

Board of Commissioners Meeting  
April 3, 2013

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

Chairman Davidson opened the meeting with all three Commissioners present.

Public Comments

Irene Gilbert, 2310 Adams Ave. La Grande, came to the meeting in response to a letter the Commissioners sent to her. She explained that in that letter the Commissioners stated she had asked the Technical Advisory Committee to make a recommendation based on the displacement of elk and deer that have happened at Elkhorn Wind Farm. In the response the Commissioners explained that the TAC is not responsible for making the recommendation and the TAC is something that was put together by Horizon Wind. The fact that Union County started out as having oversight over the committee and then chose to back out on it is one issue. The idea that the TAC is not monitoring wildlife would require an update to the conditional use permit because part of the requirement for those conditional use permits are not only the initial construction but also the ongoing operation of that facility. To state anything other than that would be to say every conditional use permit that the County issues are a done deal once they are issued and there is no responsibility on the monitoring. She had asked the Commissioners for a community opportunity to look at whether or not mitigation was appropriate and the Commissioners indicated that the end of the responsibility was when the conditional use permit was issued. According to the State this area is a big game habitat. The land use laws say that the counties are responsible for the State land use goals. It is a goal 5 resource and clearly requires protection by the County. She is concerned that the County set up a TAC and has strayed from that and say that the County now has no responsibility to ensure that they continue meeting the requirements of that certificate. She met with US Fish and Wildlife and according to them they are not coordinating with Elkhorn. US Fish and Wildlife has an open investigation because of the wildlife impact. The County has allowed the conditional use permit but the assumptions of the management of the wildlife are not accurate. The Commissioners state in the letter that they have received no requests from a TAC member to meet but the County has a member on the TAC and they can make that request. She is suggesting and requesting that the County TAC representative make that request because the wildlife study was not completed until after the last meeting of the TAC. She also met with Oregon Department of Fish and Wildlife and asked their representative to do the same. She feels that the County needs to provide an opportunity for public input when changes are made to a permit. She also feels that the County has an obligation to monitor compliance with the permit. She is going to Salem to meet with LCDC to figure out what the next steps are at the State level to require the County to monitor the permit.

Consent Agenda

**The March 14 and 21 claims journals; and the March 14 Public Works claims journals; were approved as presented on the consent agenda.**

2<sup>nd</sup> Amendment Support Resolution

Resolution 2013-03, In the Matter of a Resolution Affirming Support of the 2<sup>nd</sup> Amendment to the United States Constitution & Article 1, Section 27 of the Oregon Constitution, was presented for consideration. Shelley Burgess, Administrative Officer, explained that this is the Resolution that the Commissioners had discussed at a previous meeting when citizens asked the Commissioners to show support and uphold the 2<sup>nd</sup> Amendment to the Constitution. **Commissioner McClure moved approval of Resolution 2013-03 as presented. Commissioner Rosholt seconded. Motion carried unanimously.**

Appointment to Union County Fair Association Board of Directors

Court Order 2013-19, In the Matter of Appointment to the Union County Fair Association Board of Directors, was presented for consideration. Shelley Burgess explained that this Court Order would re-appoint Stephanie Myers to the Board. **Commissioner Rosholt moved approval of Court Order 2013-19 as presented. Commissioner McClure seconded. Motion carried unanimously.**

Appointment to the 4-H and Extension District Advisory Committee

Court Order 2013-20, In the Matter of Appointment to the 4-H & Extension District Advisory Committee, was presented for consideration. Shelley Burgess explained that this Court Order would re-appoint Donna Heffernan, Bill White, Ken Patterson and Don Sands. It would also appoint a new member, Robin Gerber, to the Committee. **Commissioner McClure moved approval of Court Order 2013-20 as presented. Commissioner Rosholt seconded. Motion carried unanimously.**

Vacation of a Portion of Airport Lane – Union County

**Commissioner McClure moved to postpone this hearing until 10:30 a.m. on May 1<sup>st</sup>. Commissioner Rosholt seconded. Motion carried unanimously.**

Adjournment

The meeting was adjourned at 10:02 a.m.

Respectfully Submitted,

Ashley Wilhelm  
Sr. Dept. Specialist II