

Board of Commissioners Meeting  
April 18, 2012

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

Chairman Rosholt called the meeting to order at 9:00 a.m. and began with the Pledge of Allegiance. All three Commission members were present.

Public Comments

Commissioner Davidson explained that the Wallowa-Whitman National Forest supervisor Monica Schwalbach decided to withdraw the Travel Management Planning decision and stop the clock on the appeal process. Union County's appeal will be held where it is in the development process. He explained that the County will maintain the option to appeal if the process moves ahead and the clock starts again. He stated that he has a meeting scheduled with Ms. Schwalbach and the District Ranger, Bill Gamble on Thursday afternoon at 2pm to discuss the process moving forward and how the counties are going to be engaged in that process. He will report back on how the process will move ahead.

Renewable Energy Project

Commissioner McClure stated that there was a tentative approval of the Renewable Energy project and the credit union is also going to be a partner in the project. He has asked Jeff Clark to come and give the Commissioners details on how the project will work so that everyone understands.

Jeff Clark, 64718 Orchard Rd, La Grande and Bridget Callahan, 802 Miller Dr. La Grande, explained what has changed since the last meeting. There were 50 people interested in participating in a workshop that will be held. He explained that they are anticipating dozens of systems being done this summer. The public pool hot water system is in disarray so the City of La Grande is interested in purchasing a system. The credit union is a partner with the project by offering a loan to people that qualify, which would cover the cost of half the system. The system that was chosen was the Sole Reliance System which will cost about \$8900 installed but there will be a bulk discount which should bring the system cost down to \$8400. If 20 more people install the system the cost will go down to \$7900 installed.

Commissioner Davidson stated that he believes this is the best use of the money within the fund.

Commissioner McClure explained that he would like to see that the money be paid back into the fund and used on a continual basis to get these projects going.

**Commissioner Davidson moved to accept the proposal from Solarize Union County and enter into a partnership with Oregon Rural Action and the Union**

**Wallowa Baker Federal Credit Union. Commissioner McClure seconded. Motion carried unanimously.**

Scenic Bikeway

Anita Metlen, 65208 Hull Lane, Imbler thanked the Commissioners for their support for the scenic bikeway. She brought a brochure for the Commissioners to look at that the Committee put together to get information about the scenic bikeway out. The brochure has been sent to various Chamber of Commerce locations and they are hoping to partner with hotels and get them into the different hotels around the area for their guests.

CAFFA Grant

Resolution 2012-04, In the Matter of a Resolution Authorizing Participation in the Assessment & Taxation Grant, was presented for consideration. Linda Hill, Assessor/Tax Collector, brought the grant application for the CAFFA Grant funding which is for the Assessment and Taxation function to the Commissioners for consideration. She also gave the Commissioners a budget narrative and an expenditure summary for the material and services portion.

Commissioner McClure asked Linda if this funding is meeting her needs and if her department is able to keep up with the tasks. Linda stated that in the appraisal section there are several key retirements that are close. She explained that it is difficult to plan like you want to plan knowing that those are pending.

**Commissioner Davidson moved approval of Resolution 2012-04 as presented. Commissioner McClure seconded. Motion carried unanimously.**

Consent Agenda

**The March 29 and April 5 claims journals; the March 28 and April 5 Public Works claims journals; the March 21 Board of Commissioners Minutes were approved as presented on the consent agenda.**

Connect Oregon III Grant Amendment

Shelley Burgess, Administrative Officer, brought Amendment II to the Connect Oregon III Multimodal Transportation Fund Program Rural Airport Grant number 26986 to the Commissioners for consideration. She explained that this is the matching funds for the ongoing Runway 12-30 improvement project. The amendment will change the project completion date to August 30, 2012 based on construction delays due to weather. **Commissioner Davidson moved approval of Amendment II as presented. Commissioner McClure seconded. Motion carried unanimously.**

Wolf Depredation Financial Assistance Grant Agreement

Shelley Burgess presented the Wolf Depredation Financial Assistance Grant Agreement received from the Oregon Department of Agriculture to the

Commissioners for consideration. She explained that this is in response to the application that was submitted for the new funds available for compensation for wolf depredation. Union County submitted a grant for \$30,000 asking for funding to compensate livestock owners for death or loss or injury of livestock and a category for implementing methods that limit wolf/livestock interaction. There were a number of applications received. Union County has been awarded \$9,000 in category two which is the category for implementing methods that limit wolf/livestock interaction. The Oregon Department of Agriculture explained that in the grant decisions they awarded funding for compensation to livestock owners in areas where there had already been claims. It would give the County the funds to distribute in accordance with a plan that the Wolf Depredation Advisory Committee has put together.

Commissioner McClure asked if there are kills from the wolves will there be no compensation since there was none received for that category. Commissioner Davidson stated that he believes that the County will be provided funding to compensate the ranchers retroactively. Commissioner McClure stated that in his opinion it is just a matter of time before Union County has depredation since it has happened in Wallowa and Baker Counties.

**Commissioner McClure moved approval of Wolf Depredation Financial Assistance Grant as presented. Commissioner Davidson seconded. Motion carried unanimously.**

#### GRMWS Court Order

Court Order 2012-22, In the Matter of Appointment to the Grande Ronde Model Watershed Board of Directors, was presented for consideration. Shelley explained that this Court Order would appoint Laura Mahrt as the Eastern Oregon University representative on the Board. It would also appoint Katie Frenyea as the Union Soil and Water Conservation District representative on the Board. **Commissioner Davidson moved approval of Court Order 2012-22 as presented. Commissioner McClure seconded. Motion carried unanimously.**

#### Short Line Railroad Resolution

Resolution 2012-05, In the Matter of a Resolution in Support of Reauthorizing the Internal Revenue Code 45G Tax Credit for Short Line Railroads, was presented for consideration. Shelley read the Resolution aloud for the record.

**Commissioner McClure moved approval of Resolution 2012-05 as presented. Commissioner Davidson seconded. Motion carried unanimously.**

#### Rail Service Resolution

Resolution 2012-06, In the Matter of a Resolution in Support of Amtrak Rail System, was presented for consideration. Shelley read the Resolution aloud for the record. **Commissioner Davidson moved approval of Resolution 2012-06**

**as presented. Commissioner McClure seconded. Motion carried unanimously.**

Discretionary Fund Recommendation

Shelley Burgess explained that the Discretionary Fund Committee met and reviewed four applications which have been provided to the Commissioners. The projects included the Gangloff Park Enhancement Project which the committee is recommending to fund \$3500. A request from the Hells Canyon Relay which the committee has requested more information in order to make a funding recommendation. The Elgin Chamber submitted a request for an Annual Elgin Clean-up Day and the committee recommended funding at \$1000. The Wallowa Union Scenic Railway Marketing Project request is recommended to be funded at \$2500.

Commissioner Davidson stated that he agrees with the support of the three projects that they are recommending support for but he has some differences as to what level of funding they should be receiving. He would move to support the Elgin Clean-up Day at \$1,000, the Wallowa Scenic Railway Marketing request at \$5,000, and the Gangloff Park Enhancement request at \$1,000.

**Commissioner McClure moved approval of discretionary recommendations as amended by Commissioner Davidson. Commissioner Davidson seconded. Roll Call: Commissioner Davidson – Yes, Commissioner McClure – Yes, and Commissioner Rosholt – abstain. Motion carried.**

Airport Engineering Contract Modification

Shelley explained that this has been postponed to a later date.

Airport Engineering Contract Renewal

Shelley explained that this has been postponed to a later date.

Plan Amendment – Article 23 – Public Hearing

Ordinance 2012-01, In the Matter of Amending Article 23.00 Land Use Regulation and Land Use Plan Amendments of the Union County Zoning, Partition & Subdivision Ordinance, was presented for consideration. Scott Hartell, Associate Planner, explained that the Union County Planning Commission held a public hearing on March 26, 2012 to discuss this issue and they have recommended approval to the Commissioners. He explained that State laws that are changed or new laws that are implemented through the State legislative sessions that effect the land use regulations or statewide planning goals ORS 197.646(4) requires the Planning Department to implement the laws whether it is in place in the zoning ordinance or not. This Ordinance would amend the zoning ordinance to allow the County to amend regulations as they come down from the State and put them into the zoning ordinance without going through a public hearing. The process would be that there would be a 35 day notice sent to DLCD once the proposed

amendments are made. DLCD would review it and provide a written letter back to the County that would state that they agree with the amendments.

Commissioner McClure stated that this would reflect what the legislature has done and would just adopt the state rules as they are given to the counties.

Commissioner Rosholt asked what Mace Cadwell's objection was. Commissioner Davidson explained that Mace felt that there was some value in the hearings because it gave people an opportunity to express their displeasure or support of the proposed amendments and would raise the awareness in the community and the local elected officials of the local viewpoint on the regulations. Commissioner Davidson stated that he doesn't feel that taking public comment is ever pointless and he sees the basis of Mace's argument.

Commissioner McClure explained that he agreed but a public hearing has always been an opportunity for the public to come in and try and sway the Commissioners positions or minds. The public can come in and object at any time but to imply that they will be participating in a public hearing that the outcome cannot be changed is what he is concerned about.

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

**Commissioner McClure moved approval of Ordinance 2012-01 as presented. Commissioner Rosholt seconded. Roll Call: Commissioner Davidson – No, Commissioner McClure – Yes, and Commissioner Rosholt – Yes. Motion carried.**

The second reading of the Ordinance will be held on May 23, 2012 at 10:00 a.m.

#### Executive Session

The Commissioners went into an executive session under ORS 192.660(1)(h).

#### Adjournment

The meeting was adjourned at 10:15 a.m.

Respectfully Submitted,

Ashley Wilhelm  
Sr. Dept. Specialist II