

MINUTES
UMATILLA COUNTY BOARD OF COMMISSIONERS

Meeting of February 9, 2022
9:00 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; Bob Waldher, Director, Megan Davchevski, Planner

Video link or Calling in: Jennifer Blake, Human Resources Director; Tom Roberts, Emergency Manager; Sheriff Terry Rowan; Karla McLane; Robb Curulla; Teresa Penninger, Russ Frost; Paul Howland; Mark Gomolski (+ see list of video or call-in, copy on file.)

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. Chair Shafer read Challenge Coin awards: Planning Department: 1) Carol Johnson for her outstanding mentorship over last several years. She is a tremendous resource and trainer, a problem-solver and very knowledgeable about land use regulations. And, 2) Megan Davchevski for her leadership and efficiency with a positive impact in the office in a relatively short period of time. She has led a seamless transition of bringing the facilitation of the county transit program in-house. Thank you both and congratulations!

Minutes – Commissioner Dorran moved to approve the minutes of the 1/5/22 meeting. Seconded by Commissioner Murdock. Carried 3-0.

Additions to Agenda – none.

Public Comments – none.

Business Items

1. **City of Umatilla Co-Adoption – public hearing.** Chair Shafer called the public hearing to order at 9:04 a.m. and read the opening statement regarding ODOT and the City of Umatilla’s request to co-adopt a proposed change within the city’s Urban Growth Boundary (aggregate overlay zone Goal 5 protected site); he then provided the procedures. He asked for any conflicts of interest, etc. Hearing none, he asked for the staff report, which was given by Megan Davchevski, Planner. The proposed change would provide an aggregate resource overlay zone to an existing ODOT quarry, a 1,500’ buffer area, and identify the site as a Goal 5 protected site. Criteria of approval is found in the Joint Management Agreement between the city and county as well as amendments found in the county Development Code. The Planning Commission recommended approval at its 1/27/22 public hearing. The City recommended approval at its council and planning

commission meetings in December 2021. One comment from the Umatilla Planning Department was received before the Planning Commission meeting and is included in the packets.

Chair Shafer asked for proponents.

Karla McLane, on behalf of ODOT, 170 Van Buren Dr., Umatilla. This is the third and final aggregate site – working over the past year or so, to come before the Board for approval. Previously, two sites were reviewed by the Board. This is in the UGB; it is an ODOT site owned and operated since about 1951. “Powerline Quarry” - specific location on map (projected on monitor) has permit history with the county and projects have been done there. It has been a while since active use. She gave specifics of the type of aggregate – this one has basalt and sand & gravel – unique quality and meets quantity needs. She noted ODOT standards and advised that geology questions can be answered by others (on-line) if needed. Requirement of process for goal 5 protections: impact of 1,500’ buffer zone shown on the map (monitor). Two residences are at the edge of the impact 1,500’ zone. A letter of agreement “remonstrance” document will be sent to them for signing. Also, adjacent to the west is a pit owned by Umatilla County and there’s a private pit (bisected by I-82 when it was constructed).

Commissioner Dorran asked about access – is it established? Would there be new entrances, or use those in place? Ms. McLane: there are three potential access points, SW corner is current access for granite. Power City Road runs there to Highway 395. There’s a dedicated right-of-way and old historical easement from BPA. Also, access comes out to the North, near Scaplehorn and Hwy 730 as well as Margaret Avenue, and another common usage could be access on Highway 730. All are used by local community.

There were no other proponents.

Chair Shafer then asked for opponents. None were heard. He then asked for public agency comments? There were none; therefore, no rebuttal. He asked for any need for continuance or call to keep the record open? None were heard. Chair Shafer closed the public hearing at 9:19 a.m.

Motion was made by Commissioner Murdock to adopt Ordinance No. 2022-01. Seconded by Commissioner Dorran. Carried, 3-0.

2. STF Grant – Pendleton Services. Presented by Ms. Davchevski, Planner and Transit Coordinator. This is a request to approve a Special Transportation Fund grant. The City of Pendleton is a transportation provider. Request is made to enhance the City’s Senior and Disabled program services by providing additional tickets for taxi ticket vouchers and by providing additional Dial-A-Ride services during peak hours for seniors and disabled. The county STF Advisory Committee met on 1/28/22 to provide a recommendation on the 5310 applicants where the city requested FTA grant funds in the amount of \$100,000 plus local match of \$25,000 (come from county’s adopted STIF Plan for that purpose/matching). The Committee recommended approval of the application. **Commissioner Dorran moved to approve the City of Pendleton’s Purchase Services grant application and authorize the County Transit Coordinator to submit the project application to ODOT. Seconded by Commissioner Murdock. Carried, 3-0.**
3. STF Grant – Pendleton Maintenance. Presented by Ms. Davchevski. This is for another STF grant. As with the previous business item, the City of Pendleton requests for additional assistance for maintenance on its public transportation fleet, which includes three buses and seven ADA-accessible mini-vans used in its various transportation programs. These preventative needs are currently not being met with the existing preventative maintenance budget. The county STF Advisory Committee met on 1/28/22 to provide a recommendation on the 5310 applicants where the city requested FTA 5310 grant funds in the amount of \$20,000 plus local match of \$5,000 (also from STIF budget previously mentioned). The Committee recommended approval of the application. **Commissioner Dorran moved to approve the City of Pendleton’s Preventative Maintenance grant application and authorize the County Transit Coordinator to submit the project application to ODOT. Seconded by Commissioner Murdock. Carried, 3-0.**

4. LUBGWMA Study Funding. Presented by Bob Waldher, Planning Director. Co-chairs of the Lower Umatilla Basin Groundwater Management Area Subcommittee, Commissioner Dorran and Morrow County Commissioner Melissa Lindsay, request county approval to send a letter to the Oregon Department of Agriculture requesting review and processing of funding from the Oregon Legislature secured for the purposes of studying nitrates in the LUBGWMA. In 2021, the legislature approved funding; however, due to staffing changes at the state level and other delays and the partnership with the subcommittee and OSU Institute for Water and Watersheds cannot not begin until the ODA releases funds. The letter also requests that ODA add a budget note or other necessary language to allow extension of time to spend funding, if necessary, beyond the current biennium. Approval is sought for the joint Umatilla County/Morrow County letter of support and authorize the Chair to sign. **Commissioner Dorran moved to approve the joint Umatilla County/Morrow County letter of support and authorize the Chair to sign. Seconded by Commissioner Murdock. Carried, 3-0.**
5. West End Solar Project. Presented by Mr. Waldher. The matter before the Board is for approval of comments for the West End Solar Project. The Oregon Department of Energy received a preliminary Application for Site Certificate for this project, which consists of a solar photovoltaic energy generation facility (avg. capacity of 50 MW). Related or supporting facilities to the facility include up to 70 MW energy storage system, collector substation, switchyard, roads, security fencing and gates, and construction areas. The proposed facility would be located within a site boundary of approximately 324 acres zoned Exclusive Farm Use (high value – viticulture) approximately two miles southeast of the City of Hermiston (off of Edwards Road). A request for expedited review for small capacity facilities was submitted by applicant, EE West End Solar LLC on 12/11/20. ODOE on 12/17/20 notified the applicant it approved the request and a preliminary ASC was filed on 11/5/21. As a cooperating agency, the County Land Use Planning department conducted a review and prepared a comment letter (projected on the monitors), which is the subject of action requested of the Board. There are two underlying landowners (Windblown Ranch and one other to the East). It doesn't appear the site has been irrigated – no high value soils, but high value farmland due to viticulture designation in the subject area. **Commissioner Dorran moved to approve comments and authorize the Chair to sign. Seconded by Commissioner Murdock. Carried, 3-0.**
6. Food Bank Grant Application. Doug Olsen presented. The County has been requested to act as the applicant for a Community Development Block Grant. Eastern Oregon Mission through the Agape House (in Hermiston) food bank is seeking to obtain funding through the COVID-19 Impact Assistance Program for the purchase of equipment and vehicles. One of the categories for the program is for food banks. The process would require the county to contract with a consultant to act as the grant administrator. EOM has agreed to pay for the consultant. The application process would follow the usual CDBG requirements, including a public hearing to approve the project. Commissioner Dorran thanked Counsel Olsen for his assistance after meeting with Mark Gomolski and others. Mr. Olsen: work will be done by consultant, but most of the county involvement will be handled by Robert Pahl, CFO. Chair Shafer asked Mr. Pahl to comment if needed. Mr. Pahl advised that after discussion at meetings, he is comfortable with the process. Mr. Gomolski, on-line, was happy to hear of Mr. Pahl's agreement and comments. **Commissioner Murdock moved to approve the County as applicant for a COVID-19 Impact Assistance Program grant and authorize contract with Sequoia Consulting for preparing the application and, if needed, grant administration. Seconded by Commissioner Dorran. Carried 3-0.**
7. Elections Payable - Envelopes. Presented by Mr. Olsen for Dan Lonai, Administrative Services Director (in Salem at meetings). Approval is sought for a payable for ballot secrecy envelopes for the upcoming election. This is a yearly routine expense for conducting an election and has been budgeted. **Commissioner Dorran moved to approve the payable to CENVEO in the amount of \$7,668.00. Seconded by Commissioner Murdock. Carried 3-0.**

8. Public Health Postage Purchase. Joe Fiumara, Public Health Director, presented. This is for approval for payment of postage. As of 2/26/22, UCo Health has been sending out iHealth At Home test kits to identified COVID-19 cases and contacts. The intention is to get more rapid testing capacity directly into the homes of individuals who are symptomatic, including the recommendation that those who've already tested positive give test kits to someone they may have exposed. Having kits mailing pre-stamped is more efficient. It is anticipated the postage allotment requested will cover for approximately two weeks. All funds to pay for this come from OHA grants for COVID and Emergency Preparedness funds with no general fund usage. **Commissioner Murdock moved to approve payment for \$6,812.00 for the purchase of 3,000 \$2 stamps, and 14 rolls of first class stamps for mailing test kits. Seconded by Commissioner Dorran. Carried, 3-0.**
9. Sheriff's Office Reclassification. Sheriff Rowan presented. In order to promote consistency and attempt to provide competitive opportunities for upward mobility and professional development for the management of staff within the Sheriff's Office, request is made for classifications to adjust all division heads/commanders who hold the rank of Captain to base salary Range 35 for the positions in the divisions of Criminal, Communications, Corrections, and Administrative Services (restructuring was done a while back plus additional duties). And, as part of a staffing plan (from 2019), approval is sought for reclassification of Sgt. Josh Roberts, who would promote to the rank of Lieutenant in the Criminal Division with a base salary of Range 34. The effective date of all would be 2/1/22. **Commissioner Dorran moved to approve as outlined. Seconded by Commissioner Murdock. Carried, 3-0.**
10. Property Reconveyance. Mr. Olsen presented. Authorization is sought for sale of property foreclosed on for delinquent taxes (located in McNary Townsite, addition to Umatilla). The current owner occupant is requesting to repurchase the property. The Board has discretion to sell the property back by state law for an amount not less than the property taxes that were delinquent. In this case, the amount is \$6,500. **Commissioner Dorran moved to adopt Order No. TX2022-01. Seconded by Commissioner Murdock. Carried, 3-0.**
11. Flood Coordinator Contract. Commissioner Dorran presented. The County received a proposal from the Umatilla County Soil and Water Conservation District to provide services to assist in the coordination in preparation for and response (and mitigation and recovery) to flooding events in the county. The cost of services would be \$16,515/year. He further explained background and issues for recovery plus complexities of grant applications. The plan is the county would pay the initial cost for services, but would seek partners for contributing to the cost for this year and potential future years. Commissioner Murdock noted the county will pay the \$16,515, but would only agree from his part to pay the initial amount and subsequently consider partnering with other entities. Commissioner Dorran noted it is new endeavor and a formula hasn't been determined regarding cost for services. Counsel Olsen noted the contract will be drafted for a 1-year term. **Commissioner Dorran moved to approve a contract as outlined for one year. Seconded by Commissioner Murdock. Carried, 3-0.**
12. AOC Payable. Commissioner Murdock presented. The payment for annual dues to the Association of Oregon Counties is submitted for approval in the amount of \$32,468.79. **Commissioner Murdock moved to approve payment of dues to AOC. Seconded by Commissioner Dorran. Carried, 3-0.**
13. Bureau of Reclamation Consent Agreement. Commissioner Shafer presented. As part of the central pipeline project, it will be necessary to cross the West Extension Main Canal. The County proposes to assume the consent given by the United States to Westland Irrigation District to cross the canal. The amendment to the consent agreement as well as the terms is before the Board to consider. **Commissioner Shafer moved to approve the Amendment to Consent to Use and authorize a Commissioner to sign. Seconded by Commissioner Dorran. Carried, 3-0.**

14. Supplemental Budgets – Public Hearing. Chair Shafer opened the public hearing at 9:47 a.m. The staff report was presented by Robert Pahl, Chief Finance Officer. There were three supplemental budgets, Budget Order number 2022-32, (General Fund-Veterans Services) requires increases in State Revenue of \$4,351, in Personnel Services of \$14,000, and in Materials & Services of \$7,500, and a decrease Contingency of \$17,149. 2022-33 (General Fund: General County) requires increases in Beginning Cash of \$2,000,000 and in Transfers Out of \$2,000,000. 2022-34 (Economic Development Reserve) requires increases in Transfers In of \$2,000,000 and in Materials & Services of \$2,000,000.

Chair Shafer asked for public comments or questions. There were none. Chair Shafer closed the public hearing at 9:49 a.m. Deliberations. None.

**In the matter approving Supplemental Budgets pursuant to ORS 294.471 for FY ending 6/30/22:
Commissioner Dorrان moved to adopt Budget Order No. 2022-32 (Program 5770 – Veterans Services).
Seconded by Commissioner Murdock. Carried, 3-0.
Commissioner Dorrان moved to adopt Budget Order No. 2022-33 (Program 9001 – General Fund).
Seconded by Commissioner Murdock. Carried, 3-0.
Commissioner Dorrان moved to adopt Budget Order No. 2022-34 (Program 1031 – Economic
Development Reserve). Seconded by Commissioner Murdock. Carried, 3-0.**

Executive Session – none.

Commissioner Reports

Commissioner Dorrان enjoyed OFA conference and AOC meetings this weekend. Thanks to commissioners and legislators who participated. He hoped this can be an annual joint event.

Commissioner Murdock agreed and hopes to have wider participation for Fairs on the west side. It was a good start. He appreciated Commissioner Dorrان’s participation on the “wolf bill” – a serious problem that needs attention.

Commissioner Shafer none.

Adjourned at 9:53 a.m.

Respectfully submitted,

Melinda Slatt

Executive Secretary – Board of Commissioners

