

Board of Commissioners Meeting
August 7, 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

Donna Patterson, Union, explained that she is one of three main petitioners of Union County Ballot Measure 31-1P-0113. A few years ago her husband and her were registered Democrats. When Nellie Bogue Hibbert ran for Commissioner they wanted to support her so they changed their party to Republican. There were a lot of complaints about people changing parties in order to vote. She felt that it was a nuisance to have to change their registration to vote for the people that represented them as the Commissioners. She explained that the County Commissioner is a non-partisan position so she wonders why they are running partisan. They were told that they needed 650 signatures to get the measure on the ballot. They have collected 1,344 signatures. She feels that should be enough for the Commissioners to make a pledge to put it on the ballot. She doesn't care what party the Commissioners belong to only what they do for her as a Union County resident. She asked the Commissioners to vote to put the measure on the ballot and let the people vote whether they want the Commissioner position to be non-partisan.

Commissioner McClure stated that it doesn't matter to him to run as a partisan or non-partisan. The rules have been that they run partisan so that is what they have done. He thinks it is a valid question to ask the voters of Union County if they want it changed but he has concerns about what election it is done in. If it is done in November under a special election there will be a smaller turnout than in a general or primary election. He thinks that it is an important enough question that it should be done at a primary or general election so it can be the biggest turnout and opinion of the people in Union County. He has had people call him that are opposed to the change.

Commissioner Davidson asked if they had turned in their petition to the County Clerk. Donna stated that they have not yet.

Commissioner Rosholt explained that they all applaud their efforts and want public input. The Commissioners are in office for the good of the citizens of Union County and he hopes that his good common sense is how he votes. He agrees that if you want voter turnout the general election is the time to have that vote. Donna asked when the next general election will be held. Commissioner McClure stated that there is a primary election in May which would be a better turnout and

November is the general election. Donna asked if the Commissioners would be willing to make a motion to put this on a general election ballot. Commissioner McClure explained that he would consider it but wouldn't make that decision today.

Commissioner Davidson explained that if they want it to go on the ballot next year they can submit their petition and signatures and it will go on the ballot. They do not need the Commissioners to act in order for it to happen.

Ray Randall, Union, stated that the Clerk has told their group that she anticipates that a special election would gain as many votes as the primary election. If that is true he doesn't feel that it matters which election ballot this is placed on.

Consent Agenda

The July 25 and 31 claims journal FY 12-13; the July 25 and 31 claims journal FY 13-14; the July 24 claims journal FY 12-13; and the July 24 claims journal FY 13-14 were approved as presented on the consent agenda.

Farm Land Lease

Shelley Burgess, Administrative Officer, brought a Farm Land Lease to the Commissioners for consideration. She explained that this lease is with Trico Farms and is for the property in the Baum Industrial Park. This lease is for the current farm season only. It is for 58 acres at \$45 per acre. **Commissioner McClure moved approval of the Farm Land Lease as presented. Commissioner Rosholt seconded. Motion carried unanimously.**

Boiler Bid Award

Shelley Burgess brought a Boiler Bid Award to the Commissioners for consideration. She explained that last year there were some difficulties with the boiler in the law enforcement building. They tried to repair the boiler rather than replace it but it has not been as effective as hoped. They went out to bid to replace the unit. There were two bids received. The first bid is from West Tech Boiler Works for \$77,878 and from D&R Heating and Air Conditioning for \$67,700. The bids do include the installation. The recommendation is to accept the low bid from D&R Heating and Air Conditioning. **Commissioner Rosholt moved to accept the low bid as recommended. Commissioner McClure seconded. Motion carried unanimously.**

Mower Purchase

Shelley Burgess brought a Mower purchase for Buffalo Peak Golf Course to the Commissioners for consideration. She explained that it is a Toro 4700D and would replace two outdated and old mowers. There is a closeout on this model and it is available through a national purchasing agreement so the County does

not have to go out to bid. She stated that the County is eligible for financing that will allow for payment in the next fiscal year.

Commissioner Rosholt explained that there are seven decks on this machine. With the seven decks it is as wide as the two current mowers. It can also weed eat the bunkers so it will save in labor costs.

Commissioner McClure moved approval of the mower purchase as recommended. Commissioner Rosholt seconded. Motion carried unanimously.

Service Contracts

Shelley Burgess brought two service contracts to the Commissioners for consideration. She explained that one is with the Union County Sheriff's reserve program and the other is with the City of La Grande Police Department. These are for funds from the Drug Free Communities Coalition for additional law enforcement services at various activities. These contracts would allow the County to pay \$2700 to the City of La Grande and \$1800 to the Sheriff's Reserve Program for the patrols that are done to monitor minors in possession of alcohol. These funds come from a grant and are earmarked for these types of activities.

Commissioner Rosholt moved approval of the two service contracts as presented. Commissioner McClure seconded. Motion carried unanimously.

Easement on Pierce Road

Shelley Burgess brought an Easement for Pierce Road to the Commissioners for consideration. She explained that this is an easement granted to Sheri Rayburn in regards to the legalization process of Pierce Road. It would allow that her fence remain where it is located and she can utilize the property until the fence is moved by either the County or her. It will then be replaced on the surveyed line.

Commissioner McClure moved approval of the easement as presented. Commissioner Rosholt seconded. Motion carried unanimously.

City of La Grande Plan/Text Map Amendment – Cont.

Ordinance 2013-02, In the Matter of Amending Union County Zoning/Partition/Subdivision Ordinance to include the City of La Grande Ordinance 3208 series 2013, was presented for consideration. Ordinance 2013-03, In the Matter of Amending the Union County Zoning/Partition/Subdivision Ordinance to Include the City of La Grande Ordinance 3209 series 2013, was presented for consideration. Ordinance 2013-04, In the Matter of Amending the Union County Zoning/Partition/Subdivision Ordinance to Include the City of La Grande Ordinance 3210 series 2013, was presented for consideration. Commissioner Davidson explained that this is a continuation of a hearing from July 10th.

Hanley Jenkins, Planning Director, explained that the Commissioners conducted the first reading of the three Ordinances at the last Commission meeting. There was an issue concerning potential water impoundments associated with large lot industrial uses in the expansion area that is proposed for the industrial zone. The County's Airport Overlay Zone does prohibit water impoundments within 5,000 feet of the end or edge of a runway. The County has contacted the FAA and has given them all of the documentation on this application but there has been no response received. He explained that he also learned that his office did not provide the Commissioners copies of the documents that would be adopted with the Ordinances so he has brought those documents to the Commissioners.

Hanley explained that Ordinance 2013-02 recodifies the City of La Grande's Comprehensive Land Use Plan. It revises and replaces the Park Master Plan. It revises industrial planned areas. It revises the Public Facilities and Services Analysis for the Urban Growth Boundary expansion area. It revises the Transportation System Plan for the industrial expansion area and it revises the Pedestrian and Bicycle Plan for the City of La Grande.

Hanley explained that Ordinance 2013-03 amends the City of La Grande Urban Growth Boundary. It removes land that is along OR HWY 30 that had been identified in the Urban Growth Boundary for heavy industrial uses. The reason it was removed is because it was found to be in a flood plain. It expands the Urban Growth Boundary to include the land that is West of Pierce Road and West of the Airport identifying it for large lot heavy industrial uses.

Hanley explained that Ordinance 2013-04 amends the City of La Grande's Land Development Code. Many of the changes in the amendment are housekeeping changes that the City is pursuing. They did change the heavy industrial zone as a conditional use. The livestock sale yard and the public facility zone are identified as outright uses. It identifies Commercial, Administrative and Professional services as incidental uses and also as an outright use.

Commissioner Rosholt asked Hanley if he knew when he would hear back from the FAA. He has not heard a response and it had to be reviewed by one of FAA's planners.

Commissioner Davidson stated that his concern about Ordinance 2013-03 is that what appears to him to be a significant or challenging conflict in restrictions on these properties. They lay wholly within that 5,000 foot distance from the runway where there is no water impoundments allowed and it doesn't have a size restriction. The assumption is made that there won't be industries sited there that will discharge large volumes of waste water and if they do it will have to be treated before it is discharged into the City's system. The question is if this is really a suitable location to site large lot heavy industrial property.

Mike Boquist, City of La Grande Planning Director, stated that he could not think of an example of an industry that was identified as likely to locate in the region that requires an impoundment area. He asked what new industries require an impoundment area. He has contacted the State Aviation office and done research through the State Economic Development office and they have not been able to find any examples of industries that are required to build impoundments. He is not sure that it rises to the level of being of high significance. He thinks the zoning covers the people that are most likely to locate in that area. Commissioner Davidson asked where the list of targeted industries is located in the goal 9 report. Mike explained there was an economic needs assessment done in the goal 9 chapter of the document.

Commissioner Rosholt stated that with as much money that the County receives from the FAA he would hate to jeopardize it by going through with this without their approval.

Commissioner McClure stated that the Airport is the primary concern for him. The Airport cannot operate without IAP money from FAA. He thinks that it is prudent that the question be asked now and not wait until there is a specific project. He understands that they have worked a lot of years to get to this point in the process. He is not willing to make any decision until he hears from the FAA. He doesn't have a problem with the other two Ordinances and feels they can proceed with those.

Commissioner Davidson agrees and thinks that they should take some time and see what the FAA has to say and review their response and any other research they are interested in finding answers out to and considering all three Ordinances at a later date.

Commissioner Rosholt asked the City if it made any difference to them if the other Ordinances were passed separately or together. Mike explained that it would be nice if the two Ordinances were adopted because they are applying two different standards to Urban Growth Boundary versus city limits. He has no objection to waiting for the FAA's opinion to wait and have further discussion on the rezone.

Hanley stated that the Comprehensive Plan has in it all the necessary amendments for the Urban Growth Boundary Exchange. His concern with that is if that Ordinance is adopted and the corresponding map is not adopted it is out of sync.

Commissioner Davidson stated that he would not like to act on the Ordinances today and would like more time to review the information. Hanley feels that the Commissioners can approve the Land Development Code which has no changes that are reflective of the exchange area. He feels that Ordinance 2013-02 and

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Ordinance 2013-03 are specific to the exchange area and should be kept together.

Commissioner McClure moved approval of Ordinance 2013-04 as presented. Commissioner Rosholt seconded. Motion carried unanimously.

The hearing will be continued on August 21st at 10:00 a.m.

Adjournment

The meeting was adjourned at 10:35 a.m.

Respectfully Submitted,

Ashley Wilhelm

Sr. Dept. Specialist II