

Board of Commissioners Meeting  
April 4, 2012

Present: Commissioner Steve McClure  
Commissioner Mark D. Davidson  
Commissioner William D. Rosholt

Chairman Rosholt called the meeting to order at 9:00 a.m. and began with the Pledge of Allegiance. All three Commission members were present.

Public Comments

Kerry White, 4000 Blackwood Rd. Bosman, MT, explained that he was in the area a few years ago and helped solicit comments from the public to make sure people commented on the Travel Plan from the Forest Service. As it proceeded the record of decision has now been issued and the appeal period is open for 45 days. He was in Enterprise last night to help the public work on submitting appeals for the record of decision. There is a meeting in La Grande at the Blue Mountain Conference Center where he will do a presentation to help the public write an appeal. He has been involved in several Forest Planning and Management actions in Montana. He will supply information from NEPA and the regulations of NEPA that the Forest Service has to follow. He gave the Commissioners a copy of an appeal that was filed under the Beaver Head Deer Lodge in Montana May 21, 2009. It is just a sample appeal that may be of some help to the Commissioners when they are getting their appeal ready. He offered to help the Commissioners with anything that he may be able to help with in regards to the appeal process.

Drug Free Communities Grant

Vicky Brogoitti, Director of Commission on Children and Families, gave an update on what CCF has been doing regarding the Drug Free Communities Grant. They are six months into the first year of the grant. They have established formal committees for prevention messaging. They are coordinating the drug free relay. They have attended numerous trainings and put on workshops. The year two continuation plan was submitted in January. The coordinator is halfway through her training requirements and should finish her training in year two although new training may be needed as the grant continues.

OTIA 3 Agreement

Doug Wright, Public Works Director, brought an Oregon Transportation Investment Act Agreement (OTIA 3) to the Commissioners for consideration. He explained that there were some funds left over from other projects throughout the State. Union County has a project that is next on the list to receive funds for replacing a bridge. There was a total cost estimate of \$1,000,000. That estimate was for estimate purposes only. With the money that will be received which is about \$500,000 the bridge can be constructed with some cost sharing with Baker

County. The bridge is on the County line and Baker is willing to contribute some of the cost sharing to get the bridge replaced. This bridge has been weight limited since 2000 so it will be good to have replaced. The bridge should be completed in the summer of 2013.

Commissioner Davidson asked if there is a right of way that needs to be acquired. Doug stated that they are hoping that there is no right of way that needs acquired and to stay within the right of way but the numbers are there in case the funds need to be expended for that reason.

Commissioner McClure explained that this bridge is on the North Powder River and is on the County line. It will be tight with the money received but there will be some in-kind work done by Union and Baker Counties. Doug stated that there are some as-built plans which will provide some cost savings.

**Commissioner McClure moved approval of the Oregon Transportation Investment Act Agreement as presented. Commissioner Davidson seconded. Motion carried unanimously.**

Consent Agenda

**The March 15 and 22 claims journals; the March 14 Public Works claims journals; were approved as presented on the consent agenda.**

HR 4019 Resolution

Resolution 2012-03, Resolution in Support of Proposed Federal Forests County Revenue, Schools and Jobs Act of 2012, was presented for consideration. Shelley Burgess, Administrative Officer, read the Resolution for the record.

**Commissioner Davidson moved approval of Resolution 2012-03 as presented. Commissioner McClure seconded. Motion carried unanimously.**

OWEB Grant Agreement

Shelley Burgess bought an agreement between Union County and the Oregon Watershed Enhancement Board to the Commissioners for consideration. She explained that this is a grant in the amount of \$49,000 and is for the Gekeler Slough Drainage Surface Water Management Plan. It is a grant that does not have a cash match requirement in it.

Commissioner McClure explained that the City of La Grande and Union County have struggled with the Gekeler Slough. It has caused numerous floods in the past. This is an attempt to work with the City of La Grande to come up with a master plan to plan how to deal with the drainage all the way from Table Mountain to Catherine Creek. It has been fixed in different pieces but it just pushes the problem further down. The City of La Grande is going to be a major contributor. The intent is that when it is done there will be a plan which will be used to leverage funds to get the work done.

**Commissioner Davidson moved approval of the OWEB Grant Agreement as presented. Commissioner McClure seconded. Motion carried unanimously.**

Travel Management Plan Appeal

Shelley Burgess explained that she has a letter from Julie Weis from Haglund, Kelley, Jones and Wilder LLP who is an attorney specializing in National Environmental law for consideration. She is willing to prepare an administrative appeal on the Travel Management Plan on behalf of Union County. This would be an engagement letter that would be reimbursed on an hourly basis and would be capped at a maximum of \$10,000.

Commissioner McClure stated that the Commissioners discussed hiring an attorney to write the appeal for the County and he had talked to Roger Lord about writing the appeal. He stated that he could do it but it was not his expertise. He recommended Julie Weis to do the appeal and she has the time and is willing to work on it. She has done many of them. Commissioner McClure explained that he would like to make sure the County has the best appeal possible and bring the expertise in to help with the process.

Commissioner Davidson stated that this is obviously a highly important issue to the community. There have been numerous letters received by the Commissioners about this issue. It is integral to the way of life in the community. He stated that it might seem like a significant amount of money but when it is compared to the magnitude to the challenge of the community's culture it is well worth it.

Commissioner McClure explained that to appeal a Forest Service decision is a complex issue and most people are not qualified to do it. He would like to see as many appeals as the County can get, but he thinks an expert should be brought in with the knowledge of the technical aspects of the Plan.

Commissioner Davidson stated that it is the County's responsibility to represent the interest of the community in the best way possible and he thinks the County has to hire expert help in this situation. He has been encouraging everyone he talks to who has standing to file an appeal because he feels that the more appeals that are brought the more impact it will have.

Commissioner Rosholt stated that he feels it needs to be done right and he agrees with the other two Commissioners on this issue.

**Commissioner Davidson moved approval of the engagement letter with Julie Weis as presented. Commissioner McClure seconded. Motion carried unanimously.**

Union County Board of Commissioners  
April 4, 2012  
Page 4 of 4

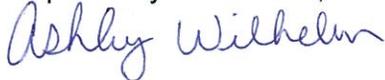
Executive Session

The meeting went into executive session under ORS 192.660(2)(e) Real Property Transactions.

Adjournment

The meeting was adjourned at 9:35 a.m.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Ashley Wilhelm". The signature is written in a cursive, flowing style.

Ashley Wilhelm  
Sr. Dept. Specialist II