

Board of Commissioners Meeting  
May 6, 2015

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

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

Public Comments

Irene Gilbert, 2310 Adams Avenue, La Grande came to the Commissioners to ask them not to extend the Memorandum of Understanding between Union County and BLM regarding the Environmental Impact Statement for the Boardman to Hemmingway project. She stated that she knows this is an extension of a previous agreement. The environment has changed significantly in the last couple of years regarding this project. They now have a formal route. Morrow, Umatilla and Malheur counties have all sent in extensive negative comments regarding the planned action. There was enough concern that the Eastern Oregon Water Association and the Oregon Farm Bureau drafted legislation to require the transmission developers to give serious consideration to the high value farm land that will be impacted. As the plan stands the transmission lines will go through a tree farm and elk habitat. There is a lot of concern and she hopes that the Commissioners will read the Memorandum of Understanding and talk with the Commissioners in the other counties to see if they are going to continue to have their names on the MOU before there is any final decision on signing off on it.

Commissioner Davidson asked if there was anyone from Union County that testified in support of the Bill. Irene stated that the Bill came up in a 24hour period so there was not much testimony given. Commissioner asked if any of the areas that were discussed are within Union County. Irene stated that she has not researched that. Commissioner Davidson stated that he knows that the neighboring counties are very concerned about the impact on high value farm land. He doesn't believe that land is within Union County but in the neighboring counties who have given comments. Union County's comments are focused around the impact that it will have on Union County.

Irene stated that she could not find the original MOU and she asked that the Commissioners extend their decision to make sure that they take the whole project under consideration.

Eddie Garcia, 1904 Adams, Avenue, stated that he was asked by four people to share that they were unable to attend the Commission meeting because they had to work. He also stated that there have been 88 favorable posts made on Facebook in support of the Blue Mountain Humane Association.

Eddie explained that he has some outstanding public records requests that he has made. He gave a deadline of May 10<sup>th</sup>. He explained that if he does not have a

response by then he will file a judicial review compelling the County to comply with State law.

Jerry Gildemeister, 809 South 12<sup>th</sup> Street, La Grande, read the attached statement regarding the Blue Mountain Humane Association Agreement. Commissioner Davidson suggested that Jerry address his assessment and taxation questions to Linda Hill who is the Union County Assessor/Tax Collector.

Margaret Mead, 57744 Foothill Road, La Grande, asked for an explanation of the public hearings on the agenda and what the significance is of a public hearing. Commissioner Davidson explained that a public hearing means that the County is in the process of amending or creating a rule or law through a quasi-judicial or legislative action. The public hearing is the opportunity for people to give comments and for some instances, establish standing for appeal. The notice of the public hearing would be on the County website or be on the agenda for the Planning Commission and the Board of Commissioners. He explained that if there is something on the agenda of interest she can request information before the meetings.

#### Rock and Asphalt Bid Awards

Doug Wright, Public Works Director, brought ½" – ¼" chip rock quotes to the Commissioners for consideration. He explained that the Public Works Department requested bid quotes to procure ½" – ¼" chip rock for the 2015 chip seal project. They are requesting 1,500 tons of rock. The County will haul the material on an "as-needed" basis. Forty-five cents per mile is added to the quote for the County to haul the material to the ODOT site located at the North Powder Interchange. The three quotes returned were Harney Rock and Paving for a total of \$13.79 per ton, Royal Rock Co. for a total is \$19.48 per ton and R.D. Mac for a total of \$18.18 per ton. Doug is recommending that the contract to Harney Rock and Paving. **Commissioner McClure moved approval to accept chip rock bid quotes and award as recommended. Commissioner Howard seconded. Motion carried unanimously.**

Doug Wright brought bids for Hot Mixed Asphalt Concrete Pavement (HMAC) 500 tons to the Commissioners for consideration. He explained that the Public Works Department received bids for hot mixed asphalt concrete pavement. He received two bids. One bid was received from High Desert Aggregate and Paving for \$72 per ton and the other from Hampton/Rogers Asphalt for \$77.75 per ton. Doug is recommending awarding the bid to High Desert Aggregate and Paving. **Commissioner McClure moved approval of the bid as recommended. Commissioner Howard seconded. Motion carried unanimously.**

Doug Wright brought quotes for ¾ minus Crushed Rock 10,000 tons to the Commissioner for consideration. He explained that the rock will be used on various county roads. The location will be determined at the discretion of the Public Works Director. The approximate quantity is 10,000 tons on an as needed bases. Five companies returned bid quotes. The quotes were received by Harney Rock and Paving

for \$5.35 per ton, Royal Rock for \$5.75 per ton, R.D. Mac for \$7.50 per ton, Hampton/Rogers Asphalt for \$8 per ton, and Seubert Excavators, Inc. for \$5.07 per ton. Doug is recommending accepting all of the entities that submitted a quote.

**Commissioner McClure moved approval of the quotes as recommended. Commissioner Howard seconded. Motion carried unanimously.**

#### Chip Seal Oil Bid Awards

Doug Wright brought a permissive cooperative procurement with Umatilla County for emulsified asphalt to the Commissioners for consideration. He explained that Umatilla County requested bids for the purchase of CRS-2 seal oil to be applied on various county roads. Within the contract, Umatilla County added Permissive Cooperative Procurement language allowing other Oregon counties to utilize the original contract. This type of procurement will allow Union County to use the price agreement establish within the bid process. The price per ton with freight is \$384 per ton. He is recommending approval of the cooperative procurement contract. **Commissioner McClure moved approval of the contract as recommended. Commissioner Howard seconded. Motion carried unanimously.**

#### Airport Ground Lease

Doug Wright brought a Ground Lease between Union County and Amalgamated Sugar Company Inc. to the Commissioners for consideration. Doug explained that this is a five year lease with the rent being \$1,000 per year. This would allow Amalgamated Sugar to store sugar beets for a short duration not to exceed 90 days. **Commissioner McClure moved approval of the Ground Lease as presented. Commissioner Howard seconded and noted that there is an exhibit A attached to the document. Motion carried unanimously.**

#### Boardman to Hemmingway Project Memorandum of Understanding.

Scott Hartell, Assistant Planner, brought Amendment #2 of the Memorandum of Understanding for the Boardman to Hemmingway project to the Commissioners for consideration. Scott explained that BLM has hired a different entity to prepare for the NEPA process. The amendment also includes the United States Bureau of Reclamation as a cooperating agency to the MOU. The amendment will also extend the MOU until May 5, 2019. He is recommending that the Commissioners sign the MOU so that the County can continue to be a cooperating agency.

Irene Gilbert, 2310 Adams Avenue, La Grande, stated that the reason that she wants to access the original agreement because the specific wording of the original agreements can be critical and can state that the cooperating agencies will not contest any outcome.

Commissioner McClure explained that he is not aware of any agreement that the County has signed that the County has advocated the right to maintain their position.

Commissioner Davidson recessed this issue and asked Scott to review the MOU to see if the document stated that the County cannot recommend changes after a final document is released.

After a short recess Scott came back to the Commissioners and explained that in the original MOU it does not obligate the County to hold a specific position on the outcome of B2H. Commissioner Howard would like to see the full MOU when Scott can send it.

**Commissioner McClure moved approval of Amendment #2 to the MOU with BLM on the Boardman to Hemmingway project as presented. Commissioner Howard seconded. Motion carried unanimously.**

Minor Partition Plat with Partition

Rick Robinson, County Surveyor, brought a Minor Partition Plat with a Partition to the Commissioners for consideration. He explained that this property is on Mt. Glen Road. They are trying to get a true dedication. This was reviewed and signed off by the Planning Department. **Commissioner Howard moved approval of the Minor Partition Plat as presented. Commissioner McClure seconded. Motion carried unanimously.**

Consent Agenda

**The April 16, 17, 21 and 23 claims journals; and the April 16 and 23 Public Works claims journals; and the April 15 Board of Commissioners minutes were approved as presented on the consent agenda.**

"O" Street Vacation – Summerville Cemetery – Public Hearing.

Court Order 2015-18, In the Matter of Vacating "O" Street in the Summerville Cemetery, was presented for consideration. Hanley Jenkins II, Planning Director, gave a staff report explaining that an application has been submitted to vacate a street segment in the Summerville Cemetery. The Public Works director submitted a letter with no objections to the proposed street vacation.

Rick Robinson explained that the Summerville Cemetery wants to add more plots. He found that there was an issue with this road.

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

**Commissioner McClure moved to approve Court Order 2015-18 as presented. Commissioner Howard seconded. Motion carried unanimously.**

Summerville Cemetery Vacation Plat

Rick Robinson brought a Vacation Plat in the Summerville Cemetery to the Commissioners for consideration. He explained that traditionally cemeteries are platted just like subdivisions because they are creating lots for transfer of ownership. That

opens up the opportunity to access the lots. The streets are narrow and are merely for access to the cemetery plots. The street was originally dedicated to the public so they have to vacate the street to become the cemetery district's ownership. **Commissioner McClure moved approval of the Vacation Plat as presented. Commissioner Howard seconded. Motion carried unanimously.**

#### Resource Zones – Public Hearing

Ordinance 2015-01, In the Matter of Replacing the Union County Zoning, Partition & Subdivision Ordinance Article 1, Section 1.08 Definitions; Article 2, A-1 Exclusive Farm Use Zone; Article 3, A-2 Agriculture-Grazing Zone; Article 4, A-3 Agriculture Forest Use Zone and Article 5, A-4 Timber-Grazing Zone, was presented for consideration. Hanley Jenkins gave a staff update explaining that the changes that are being proposed in the four County resource zones are to bring the local land use regulations into compliance with Oregon Revised Statutes and Oregon proposed revisions.

Commissioner Davidson asked if there are any other zones that the County needs to update and bring into compliance with the current statutes so there will be a completely updated zoning and subdivision ordinance. Hanley stated that there is a change in two residential zones regarding the minimum lot size.

Commissioner Davidson asked if there was any public testimony received at the Planning Commission meetings. Hanley stated that there was no public comments received by the Planning Commission.

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

Commissioner Davidson stated that the first reading of the Ordinance will be on May 20, 2015 at 10:00 a.m.

#### Tourism Promotion Agreement

Shelley Burgess, Administrative Officer, brought a Memorandum of Agreement between the City of La Grande, Union County Chamber of Commerce and Union County to the Commissioners for consideration. Shelley explained that this agreement states that the County and City have jointly funded tourism promotion for the City and County by the Chamber of Commerce. This MOA has specific goals that the parties would like to reach. This Agreement is in effect until June 30, 2018. Shelley explained that this is a continuation. **Commissioner McClure moved approval of the Memorandum of Agreement as presented. Commissioner Howard seconded.** Commissioner Howard stated that he would like the agreement to be a one year agreement. He would like them to show more of an effort to have events in the outlying areas. Commissioner Davidson stated that there is a clause that the agreement can be terminated with or without cause. **Roll Call: Commissioner Howard; No, Commissioner McClure; Yes, Commissioner Davidson; Yes. Motion carried.**

Unanticipated Funds Court Order

Court Order 2015-17, In the Matter of Appropriating Unanticipated Funds, was presented for consideration. Shelley Burgess explained that there were additional Special Transportation Funds received from the State of Oregon. This Court Order would accept the funds and use them for the purpose received. **Commissioner Howard moved approval of Court Order 2015-17 as presented. Commissioner McClure seconded. Motion carried unanimously.**

Building Department Budget Review

Brian Don, La Grande/Union County Building Official, came to the Commissioners to present the budget for the building department. He explained that they have increased the FTE within the budget to hire a full-time inspector because of the large projects coming up and continuing in the area such as the hospital projects, school district projects and the new courthouse. He stated that they are operating at a loss at \$80,000 a year. The permit fees have not changed in a while and the fees are considerably lower than other jurisdictions of the same size.

Commissioner Davidson asked what the breakdown is on the \$79,000 administrative costs in his budget. Commissioner Davidson pointed out that the administrative costs are the same amount that the department is running in the red on an enterprise fund. Brian explained that the number is given to him by the City of La Grande finance office. He has not received the information from the finance office yet and will share it when he receives that information. Commissioner McClure asked him to get a break down of all of the costs. He would like to know the rent and utilities of the space that the building department is in at the City Hall.

Transient Tax Funding Proposals

Dan Stark, Executive Director of Union County Economic Development Corporation (UCEDC), 102 Depot Street, La Grande, explained that he is requesting \$35,000 for UCEDC general operations, \$25,070 for the County contract funding and \$7,500 for the business recruitment program. The \$35,000 for the general operations is the same amount requested from the City of La Grande and is the same as the amount requested in the previous year. These funds will support the general operation of UCEDC, limited marketing and implementation of the UCEDC goals and activities. He is requesting \$25,070 to support the County contract services. These funds will be used for additional staff hours and expand the scope of work incorporating the responsibilities handled by the County economic development staff. He is requesting \$7,500 for the business recruitment program which will go towards the work plan which will include a Target Industry Analysis. The work plan will outline the proposed activities and expenditures. The expenditures will be invoiced as they occur so they will be on a reimbursement basis.

Kristin Dollarhide, Executive Director of the Union County Chamber of Commerce, is requesting \$15,000 for the Chamber of Commerce. She explained that their sports and recreation committee is meeting again to help advance current events and bring new

events to the area. She is requesting \$14,000 for the Blue Mountain Conference Center which is an increase of \$4,000 over last year's request. She explained that some things they want to address this year is replacing the sound system, projection system and internet access. Commissioner Davidson asked how much the City of La Grande is giving to the Conference Center. Kristin stated that she has not received final numbers but she believes it will be around \$12,000. Commissioner Davidson asked Kristin how much money is in the Conference Center reserve account. Kristin thought that there was around \$9,000 in the reserve fund. There are some outstanding bills that will come out of those reserve funds. Kristin is requesting \$46,000 for the Tourism promotion program. She stated that in Union County overnight visitors brought in \$21.3 million in 2013 and \$22.9 million in 2014. The percentage increase of tourism was larger than the surrounding counties. They are trying to cooperatively market agri-tourism, cycling and cultural tourism with the surrounding counties. Kristin announced that they have launched a new website.

Shelley Burgess explained that they use a five year average of the revenues from Transient Room Tax to come up with the level of funding for the current year. She stated that this helps the requesting agencies understand the available funds for requests. Commissioner McClure asked what the carryover is in this fund. Shelley explained that the beginning fund balance is \$30,000 which helps in the years that the collection is less than the allocation for that year. She explained that the current requests total \$152,219 and the amount that is allocated for next fiscal year is \$142,334. **Commissioner Howard moved to fund UCEDC at \$35,000, Chamber of Commerce at \$14,000, Small City Services at \$6,000, Discretionary Grants at \$11,000, Conference Center at \$10,000, Tourism Promotion at \$42,500, and Contract Services at \$24,000. Commissioner McClure seconded. Motion carried unanimously.**

#### Executive Session

An executive session was held under ORS 192.660(e)

#### Adjournment

The meeting was adjourned at 1:13 p.m.

Respectfully Submitted,

Ashley Wilhelm  
Sr. Dept. Specialist II