

Board of Commissioners Meeting
September 16, 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

Maxine Hines, 701 D Avenue, La Grande, explained that she has been a licensed general contractor and done property management for many years. She has come to the Commission meeting because of the eviction of the Shelter from the Storm. She explained that there are no permits and the parking issues haven't been settled. Funding is not in hand and construction won't start until next Summer but the eviction is going through now which will disrupt a very important service. She thinks the whole premise of doing a one story courthouse instead of a two-story courthouse is one of the worst things she has seen the Commissioners do. She stated that this doesn't look like common sense and doesn't look like honoring the original grant to her. She was involved with Annie Ray when the Shelter built their house. It has been a long process but it has done a lot of good here. She understands that the County doesn't want to do elevators. She looked up on Google: Courthouses in Oregon and the Northwest and out of 152 pictures there was no one story courthouses. Other people can cope with multi-story buildings. There has to be a better way than tearing down a \$1 million building to put up a \$3 million building. It doesn't make good business sense to have them move to another office. It is a specifically designed building. The Federal grant was for that purpose and it shouldn't be just torn down. If it does she wants to know why now when the project won't be started for at least six months. She would like some answers if there are answers. She asked if the County looked into moving the present Shelter building to a new location. It was covered in the newspaper that there were a lot of maintenance issues with the law enforcement building and that was originally supposed to be a two story building. She doesn't see why that building isn't part of the puzzle. There has been a lot of decisions that she has questioned over the years but she has gone along trying to be a good County person but this one is over the top. She needs to let the Commissioners know that there are a lot of people that aren't going to stop allowing this decision. They are going to get in the way every way she can. She will be there when the demolition starts. This is wrong. It is immoral and not common sense but poor planning. It is not a good decision and she hopes that the County looks at it and goes back to a two-story courthouse. They would have a lot of support from the community. It then would become a family justice center to try and get all of this working together to serve people better.

Mary Ellen LaBerge, 2311 East L Avenue, La Grande, explained that she has lived in La Grande for 15 years and has been working with the Shelter since then. Last week she was asked by a judge if they were ready to start fundraising for a new location. Her

thought was that they have already done that. Sixteen years ago they started fundraising and have been fundraising ever since. They couldn't have done it without a huge community outcry to begin with to get the building. They have had huge community support ever since for all of the services that they provide for the community. Fundraising has been key. She is wondering if this is justice for all and is it the right thing to happen. She thinks that deep down in each of the Commissioner's hearts they know that it is wrong. A benevolent offer of moving expenses and rent for a year is only \$30,000 in replace of a \$1 million building and disruption of services which is an untold amount. She is thinking that if they were the recipient of such an offer how would they feel. They would feel like they had a slap in the face and consider it an insult. That is how the Shelter is feeling. It might work to move from a 3500 sq.ft. space to an 1800 sq.ft. space if they were looking at just 60 clients instead of the 600 they serve now. Instead of housing two staff they are housing seven. She is not sure that the County is aware that they have seven staff. If they didn't need kitchen services for mothers and their children. If they were being put in a building with security and the availability to have a lockdown, which they have four or five a year. How is that done in an 1800 sq. ft. building that opens onto 6th street. It is just not possible. They need what they have and they have what they need. All is not lost. There is a way that they can all come out of this not smelling like skunks. There is still opportunity to right some of the wrong. They can still turn the muck that has been created into the foundation of something wonderful that will serve the needs of every individual in the County. Be visionaries and leave a legacy for each and every person. Help them create a family justice center. At least think about giving the Shelter the Joseph Annex footprint for a family justice center. Think about what can grow out of that. She asked the Commissioners to work their powers and do something beautiful for the entire community.

Margaret Mead, 57744 Foothill Road, La Grande, read a statement attached to these minutes.

Diane Lundsford, 808 Main Avenue, La Grande, stated that she is also speaking for her husband, Julian Pridmore Brown who is unable to attend the Commission meeting. She stated that she is a member of the safety community. She is personally responsible for the net control of the HAM radio tower that allows for emergency contact with more counties than any other radio tower in this community. It is thought of so highly by the State that she has a key to the EOC and she can go down there as few members of the community can. Her husband is this year's member of the year Search and Rescue volunteer. He is that because of his work in training multiple counties Search and Rescue members as well as our own in the latest safety and rescue activities. He is also responsible as a donation to ensure that a usable website is up and running for the Search and Rescue members. She makes a big point out of the volunteer reality of their work because she does not see any value in the work that the Commissioners have done to deserve the \$5,432 plus benefits that they collect individually every month. She is upset about that. She is angered. She explained she wasn't a vocal person in this campaign for the Shelter because she was preoccupied until this point. She got vocal when she read what they were going to do in response was pray. It didn't seem like an

appropriate response at this point for those in the community that are angry and upset with the Commissioners decision and lack of judgment. She has a vested interest in safety in the region because she is a survivor of domestic violence in her childhood home. She explained that unlike the Commissioners she gets how much the work that they do is an essential service and it is only because it is paid for by grants at the Federal level that it is not acknowledged by the Commissioners to the degree and respect that it deserves. She feels that if the services were paid for on the county level they would have received better treatment. She is a member of a group that started back in the early 90s when they first did what was necessary to compensate for the lack of a shelter and they continued support for the idea that Shelter from the Storm have and maintain a permanent advocacy center. Currently, the group is known as Save Our Shelter. Herself and her husband and their expertise in safety are now focused on this group. They have high safety knowledge so the Commissioners are not going to be messing around like they have. She is aware of the structural realities of the law enforcement building. That is the most appropriate place for the courthouse to be built. The County's proposed debacle strikes a lot of fear in her because the Commissioners really see the lack of impact of interfering with the Shelter from the Storm providing their services as well as the maintenance of their grants. A few facts about domestic violence and the reality of domestic violence victims. They are silent. The ones most likely to survive are those who speak up. Right now she speaks out for her niece and for other children, men and women too beaten down to defend themselves against the Commissioner's blatant attack on them. The Commissioners seek to disrupt the chain of recovery for those currently seeking services, those potentially seeking services from surrounding areas. As the Commissioners are aware there is no such facility in Wallowa County and other counties nearby. People come to Union County for the exceptionalism of the Shelter from the Storm. She speaks out for those whose lives would have been lost like hers and her sisters almost were. The difference of someone who seeks and gets help is clearly illustrated when comparing her and her sister. She has sought help and support through the Shelter from the Storm and through other like facilities. Her sister has not. As a result, she is a frequent visitor to the emergency room for panic attacks and has to take a lot of sedatives. This is a costly reality to not treating victims of abuse. This was no doubt a reality that was started in our childhood home. It is also a reflection of her experience with her boyfriend. When the lifestyle of a victim of domestic violence is not interrupted they continue in the system. Her sister had a man that broke down a nine foot door and came into the house to kill her. She was too afraid of effecting his job to call the police. Luckily the neighbors heard her screams as she ran for her life. She asked the Commissioners if they see now why this shelter is important. She asked if they see how the Shelter needs to be able to lockdown. There are these types of monsters out there. Luckily, her neighbors and the Santa Barbara County D.A. realized that her screams were from a person whose life was threatened and he ended up incarcerated for 16 months. She was his third girlfriend that he had attacked in such a manner. She speaks out now from eyes that are not blackened. There is no longer bruise marks on her throat from when her Dad attempted to kill her. She does this even though she does not live in a house in which she is threatened on a daily basis for her life as the house she grew up in. She stated her Dad's reasons are understandable. He

was in the military for twenty plus years and suffers greatly from post-traumatic stress disorder and has never been treated. She explained that she wants to make five points on how the Commissioner's actions are depriving the victims in this community. Herself and other survivors of domestic violence want the Commissioners to know that they are well aware that they are squandering the \$100,000 plus already spent to fit out the Law Enforcement building to have a third and fourth level. She stated that she has access to the EOC and she has been down there and has seen it structurally. She is a mathematician and a person that has a lot of farming background so she knows that is fiscally wasteful. Herself and other survivors of domestic violence demand to also know what the unilateral decision making process is about outside of bullying and how it is the Commissioner's norm. The Commissioners exclusion and outright attempts at hiding the plans from the Shelter from the Storm and their goals to kick them out of their residence speaks to the weakness of their position. Transparency originates in a place of strength. The Shelter is quite transparent. Teresa Crouser has told her that anything she says to her she would say to anyone in the community. The Commissioners intentional disinterest has a long recorded history as it was three plus years ago that they were first approached about jointly doing a family justice center. If there was one thing that everyone knows about the Shelter they are proficient at earning grants and earning the support of the community to fundraise. Why the Commissioners turned away from them when they first approached the County is indiscernible to her. That is the biggest flaw in this logic stream. All of this speaks to their bullied argumentation style. The County's position is too weak a stance to stand up to scrutiny and the Commissioners know it. The Commissioner's decisions are too ill researched to offer compromise. Her favorite element along these lines with the State funding agency is that they were under the impression until recently that there was no building there that had to be demolished let alone a building of such importance. She asked if the County left that out intentionally. She wants to know if there were a church or a hospital who serve a similar nature of work as the Shelter, but doesn't heal cuts and bruises instead they heal families wouldn't there be rioting on the streets. That is why there is rioting and upset because the Commissioners are doing that. As to the Commissioner's attacks on the director she knows her business so well that the option that the County offered her she didn't have to waste a minute on because she is a damn busy person. She went and looked at it and from the outside saw that there was not the ability of the building on J Street to go through the lockdowns necessitated by the work that she does. She didn't need to go inside because it is a one door entrance. There has to be multiple entrances and exists. She knew that. She is smart enough to know that. The Commissioner's should be smart enough to know that at the rate of pay they are currently getting. The third point is that herself and other survivors of victims of domestic violence want to know what the plan is to come up with the \$20,000 a month that is paid for currently for employees at the Sheriff's Department and the District Attorney's office through grants. The grants can be pulled because they can no longer be facilitated as they have in the past. She would like to see the plan for that. They are also upset about the two vehicles. Those two vehicles play an important role. She explained that the Shelter wrote the grants and vehicles sit in the parking lot at by the law enforcement building. She knows that because she goes to the law enforcement building a lot for search and rescue and the Shelter from the

Storm. If the vehicles are taken from the County the Sheriff's office will lose a vehicle and the Shelter will lose the ability to transport victims to places of safety. The fifth point is the most important. They want to know if they have investigated the requirements for declaring a state of emergency that the County will create by the Commissioner's actions. They are putting members of the domestic violence community, the members in the community most at risk, in an increased level of risk. They cannot count on the County to be processed at the highest safety levels required. The 911 system will be overloaded. She is well aware of the 911 system. She asked the Commissioners what they will do to bring on additional staff since this staff will no longer be able to accommodate all of the requests for assistance that they currently do. The breakdown of services will require a state of emergency. The cases that are currently occurring, the trend in domestic violence is that they worsen over time if they are not treated, are at the point right before the worst which is murder; strangulation. There are a lot of victims in the community that have recently been strangled by people within their households. These are the people that are now going to have less access to safety. She has not seen any proposal on how they are going to be accommodated for. What is ironic about this in a fiscal reality is the cost from one domestic violence is \$2 million. The same as the \$2 million that the courthouse grant is for. There has to be some kind of written record at this point for how the County will proceed with compensating for the lack of safety that they are now causing in the community. As of today they will start a campaign to call for a state of emergency at the breakdown of services the County will cause. She wants to commend the Shelter from the Storm. It is their efforts and the efforts of the many volunteers. She has lived in this community for nine years. Every single activity seems to be around Shelter from the Storm that is outside of church activities. Their efforts push the community up to a level that is currently being dragged to mediocrity. The Commissioners are mirroring them in mediocrity and have for many years. The Oregon Coalition against Domestic and Sexual Violence and the Oregon Attorney General's Sexual Assault Task Force as well as herself and other survivors are truly aware of what they accomplish. They know of how exceptional the Shelter's work is because they have to know. Why don't the Commissioners?

Mary McCracken, 63036 Buchannan Lane, La Grande, stated that in any major building project there should be a cost analysis in terms of real costs that are perceivable. In situations where vital public safety services may be jeopardized she thinks common sense does call for a comprehensive risk analysis as well as a cost analysis. Disruption of Shelter services would increase the risk of violent crime. There has been a spike in things like strangulation. She thinks that it is a very violent crime and would indicate a strong tendency to go the next step and kill someone. She wonders what it costs the County for prosecution and long term incarceration. Diane was saying that it could come up to \$2 million. If there was a crime that could have been prevented that occurs because of disruption of services than the County would be involved in a major cost of prosecution and the cost of long term incarceration. She is also wondering if the County could be held liable for damages should an act be committed that would have been prevented had the Shelter been available. Those are questions she would like to have

addressed before eviction takes place. She would like the Commissioners to do a risk analysis after the cost analysis is completed.

Donna Skovlin, Cove, read a statement which is attached to these minutes.

Valerie Morrow, 403 O Avenue, La Grande, read a statement which is attached to these minutes.

Dick McDaniel, 63316 Gekeler Lane, La Grande, stated that he thinks he understands something about the position that the Commissioners are in. There is a need for a new courthouse with no questions. He asked if it needs to be put where there is a facility; Shelter from the Storm, which is doing a good job in this community providing an excellent service when there must be other spaces. He doesn't know how big the new courthouse is but there is space East of the Joseph Annex building. He doesn't know how big the new building is going to be but surely there is some place on the campus. This area is very close to the Jail which is something that the courts want for security and transport of prisoners. He knows that the County looked at seven places and they chose to tear down a facility that was a donation for County services provided by Shelter from the Storm. They chose to put the building there. He does not understand it. He has been involved in a little civil disobedience and he will be with his sister in front of the bulldozer to tear the facility down. The County can arrest him and put him in Jail which has been done before. He thinks this is a tragic mistake.

Kelly Skovlin, 1404 Walnut Street, La Grande, explained that she has been a client of the Shelter. They served her well. She went from not having much confidence in herself to now having her own successful business in La Grande. When she heard that the Commissioners chose to take the site where the Shelter is to tear it down and put in a courthouse she couldn't believe it. She couldn't believe that anyone in their right mind could make a decision like that. She was also aware that this entire block belongs to the County. She can't see why there couldn't be another space where the building could be placed. She has watched the Joseph building erode for years and she always wondered why it was never torn down. It would provide even more space if needed for a courthouse. She wanted it on the record that she is in opposition of the Commissioner's decision.

Commissioner Davidson explained that he knows there is a lot of confusion over how the County could arrive at this decision. There has been a lot of talk today and previously about how there is at least seven options that the County has looked at. Those options included options on this block, at least three options with the block on the law enforcement building and the Shelter from the Storm. The challenges that the County faces are that they have to meet La Grande's land development code and their parking requirements. The County currently has a deficiency in the parking number and as they add more buildings that requirement will go up. The County will be required to meet the standard. The County has gotten along for years being deficient because it was an existing condition. Now that there is new construction they will be forced to meet

that standard. They have been told by La Grande staff that the way their Ordinance is written they don't believe the County can successfully acquire a variance to that standard. There are requirements from the Oregon Judicial Department. They have the final approval on the design and the placement of the building. They are putting in two-thirds of the money. The Bill that enacts the money and the contract the County was presented gives OJD that control. They are the ones approving the location and they are the ones that are dictating a single story design. It is the wishes from the District staff and the presiding Judge who testified in court that he wants a one story design. The other challenges in the design of the building that has an effect on the location of the building is requirements for pedestrian sally ports, vehicular sally ports and holding cells. In an effort to try and stay within budget the agreement was made that if the building was located next to the Law Enforcement center they can utilize the facilities that are within the law enforcement center. A location on that block either on top of the law enforcement center, adjacent to the law enforcement center or the location that has been chosen has the least negative impact on the parking number that can be created and allows the County to add parking on the East and North lawns of the Joseph Annex building. The County looked at those three options. They had the assessment of the Law Enforcement Center done by an engineering firm to assess the condition of the building. It was found that the building didn't meet the current seismic codes if additional stories are added. They commissioned that firm to develop a cost estimate to add an additional floor on the building to provide room for the courts. That estimate came back at \$6.1 million. That is a number that the County cannot fund and the Oregon Judicial Department was not willing to fund a large enough portion of that project that the County could bridge the gap between what they were willing to offer the County and what the cost was. The other two options were a two-story building between the law enforcement center and the Shelter from the Storm building. The judge doesn't want a two-story building so they have settled on the third and last choice. He has said it before that he doesn't like the choice but it is unfortunate that it is the only option that meets the criteria and meets the need. He knows that the people don't like it but it is the process the County has been through and the choices from his seat that the County has faced. The Commissioners have extended multiple offers to the Shelter. He has tried to initiate a dialog where they can find a location that can work in the interim to continue to provide services to the constituency that needs. They should continue the process of how to go about replacing the Shelter building. He advised the Shelter staff that they should look for a location that is adjacent to the County campus, would give them the response time that they need from law enforcement, would give them the proximity to the services that they need but not leave them subject to the decisions of this or future Commissions. He feels that the best option at this point for the Shelter is to have their own location that they own so they can control their own destiny. He has offered to work with them to try and find funding for that and the offer still stands. He will do everything that he can to help.

Commissioner McClure asked if Shelley could speak to the grants that are currently in place with the Shelter from the Storm and the County. How would those grants operate as this moves forward?

Shelley Burgess, Administrative Officer, explained that the County was a recipient of a grant that funds an advocate in the Shelter from the Storm, a Sheriff Deputy, the victim advocate in the District Attorney's office, a portion of a Deputy D.A. salary and a small part for administration to the Sheriff's office. It is a VAWA grant that was received by the County. She doesn't know as much of another grant that was received by the Shelter from the Storm. The partners include the La Grande police department and it does partially fund one County Parole and Probation officer. She is not aware of other grants that the Shelter has.

Commissioner McClure stated that he was here when the grant was received to build the Shelter building. The Shelter was in the basement of the old courthouse. The County provided that space free of charge. The County chose to remove the old courthouse and as part of that process they had to consider the Shelter. They built the Chaplin building and the County offered to sponsor a CDBG grant for the Shelter. A CDBG grant has to be sponsored by a government entity. The County hired an individual to write the grant and were trying to help in good faith. The expectation of that grant being funded wasn't high but they felt it was an honorable thing to do to try and help the Shelter. The grant was funded and the building was built. It is very clear having gone through a trial that the ownership of the building is the County's. The County has been sued and it has been adjudicated. It was very clear in the terms of the initial grant that the County had to provide that building to the Shelter for a minimum of five years. The Shelter has been there rent free for sixteen years. He thinks it is extremely unfortunate that the County finds themselves in this position. He knows that when advocating for the money from the State to take care of the Courthouse the discussion of removing the Shelter was never brought up. If the record of the trial was read Judge West made a statement about that. His concern was to find the money and then work out the details of how the building would be built. The Judicial Department does have the control. Politically they are going to look at Judge West and do what Judge West wants for his district. Judge West has been up front about that in this community and has made honest statements as to why he wants the building where he wants it. When the conditions came down from the Judicial Departments he looked at the requirements they had added in for two extra sally ports for additional space, he knew how much money the County had so he made the suggestion of why should those be duplicated when it is already in the existing facility. That is why it was put so close to the Jail so that the County didn't have to duplicate sally ports which are expensive. The holding cells did not have to be duplicated. There will be a holding cell in the Courthouse but that is only to hold the inmate during a recess in the trial. He has been a Commissioner for twenty-four years. The Shelter from the Storm has done a fantastic job. The reason they have done a fantastic job is the people that are involved and the things that they have done. That building has not made them great. They can do that service from another location. This County is willing to help the Shelter from the Storm. The best advantage for the Shelter is to get control of their own assets. He has been board chair of Community Connections for nearly twenty years and they just bought their own facility. He doesn't like this situation. He is sympathetic to the stories he has heard. He

can tell personal stories as well. He has experienced the very thing that has been talked about today. He has 6 brothers and sisters, 17 nieces and nephews and over 25 great nieces and nephews in this community so he guarantees in a family that size they have dealt with those issues and he does understand. The Shelter from the Storm provides the services to the people after what has happened. That is the sad part. They have to change the mentality of this country so people not only respect violence against women but respect violence against anyone. He understands where the people are coming from and he would like to work with the Shelter to try and find a solution that works for everyone. He apologized for the short timelines but those were given to the County by the legislature. The County didn't know they were getting the \$2 million until the very last minute and then there were timelines given that had to be met. As soon as the County knew that they would have to look at the Shelter from the storm the first thing they did was told the Shelter. The County sent a letter and Commissioner Rosholt went and talked to the Board. This community went through a three year study of the court facilities with Commissioner Hibbert. The final recommendation that came from the committee was to put the third story on the law enforcement building. He supported that but he was not going to put the third story on until he knew what the cost was and where the money was coming from. He feels that was fiscally responsible. The County did the engineering studies. They received an estimate of over \$6 million. The County has a solution for a problem that has been around for a number of years. Union County is listed at #44 of 44 court facilities. This community has the worst court facility in the State of Oregon. Commissioner Rosholt went to the legislature to get the \$2 million. It is the first time that the legislature has ever directly given a county money for a facility. Union County was in competition with Multnomah County. Commissioner Rosholt and Judge West were successful. It is complicated and he thinks that the Commissioners have shared this process at least four different times in four different public meetings. They haven't been successful in getting their message out there or getting people to understand it.

Valerie Morrow wanted clarification when Commissioner McClure stated that the County fought for so long to get this money. She asked in the interim why weren't the feasibility studies done? Why were they caught unaware? Why did Bill Rosholt say in Court under oath that he only used his common sense in not tearing down the Annex building and any other options? They fought long and hard and did all this wonderful advocacy work. Commissioner McClure explained that when the Legislative session ended there was not a lot of time. He guarantees that if an evaluation is done of these buildings for asbestos it will cost a lot of money. The County doesn't have that kind of money. To say that the asbestos is not in the building is not true. When the County got this building there was a problem with the asbestos. The way the County dealt with it was that they took one of the employees and trained them in how to deal with asbestos rather than bringing in a contractor. With asbestos it can either be removed or encapsulated. This is a 1930s building and there is a lot of asbestos. The County just tore down an old hangar at the Airport and he knows how expensive it is. To say that the Commissioners did not consider or didn't know is not true. The County did not do an in depth study in the 90 days because there was no time or money. Valerie stated that was not her question.

She asked if the County spent all that time looking for money why didn't they in conjunction with searching out the funds have a contingency plan. The reason the County has to tear the Shelter down is because they only had five months to come up with a plan and that was the best they could do in the short amount of time they had.

Commissioner Rosholt explained that when they went to the Legislature they had identified the area between the Shelter from the Storm building and the law enforcement building. That was the plan. He showed drawings of a two story building to the Legislature. It wasn't until the end of December that it was first brought to the Commissioners that the Judges wanted a one story building because of "best practices". It was decided that it was the only area that the building could go because of the restraints they had with the City of La Grande.

Commissioner McClure stated that during the trial Judge West made a very clear statement that his concern was not worrying about where it was located it was getting the money and then solving the location. The way the Legislation was written the authority was not left with the Union County Commissioners.

Valerie Morrow stated that she has written many grants and they always have a plan in place before the grant is written so they can prove to the grantors what they are doing. She is in agreement that the courthouse is bad but why did the Commissioners not have it written in the grant where the building will be placed. The Commissioners explained that it was not a grant. Commissioner McClure stated that it is a law passed by the Legislature that gave the County the terms and conditions. The County could either accept the terms and conditions or say no. They did not write a grant. Valerie asked why the County didn't have a plan twenty years ago to replace the courthouse?

Commissioner McClure explained that there was a plan put in place back in the 1970s by the Commissioners. At that time counties got Federal cost share money. They received payments from the Federal government to provide services. The Commissioners of Union County decided not to use the money for programs but they would keep it for capital improvements. They put together a plan to replace the old courthouse with new facilities. The first step was the existing Law Enforcement Center. They accumulated enough of the Federal cost share money to do that. The plan was to put two more stories on that and build a wing that would come down K Avenue to put all of the County's programs in that "L" shaped building. There was a plan. What interrupted the plan was after the Johnson administration cost sharing went away. The money was no longer coming in. In the 1990s the County went out with two elections to try and come up with money to solve the problem. They could not get the community to do it. They have continued to try and work it. When Commissioner Hibbert was involved she went to Congress and asked for money. They have continued to solve the problem. The issue goes back to 1903 when the old courthouse was built. It was built to bring the County seat back from Union to La Grande. Valerie stated that she understands that. She asked why there is no information available to the public about the cost to demolish this Annex building.

Commissioner Davidson stated that the answer to Valerie's first question is the plan to go along with the request for an appropriation, as Commissioner Rosholt stated, was a two-story building between the law enforcement center and the Shelter from the Storm. The reason that the Annex building wasn't analyzed for demolition, in his opinion, wasn't the fact that it has asbestos in it, it was the fact that this location doesn't meet the criteria that the County was given in the location. There was no reason to analyze the Annex. In his earlier statement he explained out of the seven locations the three possible locations on that block are the only ones that meet the criteria. That was the filter that limited the need for an analysis of the demolition cost of the Joseph Annex building.

Mary Ellen Leberge stated that it comes down to the County solving one problem by creating another. They are looking at a parking problem and are saying someone else solve it and take care of it. This is a problem. She asked if what the Commissioners are saying that the Shelter needs to go to Judge West and ask why it can't go back to a two-story building. Is this all about the cost of an elevator? She remembers back in the March meeting when Bill and Judge West came to the Shelter she was surprised that this is a parking issue. The County is creating this monster. The County had their plans to leave Shelter alone and now Judge West comes in and says, "no".

Commissioner McClure stated that there is a solution and that is to go back to the Legislature and give back the \$2 million. Mary Ellen asked what is wrong with a two-story building. Commissioner McClure explained that the Commissioners were not given the authority to make the final selection of what was being built. That does not sit with Union County. That sits with the Judicial Department. Mary Ellen asked if that's where the Shelter should go talk to. Commissioner Rosholt explained that the money is given to the County but the County is required to follow their plans because it is a court facility. It is the County building but the County has to build it according to the Judicial Department's specifications. Mary Ellen asked if the Judicial Department specified that it must be a one-story building. Commissioner Rosholt stated that is what they said would meet their "best practices"

An audience member asked if avoiding death is a "best practice". A murder in our community. Commissioner Davidson stated that they were trying to have productive conversation. She stated that is the reality.

Commissioner Davidson suggested that the audience go and get a transcript of the court hearing Judge West very clearly stated that they want a one-story building. He acknowledged that it is his decision and makes a statement that they would rather stay where they are at then move into a two-story building. Mary Ellen asked who the "they" are when the Commissioners say they want a one-story building. Did the "they" come look at the situation and decide. Commissioner Davidson explained that the contract is with the Oregon Judicial Department. It requires the County to get their approval of the design and placement of the building. That authority through the Judicial Department lies with the presiding judge for this district. Mary Ellen stated that it is the Judge that

makes the decision on the one-story building. Commissioner McClure explained it was the Judge who told the County he wanted a one-story building. Mary Ellen stated it is not a requirement to get this grant but a want. Commissioner Rosholt pointed out that it is not a grant. Commissioner McClure explained that he had no idea that the Shelter from the Storm was being considered to be torn down to build the courthouse when they were talking to the Legislature.

An audience member stated that the OJD approved a two-story building. Commissioner Rosholt explained that they did not approve any two-story building. He went down with the concept showing the legislative committee what could be done. That was the ok for the money. Mary Ellen asked if the Commissioners think they would have gotten the money had they given them the idea or thought that the Shelter from the Storm would be removed. Commissioner Rosholt explained that when he was trying to get the money there was no plan for that at all. Mary Ellen asked if Judge West said that he could live with a two-story building could all of this change. Commissioner Rosholt explained that one of the reasons they received the money was that they told OJD that they could build the building with in-kind donation, the \$750,000 and the \$2 million. If it is a two-story building there has to be three elevators which was told to the County by Judge West. The audience did not agree. Commissioner Rosholt explained that Judge West is the person that the Judicial Department is looking at for advice on how he wants this done. Commissioner McClure explained it is on the court record from the hearing. An audience member stated that it is what Judge West wants.

An audience member stated that they are not disputing the court recording they are disputing who is behind this.

Valerie explained that she understands having an elevator for inmate transport that would have to be secured. The second would be for the public. She asked who the third elevator would be for. Commissioner Rosholt explained that it would be for the staff and Judges. The Judicial Department calls them the three P's. Public, Private and Prisoner. Valerie asked why the staff and Judges have to have their own elevator.

Commissioner Davidson explained that when they were in the beginning stages of comparing the alternatives and it became clear that they were looking at a one-story building he asked Shelley to develop a cost analysis of the difference between a one-story building and a two-story in reference to the need for elevators. They used two elevators because he thought that was sufficient. They based the maintenance contract expenses on the current contracts on the three elevators the County currently maintains. Their analysis on it was that two would be enough. In the March Commission meeting Judge West testified that he thought three elevators might be necessary to address the three P's. That would have to be discussed with him.

Valerie stated that before the Baker City Courthouse moved their facilities out they had one elevator and it worked fine. Commissioner Davidson stated that he wasn't going to

argue it with her but he wanted to point her back to the contract with OJD where they have to approve the design.

Teresa Crouser stated that elevators were addressed in court as well. It was decided that there is no comparison of 80 year old elevators to new elevators in a new facility. Teresa stated that the County was using the cost of the current elevators in the Joseph building to say that elevators in the new building would be too expensive. Commissioner Davidson stated he didn't feel that was decided in the Courts. She would have to point to the discussion in the transcript to him. He feels someone may have inferred that. Teresa stated that it was settled on common sense would say. Commissioner Davidson explained that they used the maintenance contract cost. Two of the elevators that are maintained are in the Joseph building and one is in the Law Enforcement Center. They didn't use any of the expenses that are over and above the basic maintenance contract cost. They routinely spend more than the minimum amount.

Commissioner Davidson stated that he feels that they have established where the decision making for the approval of the design lies. He pointed out that the meeting is a half hour past a time certain public hearing.

Loy Carrington asked if there is a fire hazard requirement that they have to have stairs in case there is a fire in the building and the elevators don't work. If she recalls in the hearing the Judge said that he didn't like the staff and Judges walking up and down the stairs in the old building. Maybe some of the people who don't have to be shepherd with police could use stairs so there would only have to be two elevators. She stated that is just a thought.

Commissioner McClure stated that he appreciated everyone coming.

Maxine Hines thanked the Commissioners for staying and talking to the group because it helps a lot and feels like good communication. She wants the Commissioners to reconsider doing the eviction hearing now because there is a big time period and it will disrupt a whole bunch of stuff that can be put on hold. It may be disrupted later. Please reconsider doing the eviction hearing right now.

Vacation of Portion of Good Road

Hanley Jenkins, Planning Director, explained that they received a petition to vacate a portion of Good Road right of way on August 12, 2014 from Dennis Cross. They sent notice on September 17th to adjacent land owners and published two notices in the Observer. They sent notice to the Union County Public Works Director, Doug Wright, who is at the hearing and also responded in writing. After viewing the property he is recommending that the Commissioners not approve the vacation at this time. There is an OTEC existing power line that is in the right of way. His comments as well as comments from OTEC stated that they would need an easement to maintain that existing utility. He attempted to get ahold of Dennis but were unsuccessful to receive the

easement. Since there is a utility facility that is located in the right of way it does complicate the road vacation.

Commissioner McClure asked what the status of road will be if the easement is granted. Should this be a legalization of the road and not just a vacation of the road. He feels like it is far enough out of the right of way that it will be hard to make the argument that if it isn't legalized it interrupts the County road. Hanley stated that the way it is drawn on the Assessor's map the existing road surface was identified at some time but he would have to verify.

Commissioner Rosholt asked Dennis Cross if the easement would work for him if the vacation is possible. Dennis state that the easement would be on Gilbert's side of the vacation.

Commissioner Davidson stated that it does need to be confirmed whether the existing road is actually in a right of way or not and go through the legalization. He hopes that an easement can be worked out. Dennis stated that he doesn't feel it would be a problem.

Commissioner McClure stated that the law states the power company has a right to use the County's right of ways free for an easement. So, if the easement is abandoned than the right goes away so they have to go out and acquire an easement. It just needs to be straightened out.

Hanley will explain what Dennis needs to do to continue this process to the next step.

This hearing will be taken back up at the Commission meeting on October 1st at 10:00 a.m.

Consent Agenda

The September 4 claims journal; and the September 3 Public Works claims journals were approved as presented on the consent agenda.

Court Facility Contract

Shelley Burgess brought the Agreement between Union County and Mike Becker General Contractor for the Union County Circuit Court building to the Commissioners for consideration. She explained that this contract is based upon the selection of them as the contractor for the project. She has received the required documents that needed to go along with the contract which are the Performance Bond, verification of Workers Compensation Insurance and the Verification of Liability Insurance. They have provided all of the necessary documents. They have signed the contract and is ready for the Commissioners consideration and approval. Commissioner Rosholt moved approval of the Union County Circuit Court building contract as presented. Commissioner Davidson seconded. Commissioner McClure stated that after page 15 the next page is numbered 45 on the contract. There are several page number problems. Shelley explained that she will correct the page numbers. Commissioner Davidson explained that the

challenge the Commissioners face is that if the Shelter goes to the OJD and change the requirements. Then OJD comes back and states they want a two-story building. The County needs some guidance about what the repercussions could be if the County enters into an agreement that is based around a proposal that is a one-story. Would the County be liable for the costs. The Commissioners recessed to contact their attorney for an executive session.

Executive Session

An executive session was held under ORS 192.660(h) pending litigation.

Adjournment

The meeting was adjourned at 1:42 a.m.

Respectfully Submitted,

Ashley Wilhelm
Sr. Dept. Specialist II

16 September 2014

Friends, citizens, and commissioners: Lend me your ears...

I would not have voted for some of you had I any idea how un-Republican you would be when it came to fiscal responsibility and gov't waste. I expected WISE use of our tax dollars. The destruction of a sound, 16-y-o building is NOT in keeping with those values. The Shelter From the Storm was built with our tax money and to replace it with today's dollars would cost an est \$1.5 million--by the way, that figure is based on research!

Without you three having done your homework (which we as taxpayers expect since you are paid to do something other than be figureheads) to determine the real cost of razing the Shelter or the cost of removing the much older--by 60 years--, less adequate Annex, you have lost credibility with voters in this county. Yes, removing asbestos--if it really is present but how would we know that--would be expensive but **NOT** as expensive as building a new Shelter or remodeling an existing space to make it suitable to meeting the needs of domestic violence and sexual assault victims as is the current one. (And I do commend you for noting the new courthouse plans would meet the needs of the occupants.) Sometimes the cheapest is not the best.

Comm McClure--you were chairman of the CC when the initial grant was submitted. From the application, under Section 3, "Brief Description of Solution": "Shelter From The Storm needs to be located within the proximity of existing services and **Union County has committed to land to within a block** of the following services that the clients of Shelter From The Storm desperately need." Under "Readiness to Proceed: "Union County **has basically donated its own land to the project** and will lease the facility to Shelter From The Storm." And, under "Project Design": "Since the land did not have to go through an acquisition process, the grant will be used to cover..."

Following the approval of the grant, in the Contract between the State of Oregon and Union County, Exhibit E: "The site has been **donated by the county** and is close to services..." This contract was signed by Commissioner McClure.

From the Final Closeout of the grant, dated April 9, 2001: "The completion of the Advocacy Center **has provided a permanent location** for delivery of assistance to abuse victims. The very professional and 'classy' appearance of the building lends an atmosphere that clients are valued and deserve good treatment in a nice facility. This can lend a sense of pride and self-confidence in victims who have been stripped of every feeling of personal value and self-worth."

*Received from
Margaret Mead on
9/16/14
pw*

With the use of words such as "donated," "committed," and "permanent," it appears the **intent** of the county commissioners, in putting their signatures to these documents, was to give the land to the Advocacy Center. It's difficult to conceive that the grant would have been awarded if permanence of the location was in any doubt.

Now, in the years since the closeout in 2001, perhaps the meanings of some words—such as **donated, committed, and permanent location**--have been changed, just like "common sense" – at least in Union County.

It is not only my opinion but that of a great # of county residents you three –as the highest gov'tal authority in Union County--have demonstrated ^{*(^%//#&} poor representation by not showing the leadership we expect from those who hold this office.

Steve—I certainly expected better from you.

Since I opened with words from that very wise man William Shakespeare, I shall close with more: "The evil that men do lives after them; The good is oft interred with their bones."



Margaret L Mead

So be it...

September 16, 2014
Union County Commissioner's meeting
For the public record:

My name is Donna Skovlin.
I live in Cove.
I am 83 years old.
I am a widow.
I am being treated for an incurable cancer.
I also am a registered voter.

I have been following carefully your decision to destroy a building paid for with tax dollars and to erect a court house on its site. I am so offended by this idea that I intend to lay down in front of the equipment you send to demolish the Shelter From the Storm. I have been assured there are many Union county residents who will join me in this act of civil disobedience.

As an alternative, I ask that you contact the Oregon Judicial Department, the state agency that has offered money to build the court facility, and request an extension of the deadline to ready the site for construction. I believe this agency is hoping for a win-win solution to this controversy. Once the extension is granted I request you have your staff prepare an estimate of the costs associated with the seven alternative sites you considered for the court facility. Only by seeing these figures will I be able to comprehend how you made the decision you did.

Received from
Donna Skovlin
on
9/16/14
AW

I have been a social worker for many years. I have always worked with and for people who were marginalized, less fortunate and especially for people who have no voice. In this line of work I have been involved with many families who were affected by domestic violence and sexual assault. Men, women and especially children. I don't know if you are even aware of the magnitude of distress that domestic violence causes the little people. The children who have no voice, who sit worried at their mothers sides, or who are relegated to back rooms while they listen to the violence that is taking place in another part of the house...unable to stop it.

Until you have had to pick up a family in the middle of the night and transport them to an advocacy center while you do paper work with a broken and bruised victim, while gathering food for her children...children who have not had anything to eat for days...only then can you imagine how important this facility is to us. If you've never had to look into the face of a woman who has been transported by the police to your advocacy center after being released from the hospital...because she has had bleach thrown in her face and is unable to see, much less drive. Until you've had a woman come to you, seeking shelter from a man who had kidnapped her in another state and had beaten her for 24 hours, leaving her face unrecognizable...and until you've held that woman's hand as you watched her slipping from reality because the abuser had taken her medication from her...only then can you understand how important advocates and advocacy centers really are.

We don't expect you to understand this. You are county commissioners. This isn't your area of expertise. We are victims, survivors, advocates, concerned citizens and decent human beings: we are the experts in this field. You are not. Our job is to help the helpless. Your job is to listen to your constituency as paid public servants...your pay check comes from our tax dollars.

In the year 2001, I found myself the victim of domestic violence and attempted sexual assault. The perpetrator was a man I had dated for about 3.5 years. I had ended my relationship with the abuser a month or so before the night of the assault. As happens so often, a woman's chance of being seriously hurt or killed increases by 75% when she makes the final decision to leave the abuser. The night the man who had assaulted me and was sent to jail, a worker in a restaurant had seen me trying to escape the abuser and had, thankfully, called 911. I had managed to get away from the assailant and locked myself in a bathroom of the restaurant. I stayed there for what seemed like forever, until a police officer came to the door and coaxed me out. When I exited the restaurant ladies room, the assailant had already been arrested.

The State of Oregon pressed four charges against the perpetrator. After a week I put a restraining order on him. As is customary I gave my two employers a copy of my restraining order. One employer was empathetic and put in place the appropriate measures to ensure my safety. My other employer did not. My other employer told me I was lying and that my perpetrator did not do the things my restraining order said he had done. I soon found myself being demoted by my other employer, demoted from my tenured shifts as a result of my other employer trying to accommodate the perpetrator, instead of trying protect his long time employee. After never having a write up in fourteen years, I found I was being written up on a daily basis for bogus

things. There were constant questions about the restraining order that were meant to intimidate me.

After telling my other employer that he was violating my civil rights, he informed me, as an employee, I had no civil rights. That was the last straw. The Bureau of Labor and Industries had already thoroughly investigated what my other employer was doing to me and had sent me a "Right to Sue" letter, and that is exactly what I did. I was very successful in my lawsuit. My former boss presently sits on the Union County Board of Commissioners. I can't help but wonder if the lawsuit, the help the Shelter from the Storm gave me, and the lack of respect for the purpose and intent of a restraining order is somehow, in part, responsible for one commissioner digging his heels deeply into the dirt and not giving an inch on doing the right thing for victim's?

In conclusion:

August 13th, 1994 President Clinton signed into law the Violence Against Women Act. Were you aware of that fact? In the same week that you served the Shelter from the Storm Advocacy Center an eviction notice, the rest of America was celebrating 20 years of VAWA and 20 years of moving women and children's safety towards the forefront of America's conscience.

In these past 20 years we have changed the culture surrounding attitudes about domestic violence and sexual assault. As Vice President Biden said: " Abuse is violent and ugly and today there is rightful public outrage over it. It matters that the American people have sent a clear message: you're a coward for raising a hand to a woman or child—and you're complicit if you fail to condemn it."

Do you not wonder why there has been such incredible push back and outrage from the community? It is because this issue raises ire and compassion like no other social issue can. By not making the Shelter from the Storm Advocacy Center a number one priority in protecting the most vulnerable citizens of Union county, I find you, Commissioner Rosholt, Davidson and McClure: complicit.