

Union County Board of Commissioners
Joseph Building Annex Conference Room
Regular Commissioners Meeting
Wednesday, July 17, 2019

Present: Commissioner Donna Beverage, Chair
Commissioner Paul Anderes
Commissioner R. Matthew Scarfo

Commissioner Beverage opened the meeting at 9:00 a.m. and the Pledge of Allegiance was given with all three Commissioners present.

Public Comments

Alex McHaddad, Executive Director of the Blue Mountain Translator District (BMTD), 1104 K. Avenue, presented an update to the Commissioners. He also introduced his summer Office Assistant, Callie Sheker-Grothe.

Mr. McHaddad reported that the FY 2019-20 General Fund budget was approved \$149,250, that will assist the district with new equipment. Their newly approved budget will also assist with new technology recently adopted by the legislature. He also reported that they are at their best financial stability in decades.

Mr. McHaddad also mentioned the passing of SB 393 and SB 394, which would not have been possible without Union County Commissioners and other partners in the area.

SB 393 permits service charge payers in cities to serve on our board, exempts state properties from service charge and also permits voters to consider annexation of their cities after 2021.

SB 394 provides authorize for a local channel that allows BMTD to broadcast and stream a TV channel with hyper-local news and information, such as local government meetings, high school sports and community events. SB 394 – ATSC 3.0, is the next generation digital broadcast that features 4K video, immersive audio, and emergency alerts in your area.

Commissioner Beverage congratulated Mr. McHaddad on the accomplishments he's made in his role, and asked that he consider attending a Mayor meeting coordinated by Suzannah Moore-Hemann, Executive Director of Union County Chamber of Commerce.

Elected Official, Department Head & Employee Comments

Agricultural Zone

Commissioner Beverage discussed the possibility of signage in Union County that relays visitors are in an "Agricultural Zone". Something along the lines of "Welcome to Union County – You Are Now In An Agricultural Zone".

Commissioner Scarfo inquired what type of signage Commissioner Beverage was thinking of. Commissioner Beverage relayed that she was thinking of signage highlighting our County as an agricultural zone.

Commissioner Anderes inquired about examples from the other counties that relay the same verbiage. Commissioner Beverage relayed that she read the article in the paper, and has asked Scott Hartell, Union County Planning Director, to look into the process.

Commissioner Beverage asked that this item be added to the next work session on Wednesday, August, 14, 2019.

Pavement Agreement

Doug Wright, Union County Public Works Director, addressed the Commissioners with the Statewide Airport Pavement Maintenance Program for approval.

The agreement is between the State of Oregon Department of Aviation and Union County. It is a program that is administered by the Oregon Department of Aviation, who provides the entitlement funds from FAA, and combines it with State and Federal funds that build a pavement management program to complete preservation. There is a Consultant Engineer that oversees the program, who puts plans and specs together, and works alongside a contractor throughout the state of Oregon.

The airport is bringing in approximately \$33,000 for pavement repairs.

Commissioner Scarfo moved approval of the Pavement Agreement No. 33693 as presented. Commissioner Anderes seconded. Motion carried unanimously.

Commissioner Anderes asked Mr. Wright to discuss the funding opportunity that is available to the airport

Mr. Wright explained the airport is receiving additional funding in the amount of \$400,000 for the design phase of Runway 16-34 and Taxiway D, that will begin in 2020 and 2021. The grant should be secured this month for design, which will be completed by Precision Approach Engineering.

Consent Agenda

Commissioner Scarfo moved approval of the June 20, 26 & 27 and July 3 claims journals and meeting minutes from the June 26, 2019 Commissioners meeting as presented on the consent agenda. Commissioner Anderes seconded. Motion carried unanimously.

Administrative Matters

Intergovernmental Agreement Amendment (DOE)

Shelley Burgess, Administrative Officer, presented the Intergovernmental Agreement Amendment for consideration. This is Amendment No. 1 to Intergovernmental Agreement No. 11110 between Union County and Oregon Department of Education, Youth Development Division.

This amendment extends the current agreement under which we received funding for the Juvenile Department as part of the Juvenile Crime Prevention program. The proposed budget was at \$22,500, the additional \$7,500 will allow the Juvenile department to slightly expand their activities program in the department.

Commissioner Anderes moved approval of Amendment No. 1 of the Intergovernmental Agreement No. 11110. Commissioner Scarfo seconded. Motion carried unanimously.

Blue Mountain Community College (BMCC) – Contract out of District Agreement

Shelley Burgess, Administrative Officer, addressed the Commissioners with the Contracted Out of District Agreement for FY 2018-19, between Union County and Blue Mountain Community College.

Union County is not a part of the Blue Mountain Community College taxing district, to receive services the out of district contract is required. Mrs. Burgess included an email between Commissioner Anderes and Dr. Koopman as he is the BMCC liaison for Local Governments.

Commissioner Anderes relayed that the BMCC CTE program has lacked traction in the community over the years, and believes with Dr. Koopman's role, there will be more success. Dr. Koopman reassured Commissioner Anderes that Union County will not be charged for services from FY 2018-19.

Commissioner Anderes moved approval to accept the Intergovernmental Out of District Contract Agreement with Blue Mountain Community College. Commissioner Scarfo seconded. Motion carried unanimously.

Court Order 2019-27: Appointment to LCAC Advisory Committee

Shelley Burgess, Administrative Officer, presented Court Order 2019-27 to the Commissioners for approval.

Michael Maszk applied to serve on the advisory council for the Eastern Oregon Coordinated Care Organization, and does meet the criteria.

Mr. Maszk's term will begin immediately.

Commissioner Beverage noted there was a typo in the court order. The court order will be corrected for signature.

Commissioner Scarfo moved approval of the Court Order Appointing Michael Maszk to the LCAC as amended. Commissioner Anderes seconded. Motion carried unanimously.

Court Order 2019-28 Appointment to Ambulance Advisory Committee
Shelley Burgess, Administrative Officer, presented Court Order 2019-28 to the Commissioners for approval.

The terms of Pam Forrest, Debra Hansen, James Hesse and George Russell are due for renewal. All have been active members of the Union County Ambulance District Advisory Committee.

Their terms would begin immediately and expire June 30, 2022.

Commissioner Anderes moved approval of Court Order 2019-28 In the Matter of Appointment to the Ambulance District Advisory Committee. Commissioner Scarfo seconded. Motion carried unanimously.

PUBLIC HEARING: ATV Ordinance – 2nd Reading

Commissioner Beverage opened the Public Hearing at 10 am.

Shelley Burgess provided a brief staff report to the Commissioners. Previously there was a public meeting held on June 4, 2019, a public hearing on June 5, 2019 where the Commissioners decided to move forward with the draft ordinance for approval.

The first reading was advertised to be held on June 26, 2019 at which time two changes were made to the draft that was presented at that time. Those changes have been made to the current ordinance, revising “headlights and taillights to headlight and taillight”.

Mrs. Burgess relayed that the Commissioners accepted public testimony, approved the first reading and scheduled the second reading during the July 17, 2019 Commission meeting with potential adoption of the ordinance.

Public Testimony

Peter Barry, 60688 Morgan Lake Road, La Grande, introduced himself to the Commissioners.

Mr. Barry was out of town during the first reading, and had not heard about the initial reading until the 2nd reading was listed in the paper. Although he is in favor of the ordinance he would like to table the adoption of the ordinance until there is another public meeting held, where Morgan Lake and other Union County residents can speak on their concerns.

Prior to the hearing, Mr. Barry sent an emailing to the Commissioners listing the concerns of the residents of Morgan Lake Road and 12th Street in La Grande. His perspective is that this isn't safe for the County law enforcement is already thin.

Kevin Loveland, 2301 E. N. Court, La Grande, addressed the Commissioners regarding the ordinance.

Mr. Loveland spoke in favor of the ordinance, and would like to see the ordinance adopted today. Although he respects that others may not appreciate the disturbance of ATV's in their area, he is a firm believer it will bring economic growth to Union County.

Sean Deets, 2608 N. Spruce Street, La Grande, addressed the Commissioners regarding the ordinance.

Mr. Deets spoke in favor of the ordinance, and would like to see the ordinance adopted today. He has lived in La Grande for a short time; and believes that the population will not see any issues as Mr. Barry had discussed.

Delmer Hansen, 10807 S. E Street, Island City, Oregon, addressed the Commissioners regarding the ordinance.

Mr. Hansen spoke in favor of the ordinance. He believes that it will open up the forest and gives residents other options to get out into the timber. He does agree with those in opposition of the ordinance that safety is important, however, the Commissioners have already studied the roads the ATV's won't be permitted on in regards to safety. He thanked the Commissioners for their efforts.

Art Chase, 64678 Cherrywood Road, La Grande, addressed the Commissioners regarding the ordinance.

Mr. Chase spoke in favor of the ordinance. He respects the gentleman's opposition to the ordinance; however, doesn't believe there would be as many accidents as discussed previously. He commented on the decibels of noise that an ATV makes and it is approximately 89 decibels. Mr. Chase would like to see the ordinance adopted today.

Scott Franks, Cove, Oregon, addressed the Commissioners regarding the ordinance.

Mr. Franks spoke in favor of the ordinance. With the limited economic development in Union County, anything that would bring dollars to the County would be beneficial. He appreciates the progressive thinking of the Commissioners for moving forward with the ordinance, and would like to see the ordinance adopted today.

Commissioner Scarfo inquired with Mr. Franks as a former police officer if there were any safety concerns in the ordinance that jumped out at him. Mr. Franks relayed that there were not, and the laws listed in the ordinance should be obeyed by Union County citizens.

Doug Hislop, 3601 N. 2nd Street, La Grande, addressed the Commissioners regarding the ordinance.

Mr. Hislop spoke in favor of the ordinance. He spoke about his place of residence across from the Fairgrounds, and the County Fair starting in two weeks. There are several parking places for RV's that cost a small fee, which would bring dollars in to the County. He has visited with a few folks and they are in favor of the ordinance. He would like to see the ordinance adopted today.

David Thiesfeld, 708 S. 12th Street, La Grande, addressed the Commissioners regarding the ordinance.

Mr. Thiesfeld spoke in favor of the ordinance. He stated that County residents have been waiting for the approval of this ordinance for 11 years, it is not a new topic. He would like to see the ordinance adopted today.

Peter Barry addressed the Commissioners again, and commented on a legal liability and insurance costs increase. He believes there will be lawsuits in the future, especially if there is open ATV road up to Morgan Lake Road.

Art Chase spoke to the Commissioners regarding the possibility of lawsuits, and inquired with Sean Chambers, Parks Coordinator, if there have been any lawsuits in last 10 years on MERA. He believes that if the citizens abide by the law, the County will not face that issue.

Commissioner Beverage closed Public Testimony at 10:40 am.

Commissioner Scarfo commented on the helmet requirements as a passenger. It states that "a person who is under 18 years of age must wear a motorcycle helmet with a fastened chin strap while riding as a passenger", not a driver. Commissioner Scarfo would like the verbiage corrected to relay "a person who is under the age of 18 years of age must wear a motorcycle helmet with a fastened chin strap while operating or riding as a passenger on an ATV". This would fall under side by sides as well.

Commissioner Anderes would like to follow up with law enforcement regarding reports made in relation to ATV's riding illegally. He would also like to table the adoption of the ordinance until the next Commission meeting to make the proposed corrections.

Commissioner Beverage would like to add language that states ATV users must have a registered permit. This would provide the opportunity to track illegal drivers. She would also like a third reading to be held at the next Commission meeting on Wednesday, August 7, 2019.

Commissioner Beverage listed the roads that are closed to ATV usage; Hunter Road, McAlister Road, Ellis Road (intersection of North Powder Lane to Anthony

Lakes Highway), Gekeler Lane, Buchanan Lane, Palmer Junction Road, Bowman Road and Moses Creek.

Commissioner Scarfo relayed to the audience that Mr. Peter Barry was not the only resident on Morgan Lake Road. He had received emails from several others regarding the same concerns as Mr. Barry.

Shelley Burgess, Administrative Officer, inquired with the Commissioners regarding whether or not they would like to update the ordinance with the provisions discussed and post on the Union County website.

Commissioner Anderes moved approval to consider the third reading with amendments to include the valid ATV permit, and rider/operator to wear a helmet under the age of 18. Commissioner Scarfo seconded. Motion carried unanimously.

Commissioner Scarfo thanked the citizens for coming forward and expressing their concerns.

The third reading is scheduled for August 7, 2019 at 10 am.

Next Commissioners Meeting

The next regular Commission meeting will be held on Wednesday, August 7, 2019.

The next work session is scheduled to be held on Wednesday, August 14, 2019.

Adjournment

Commissioner Beverage adjourned the meeting at 10:54 a.m.

Respectfully submitted,



Allison Rhyner / Senior Department Specialist