crime Property Ordinance to be filed in court by County Counsel and to pursue relief as provided by the ordinance. Seconded by Commissioner Timmons. Carried, 2-0.**

8. Executive Session – Employment/Real Property – ORS 192.660(2)(a,b,e,h) – None

Commissioner Reports:

Commissioner Shafer: None

Commissioner Timmons: I attended a Junior Show board meeting last night, the last one before the Junior Show. There were a lot of new faces and young kids. Hats off to all of these people, it takes a lot of volunteers to make these things happen.

Meeting adjourned by Chair Shafer at 09:45 a.m.

Kelsey Bailey

Executive Secretary – Board of Commissioners