

Board of Commissioners Meeting  
January 22, 2014

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

Chairman McClure opened the meeting at 9:00 a.m. with all three Commissioners present.

Public Comments

There were no public comments.

Petition for Livestock District Annexation – Continued from 12/11/13

Court Order 2014-05, In the Matter of Annexing Land into Union County Livestock District #1, was presented for consideration. Hanley Jenkins II, Planning Director, explained that 100% of the land owners are requesting to be annexed into the Livestock District. Notice of the original hearing was given. The hearing was held on December 11, 2013 and was continued until today.

Commissioner McClure opened the public hearing for testimony. He closed the hearing with no testimony received.

Commissioner McClure explained that the Commission's authority is to determine the boundaries.

**Commissioner Davidson moved approval of Court Order 2014-05 as presented. Commissioner Rosholt seconded. Motion carried unanimously.**

Drug Free Communities Grant Continuation (Year Four)

Robin Wortman, Safe Communities Coalition Coordinator, brought the Drug Free Communities Grant Continuation to the Commissioners for consideration. She explained that the application has been approved by their executive committee. This would be a year continuation of the existing grant. **Commissioner Rosholt moved approval of the Application for Federal Assistance SF-424 as presented. Commissioner Davidson seconded. Motion carried unanimously.**

Consent Agenda

**The January 2 and 9 claims journals; and the January 8 Public Works claims journals; were approved as presented on the consent agenda.**

Appointment to 4-H & Extension District Budget Committee

Court Order 2014-07, In the Matter of Appointment to the 4-H & Extension District Budget Committee, was presented for consideration. Shelley Burgess, Administrative Officer, explained that this Court Order would re-appoint Bob Messinger, Don Sands and appoints Julie Hickerson as a new member to the Committee. **Commissioner**

**Rosholt moved approval of Court Order 2014-07 as presented. Commissioner Davidson seconded. Motion carried unanimously.**

Appointment to Union County Fair Board

Court Order 2014-08, In the Matter of Appointment to the Union County Fair Association Board of Directors, was presented for consideration. Shelley Burgess explained that this Court Order would re-appoint Randy Mai to the Fair Board. **Commissioner Davidson moved approval of Court Order 2014-08 as presented. Commissioner Rosholt seconded. Motion carried unanimously.**

Appointment to Household Hazardous Waste Steering Committee

Court Order 2014-10, In the Matter of Appointment to the household Hazardous Waste Steering Committee, was presented for consideration. Shelley Burgess explained that this Court Order would re-appoint Kyle Carpenter to serve as the City of La Grande representative on the Committee. **Commissioner Rosholt moved approval of Court Order 2014-10 as presented. Commissioner Davidson seconded. Motion carried unanimously.**

Ordinance Establishing Criminal History Record Check Policies – Second Reading

Ordinance 2014-01, In the Matter of Establishing Criminal History Record Check Policies Concerning Applicants for Employment and Appointed Volunteers, was presented for consideration. Shelley Burgess explained that the first reading and hearing was held and the Commissioners approved the Ordinance at the meeting on January 8, 2014. This would allow the County to utilize the Sheriff's office to do background checks on applicants for positions within the County rather than have to go through the lengthy process at Oregon State Police (OSP). This will give a result of record or no record. If there is a record then the County will have to go through OSP to get a detailed report of the record. Without this Ordinance the Sheriff's office doesn't have the authorization to access LEDs for the County employment purposes.

**Commissioner Davidson moved approval of Ordinance 2014-01 as presented. Commissioner Rosholt seconded. Motion carried unanimously.**

Executive Session

The Commissioners went into an executive session under ORS 192.660(2)(F).

Animal Shelter Discussion

Shelley Burgess explained that the Commissioners were briefed in the Executive Session on the status of the attempts to resolve the concerns with the operating agreement with the Animal Shelter. A mediation session has been scheduled so there is progress being made towards a resolution.

Courthouse Facility Discussion

Commissioner Rosholt stated that a few years ago there was a committee formed and that committee made a decision that a new court facility should be located on the

County campus. They felt that the appropriate place may be another floor on the current law enforcement building. Union County spent about \$20,000 on a study to see if that would be feasible for the building as far as structurally. It was found that the cost of a new floor would be about \$6 million and that is out of the reach for the County even with the help from the State with funding. The State Courts were willing to help the County with the project so the County went to work trying to find a location for the facility that would be satisfactory for the State Courts to be housed on the County campus. The County looked at the area between the law enforcement building and the Shelter from the Storm building with the thought that there would be a two story building for a total square footage of 13,500. After negotiations and committee meetings in the legislation the progress went forward. The first time that the new court facility was presented to the legislation it was denied. It was after many meetings and continued effort with the State by Commissioner Rosholt and Judge West that the State approved funding for the County in the amount of \$2 million.

Commissioner Rosholt also explained that the Association of Oregon Counties had a court facility committee and those on that committee felt that if the Department of Justice kept trying to give piecemeal funding to different counties to help with court facilities it would not help as much as giving one county all the money they need to get the large project done and then move on to other counties that also need funds for their projects. A large amount of funding is much more helpful than small amounts to everyone. Because of this support Commissioner Rosholt and Judge West met with the legislature about receiving funding from the State for the two-story facility. After looking at that facility the court staff and State determined that the facility should be a one story building because of cost constraints and work efficiencies. The area where the law enforcement building is still the only area that makes logistical sense to put the court facility. The County then started looking at ways to have that facility housed on that property. Because of that it became obvious that something would have to happen to the Shelter from the Storm building.

On January 15, 2014 Commissioner Rosholt and Judge West approached Teresa Crouser, Executive Director of Shelter from the Storm, and explained the situation to her as to what the findings were. They told her the County was going to ask them to understand that their building was needed for either part of the court facility or the building would have to be razed to build the court facility in its place. Commissioner Rosholt explained that he told Teresa the importance of their agency and that the County was willing to go forward and look for a place with them or on their recommendation of a place for them to be temporarily housed while the project is going forward. He also suggested to her that once the new court facility was constructed and the staff could move in then the County could house them in the facility where the courts are now at no cost for rent or utilities.

Commissioner Rosholt has asked Judge Dretke to come and explain the courts views on the need for a one story facility as opposed to a two story facility other than the construction cost and the large cost for elevators and maintenance of those elevators

over time which is a concern of the County. He explained that the County would like to go out for design/build proposals by March 1<sup>st</sup>. Shelley explained that there are other issues that need to be addressed first such as parking. She stated that those issues do not have to be concluded to put out the RFP. Commissioner Rosholt explained that the County has a meeting with the City of La Grande on January 31, 2014 to talk about the biggest issue which is the parking. Shelley explained that the County has asked the Judges and the Court Administrator to help with the layout of the facility to include within the RFP so there is some more information to gather before the RFP will be ready.

Shelley Burgess explained that the agreement is signed with the Department of Justice for the \$2 million and the County has committed \$750,000 cash and an in-kind of the location and administration for a total of \$3.1 million for the total project cost.

Tim Thompson, District Attorney, explained that his office recently completed a week long trial and some of the deficiencies of the current court facility were apparent there and wanted to make sure the issues are addressed in the design of the new facility. There is no mechanism to allow members of the public to see any of the exhibits that were presented. He would like to see some kind of display mechanisms for the members of the public who sit in the audience to see exhibits through a projection screen or something similar.

Commissioner McClure stated that he agrees with Commissioner Rosholt that the project should be done right for the courts and their needs.

Judge Brian Dretke, Union County Circuit Court, explained that a one story courthouse is important because of cost of construction. He stated that the cost of installing a commercial elevator is between \$65,000 and \$75,000 per two story elevator to install according to EV Studio who does architectural engineering. In the case of a courthouse there would need to be an elevator for the public use, one to transport prisoners and depending on the building code there may have to be a third installed as a private service elevator. At a minimum there would need to be two elevators. He explained that he also talked to W.C. Construction about the cost for the elevators and their price was between \$45,000 and \$50,000 for one elevator. He explained that there is a very limited budget and if the costs can be reduced by not installing elevators it is helpful to get the facility that is needed. He stated that the community needs to feel like they are going to a place that justifies their reason to there and that allow them to feel they will get justice in the building. One of the locations that has been discussed is between the current Shelter building and the law enforcement building. The entrance would face into a residential area and he doesn't feel that meets the qualities of a focal point of the community like he feels a courthouse should be.

There are efficiencies that come with a one story building as well. The courts are currently in a two story building and it doesn't work well. It is inefficient when staff is separated by floors. He gave an example that he was in court on a matter that brought up another case involving the individuals in the current case. He does not have a copy

of the previous case so he would have to get ahold of staff who is on another floor in another entrance to track down the file that is on yet another floor to get it to his courtroom. When staff is divided they don't have the same level of communication and don't work together on a regular basis. If everyone is located in the same area it is more efficient and there will be better service.

Commissioner Davidson explained that the County needs to think about the cost to operate and maintain the building over its life. There are three elevators that the County currently maintains and there is an annual fee for a maintenance contract. The cost needs to be calculated into the thoughts when a decision is made as well but feels that it further strengthens a case for a one story facility.

Commissioner McClure stated that the director of AOC is very proud that this precedence has been set. They have tried for many years to get the Justice Department to participate in the courthouse projects and this is the first one that has been done.

Michelle Leonard, Court Administrator, explained that all of their staff has a caseload and all have to go into the courtrooms and have their own duties which require phone and counter services. For them to easily go from one place to another would be a very welcomed change. The separation of staff is very difficult for them. She is looking forward to being able to provide her support to all of her staff in situations where she is missing the fact that something is happening at the beginning rather than having to clean it up at the end.

Tim Thompson explained that he has practiced in nearly every courthouse in the State and he has seen multiple stories and single story courthouses. He encouraged the Commissioners to look seriously at a single story building for the reasons discussed but also the security issues such as additional security points in a two story building. He felt that because of the security it would be a large additional cost for a two story building.

Tim Thompson also wanted to express his concerns about the Shelter from the Storm continuing to run during the construction phase because a lot of the County offices have grants that are tied to their operation.

Shelley Burgess explained that she felt that a few people were at the Commission meeting because they are concerned with the Shelter operations and they missed the Commissioners earlier explanation of the fact that the County is interested in finding an interim location and a long term home for the Shelter from the Storm. There is no intention for the Shelter to cease operations or be interrupted.

Commissioner Davidson stated that the service the Shelter provides to the community is invaluable and they cannot close even temporarily. Commissioner McClure and Rosholt agreed.

Commissioner Rosholt explained that he is trying to work with the Shelter to find them a location and a solution for temporary and permanent housing.

Adjournment

The meeting was adjourned at 11:50 a.m.

Respectfully Submitted,

  
Ashley Wilhelm  
Sr. Dept. Specialist II