

Board of Commissioners Meeting
January 7, 2015

Present: Commissioner Steve McClure
Commissioner Mark D. Davidson
Commissioner Jack Howard

Call to Order & Flag Salute

Chairman Davidson called the meeting to order at 9:00 a.m. with all three Commissioners present. The pledge of allegiance was given.

Public Comments

Lois Barry, 60688 Morgan Lake Road, La Grande, stated that she had a question for the new Commissioner. She stated that at the September 24th Commission meeting she was informed that the Commissioners are paid to listen to the public but not to respond. She asked Commissioner Howard if that is a State law, a County law and if not if he intends to follow that procedure.

Commissioner Howard told Lois that he knows her well enough to know that when she says something it is quotable. He thinks that if there is any problem with government today it is that people don't feel they are listened to. He stated that it isn't a feeling anymore, it is a fact. When someone who is a tax payer asks him a question he owes an obligation to respond to that question with an answer. He may spend some time researching for the answer. To the best of his knowledge there is no law; moral or legal, written or implied that stops any elected official from responding. There are political considerations, sometimes social considerations and maybe factors such as being in mitigation to choose not to respond. There may be agreements between parties not to respond. All of those can be political realities but there is no obligation on his part to support a policy that ignores questions from the public and he does not support any such policy. He will always respond by saying what he knows and what he doesn't know. He will look and see under what circumstances the County should not answer a question. Once he looks through the Statutes he will tell her whether there is anything that he finds that implies some type of gag on public officials that they can put on themselves. The easiest answer is no, he does not intend to have any policy that excludes good solid questions and better researched answers from the public servants.

Margaret Mead, 57744 Foothill Road, La Grande, asked if a date has been set for the destruction for the Advocacy Center. She asked when the walls come tumbling down if the citizens could get a memorial piece as when the Berlin Wall was dismantled. A piece of the Shelter would be a reminder of where their tax dollars went or perhaps the County could sell the debris by the pound and give the money collected to the Advocacy Center to be used towards a new building. Commissioner Howard stated that he would look into the specific date for the destruction. Commissioner Davidson stated that there is no set date at this time. Commissioner Howard stated that he would look into how to sell the debris as a memorial or to raise funds.

Mayor Bill Lindsley, 1297 South Third, Union, asked if the County Commissioners have ever considered a public/private contract for the golf course or if a consultant had ever looked into it to see if it would be feasible.

He commented that the 911 funds show a \$96,500 contingency fund. He felt that in the previous year all of the funds went to the contract. He stated that six years ago he sat in with Commissioner Hibbert over 911 funds spent by the City of Union that had to be paid back. At that time he was informed that there were provisions in the funds where emergency services could apply for some of the funds. He doesn't know if rules have changed or if he misunderstood that information. He is wondering if the \$96,500 being held in the contingency can be used for that and if so how does one apply for the funds. Commissioner Davidson stated that to the best of his knowledge 911 funds are dedicated funds that are supposed to be used for that purpose. Shelley explained that the 911 funds are specifically legislatively earmarked for 911 response and services. That was part of the problem that the City of Union previously had and the reason some of the funds had to come back to the County. The 911 fund that the County has in the budget is where the 911 funds that are received directly from the 911 tax are held. Each year during the budget process there is an allocation made of those funds that will be spent during the upcoming fiscal year for the 911 dispatch services. Because those services are provided by the City of La Grande the County receives a budget request from the City on what the 911 services are going to cost. In the County budget there is one expenditure line item for 911 services. That is the amount that is paid to the City of La Grande for providing those services. The specific budget that talks about the personnel costs, operations and equipment maintenance would be found in the City of La Grande's 911 budget. The contingency is there because over the years the amount that has been collected has been a bit more than what the County has had to pay yearly. The contingency is going down each year. There has always been a contingency. The costs are rising and the collection of taxes have not been as much as in past years. There are some attempts being made in the legislature to make sure that those funds continue to cover the expenses but that is the reason for the contingency. Those funds would only be available for the 911 emergency services. Mayor Lindsley stated that he thought the funds could be used for radios that outlying emergency services could apply for those funds. Shelley stated that is something that would need to be researched by the County legal counsel because to her understanding that the funds can only be used for 911 dispatch services. Commissioner Howard stated that he would also look at the Oregon Statutes to see how the 911 funds can be allocated. He asked if it would be useful to him to look back at the last five years and see how the funds have been streamed as far as increases and decreases. He offered to put together a spreadsheet of the last five years costs for Mayor Lindsley if he felt it would be helpful. The Mayor thought that it would be helpful.

The Mayor asked if the detailed expense report can be available 90 days prior to the adoption of the budget. He would like to look at it and see if items have gone up and down and check the line items on the proposed budget. They didn't have a chance to go through the budget last year in detail before the budget meeting. He is trying to see if there is a way to receive it earlier to check all of the departments for the budget.

Commissioner Howard asked if the Mayor could stop after each question in case there are some comments or answers to give him. He went back to the Mayor's question about a public/private contract with the golf course. Commissioner Howard stated that he is not sure if that is an option but it sounds like a good idea. The Mayor stated that he is operating on the way that they run the meetings in the City of Union where they just take comments and there is not discussion.

Mayor Lindsley asked after the budget has been passed if the County can hold an update meeting every four months and the budget committee can come in and see if all of the department line items are following through. If someone has questions it can be done at that time. Commissioner Howard asked how he decided it should be done every four months. The Mayor explained that it would only be three meetings a year so the budget committee members are not taxed and the salaried staff is not taxed. If someone is interested and has questions they are afforded the time to come down and ask. Commissioner Davidson explained that the detailed budgets are available monthly. Commissioner Howard will receive those reports like all the Commissioners do and if he doesn't care to share them with the Mayor Commissioner Davidson will share his when he is done. Shelley explained that each month the full budget is printed and provided to the Commissioners and the Administrative Officer. As Budget Officer, Shelley is responsible for reviewing and monitoring the budget. If she sees that a department is either short on revenues or heavy on expenditures that would initiate a conversation between her and the Department Head. Each Department Head or Elected Official who is responsible for that budget receives a copy of their own detailed budget so that they and their staff can keep track of what they are spending. There are rules about exceeding budget appropriations that each Elected Official or Department Head is aware of and responsible for. The budget is monitored on a regular basis. Those print outs are available and any questions anyone has the information would be provided. It is a lot of information for people to go through and understand. If they wanted to take the time it is available. The budget committee has never indicated that they wanted to monitor the budget more closely. They see what is presented from the past year and the proposed budget. They can see if there had been a problem. It has never been an issue so the Committee has never asked to monitor the budget more frequently.

Commissioner Howard stated that it is interesting when a Mayor comes and asks about the budget. He may need to receive the information in a more accessible form. He stated that it is good that the Budget Committee is there but it is also opening up the process to the public so they feel confident with what is happening. They can see where their tax dollars are going. They need to have confidence in the whole process. It always makes the system work better when that is happening. He thinks there will be some technology issues involved. It is a tough transition to understand all of the data.

Palmer Junction Road Funding Documents

Resolution 2015-01, In the Matter of the Loan Agreement with State of Oregon, OTIF – 55, was presented for consideration. Doug Wright, Public Works Director, explained that this is

an ongoing process for the loan application for the Palmer Junction Road to be able to finalize the loan agreement with the Oregon Transportation Infrastructure Bank for Palmer Junction Road. One thing that needs to get through the process is to pass a Resolution for the loan to go forward.

Commissioner McClure asked if Doug had a start date for construction. Doug explained that they are in the preliminary design and environmental stage of the project. The NEPA documents have been written and are out for review right now. They are still on schedule for December 2015 or January 2016 bid date. So, construction could commence in the Summer of 2016. The project is Palmer Junction Road which includes Middle Road. There are two culverts being replaced which is where the NEPA documents are coming from. Those culverts are fish critical. Federal Highways brought \$6 million to the table. This loan is to go forward with the County match requirement for the project. The County has to come up with 10.27% of the money. This puts the loan in place to be able to do that. This is the last step in the process. The process has been approved in the beginning and these are the final documents. He will not start taking any payments on this loan until the project goes to bid.

Commissioner Davidson asked if the right of way acquisition has gone away with some of the modifications to the project. Doug explained that the right of way is still there for Gordon Creek and Lower Cabin. Most of those are going to be in a form of construction easements for the culverts. The only thing he asked for in the process was to have a permanent maintenance easement. Through the NEPA documents he is required to go in and add rock or remove debris. It is mostly construction easements at this point. ODOT is contracted to do all of the easement work. **Commissioner McClure moved approval of Resolution 2015-01 as presented. Commissioner Davidson seconded. Roll Call: Commissioner Howard – Abstain, Commissioner McClure – Yes, Commissioner Davidson – Yes. Motion carried.**

Drug Free Communities Continuation Application

Robin Wortman, Safe Communities Coalition Coordinator, brought the Drug Free Communities Grant Continuation Application to the Commissioners for consideration. She explained that this is the year five continuation application. It is a non-competing continuation for the Drug Free Communities funds. This application has to be done every year. **Commissioner McClure moved approval of the Drug Free Communities Continuation Application as presented. Commissioner Davidson seconded. Motion carried unanimously.**

Emergency Mass Notification System

J.B. Brock, Emergency Services Manager, brought a quote for an Emergency Mass Notification System to the Commissioners for consideration. He explained that this is a first for Union County. It is a new project. He has been looking at these systems for about two years and in detail for the last six months. He has been evaluating emergency alert systems and reached a point where the technology and the industry have become competitive enough that there is a price point that would work for Union County. Within the

emergency alert system there is an opt-in system that allows people to sign up and choose their method of notification. There is also what is commonly referred to as reverse 911 which uses a land line system. It is a shrinking system but still valuable especially in the business community. The third phase is Integrated Public Alert Warning System (IPAWS). This is a new and exciting technology where they can draw a polygon within the County and any cell phone towers within that area will send out a message. As people are getting away from traditional land lines and going to cell phones this is a type of system where those individuals can be reached. Union County currently does not have that capability. The other aspect to it is social media. There are different windows to get into social media. There is also a notification side of it which would be for the responders and the internal users. There is an ability to send out a multimodal message to responders in the event of an emergency or on a daily business. There is an ability to do polling which the individual you send a message to can respond to it with responses that you have created when sending the message. For example, in an evacuation they can respond as, shelter in place, not in the area or evacuating. It can also be tracked to see how many people were reached and what they are doing with the information provided. It will control the response moving forward. The system as a whole creates significant levels of ability to reach the citizenship. Traditionally they have used media methods that have been around for years; television, radio and newspaper. As people change how they receive information this allows people to be reached in other forms of notification.

J.B. explained that when looking into the service providers they started with a broad list because there are a lot of entities that offer this service now. It is an increasingly competitive market. From that list they narrowed down and requested proposals from four entities; AlertSense, Everbridge, Rapid Notify and Code Red. They narrowed it down to two entities; AlertSense and Everbridge based on the cost and capability. The decision points for the service are cost, data management and training. AlertSense is less expensive. If additional users sign up the price continues to reduce. Based on conversations with other jurisdictions additional users in the region are very likely, resulting in additional savings.

The second decision point is data management. Everbridge is set up for two administrators for the entire system. Those two individuals would be very heavily burdened with the data management which is the challenge of these systems. Once a data base is created it is immediately out of date. The advantage of AlertSense is that it is permissions based. For example, if Public Works wanted to use the system to send out an alert they would be in charge of their own data. Since it is permissions based they would only be able to see and manage their own data. Having one or two administrators for the entire system would be a recipe for failure. Data management on the individual and agency level is the only way it will be successful.

The third decision point is the training. Everbridge is a large company and offers training exclusively online. There are different levels of technology within the County and having an individual come out and talk people through the training is very valuable. Online training can be valuable and there is a place for it but he feels that online training as the only

option is concerning. The AlertSense is located in Boise, ID so they are close. AlertSense is a small enough company that they know who Union County is and they want the business but large enough that they have the infrastructure to support the County. They contract with most of the State of Washington and most of the State of Idaho. They face a lot of the same cultural challenges that Union County does.

From a financial and budgetary point of view his proposal is to cover the cost for the first year within his existing budget. He has a project development line item that is for situations such as this. The balance of that cost he would absorb in the communications line item. Moving forward he is proposing this as a budget line item specifically if the Commission were to approve funding the system. It is a three year contract with AlertSense and they are used to dealing with public entities so they understand that the funding could be cut next fiscal year and the system will go away. That will be addressed in the contract. He is asking the Commissioners to accept this as a proposal and authorize him to move forward and develop contract language.

Commissioner McClure asked JB who did the review with him. He explained that it was primarily Annette Powers and himself although they included Malheur, Baker, Umatilla and Wallowa county in the review of the product. He has had conversations with all of the emergency services within the County talking about what they are looking for and how they can become a part of it. A significant piece is partnering agencies. There are a lot of other systems that are being utilized throughout the County by multiple agencies and there is no uniformity within that. This could be a link to being all of those under one entity. This system has no limit as to who can use it as long as they are within the borders of Union County and there is not limit as to how often they can use it. He thinks that is important because the system is only good if it is used. Most of the other systems have a cost for each time it is used or a block of use is purchased. The system users are then hesitant to use the system. A system needs to be implemented in the most effective way it can be.

Commissioner McClure asked if there would be additional costs for data management. J.B. explained that the data management is supported by the individual agencies that are utilizing the system. Commissioner Davidson stated that if the County would be funding data management internally there should be a cost to use the system.

Commissioner Howard stated that what he likes about this is it is testing the waters. There is no contract at this time. It is a great way to use the existing budget to start the process.

Commissioner McClure moved to authorize J.B. Brock to proceed with contract language development on the AlertSense Emergency Notification System.

Commissioner Howard seconded. Motion carried unanimously.

Consent Agenda

The December 4, 5, 11, 18, 22, 23, 24, 31 claims journals; and the December 3, 17 and 30 Public Works claims journals; and December 10 and 22 Board of Commissioners minutes were approved as presented on the consent agenda. Roll

Call: Commissioner Howard – Abstain, Commissioner McClure – Yes, Commissioner Davidson – Yes.

Union County Wolf Depredation Committee Recommendation

Shelley Burgess, Administrative Officer, brought a grant recommendation from the Union County Wolf Depredation Compensation Advisory Committee to the Commissioners for consideration. She explained that the County received funds from the Department of Agriculture for the Wolf Depredation and Financial Assistance Program. The County appointed an Advisory Committee and developed a plan in accordance with the requirements with that program. The County received an allocation of funding for non-lethal preventative measures. The Union County Wolf Depredation Compensation Advisory Committee met and reviewed an application for funding submitted by Ron and Nancy Dake. The application was found to meet the criteria of the grant program and funding is recommended in the amount of \$1,949. **Commissioner McClure moved approval of the grant application as recommended. Commissioner Howard seconded. Motion carried unanimously.**

2015 Commissioner Program & Committee Responsibilities

Shelley Burgess brought the 2015 Commissioner Program and Committee Responsibilities to the Commissioners for consideration. She explained that this is a listing of the primary program areas and committee responsibilities for each Commissioner. This is done annually to assist with the communication to other entities who the representative will be for their committee. It also helps with citizen requests about a certain subject that doesn't ask for a specific Commissioner the Commissioner that is the liaison for that subject or committee would be the first contact for a citizen inquiry. It also helps the program directors know which Commissioner is their primary liaison. **Commissioner McClure moved to adopt the 2015 Commissioner Program & Committee Responsibilities as presented. Commissioner Howard seconded. Motion carried unanimously.**

Department of Human Services Intergovernmental Agreement (Non-Med Transportation)

Shelley Burgess brought an Intergovernmental Agreement between Union County and the Oregon Department of Human Services to the Commissioners for consideration. She explained that this agreement is for January 1, 2015 through December 17, 2017. It makes available funding up to \$250,000 for the Medicaid non-medical transportation services. This program is within the County's budget. This provides funding for transportation services for those individuals who are eligible under this program. The County contracts with Community Connections of Northeast Oregon to provide the services. They do a monthly report on eligible services that are provided. That information is submitted to the State. The County then receives reimbursement and passes it along to Community Connections. It is a continuation of the program. It has been done for a number of years. It authorizes the County to receive the funding up to \$250,000. **Commissioner McClure moved approval of the Intergovernmental Agreement between the County and the Oregon Department of Human Services as presented. Commissioner Howard seconded. Motion carried unanimously.**

Court Order Selecting Official Newspaper

Court Order 2015-01, In the Matter of Selection of an Official Newspaper, was presented for consideration. This Court Order selects The Observer as the official newspaper for Union County for calendar year 2015. **Commissioner McClure moved approval of Court Order 2015-01 as presented. Commissioner Howard seconded. Motion carried unanimously.**

Court Order Appointing County Budget Officer

Court Order 2015-02, In the Matter of Appointment of a Budget Officer for Union County for Fiscal Year 2015-16, was presented for consideration. This Court Order would appoint Shelley Burgess, Administrative Officer, to serve as the County Budget Officer for the Fiscal Year 2015-16. **Commissioner McClure moved approval of Court Order 2015-02 as presented. Commissioner Howard seconded. Motion carried unanimously.**

East Street Jurisdiction Transfer (Island City) – Public Hearing

Court Order 2015-03, In the Matter of Transferring a Portion of East Street, a County Road, to the City of Island City, was presented for consideration. Hanley Jenkins, Planning Director, went over his staff report explaining that this segment of the road was identified as a County road in 1879. It was transferred to ODOT for State Highway in November 1931. ODOT re-routed the highway in 1936. This portion was not abandoned at that time. In 1973 Island City asked ODOT to abandon the road segment. There was a concern that there was a subdivision built next to the road right of way and the subdivision had encroached on the right of way. In 2010, ODOT transferred the ownership of this segment to the County because the road originally came from the County they could not transfer it directly to Island City. In 2010 Union County, Island City and ODOT entered into a Memorandum of Understanding which allowed Island City to be able to take this segment into their road system. Island City annexed this property into their city limits to take this road. The County is now going through the process by giving notice, holding the public hearing and approving a Court Order to transfer this road segment to Island City. Island City also has to go through a process including a Court Order that would accept the road into their jurisdiction.

Commissioner Howard stated that Hanley didn't mention a public comment period that is required. Commissioner Davidson explained that there will be a public hearing done after the staff report.

Commissioner Howard asked if Island City had a public comment period in this process. Hanley explained that when Island City went through the annexation process there was a public hearings process where they accepted evidence and testimony on their annexation. Island City submitted to the County the agreement that states that Island City will take the road segment once it is given to them. Hanley explained that Island City's process is complete as far as the annexation and will start a new process when they address the Court Order. Commissioner Howard stated that the County should make sure it won't default back based on an error done by Island City.

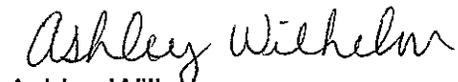
Commissioner Davidson opened the public hearing for testimony. The public hearing was closed after no testimony was received.

Commissioner McClure moved approval of 2015-03 as presented. Commissioner Davidson seconded. Roll Call: Commissioner Howard – Abstain, Commissioner McClure – Yes, and Commissioner Davidson – Yes. Motion carried.

Adjournment

The meeting was adjourned at 10:12 a.m.

Respectfully Submitted,

Handwritten signature of Ashley Wilhelm in cursive script.

Ashley Wilhelm
Sr. Dept. Specialist II