

Board of Commissioners Meeting
October 2, 2013

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

Chairman Davidson opened the meeting at 9:00 a.m. with all three Commissioners present.

Public Comments

Anita Metlen, 65208 Hull Lane, Imbler, Oregon, presented a letter of thanks to the Commissioners, a copy of which is attached, for the support of the scenic bikeway, which includes accomplishments as well as work in progress by the Union County Bikeway Committee. In addition to the items in the letter, she stated they are looking to install bike fix and pump stations at public parks. It is a self-use station, with tools attached to a cable and an air pump, all affixed to the ground. She requested information and guidance from the Commissioners about discretionary funds for the possibility of helping to pay for the bike fix stations. Commissioner Davidson suggested she fill out an application and submit it to this office. There is a Discretionary Fund Committee that reviews the applications and makes recommendations. She also stated there was recently a survey done by cyclists and the positive affect on tourism and the economy. Eastern Oregon has directly seen a 50% increase in cyclists coming through this area. The Chamber of Commerce has brochures for bike tour routes in the area that have been well received. There is an Oregon Bicycle Tourism partnership meeting on October 31, 2013. Many groups, volunteers and participants will be in attendance to collaborate about bicycle tourism in Oregon. She felt it would be beneficial and informative and invited the Commissioners to attend.

Elected Official, Department Head and & Employee Comments

Travis Miller, Community Corrections Director, presented an Intergovernmental Agreement for Measure 57 Supplemental Funds for the Department of Corrections for approval. The budget was increased by approximately \$6,000, of which the bulk of this amount went toward salaries. **Commissioner McClure moved approval of the Intergovernmental Agreement #4878 between the State of Oregon and Union County. Commissioner Rosholt seconded. Motion carried unanimously.** Travis also presented the 2013-14 Community Corrections Biennial Plan to the Commissioners for approval. He reviewed each program line item, discussed the purpose and increases in the budget lines. He requested a commission letter of approval for the budget plan which he can then present for review at the next Commission meeting. **Commissioner Rosholt moved to approve the Union County 2013-14 Community Corrections Biennial Plan as presented. Commissioner McClure seconded. Motion carried unanimously.**

Hanley Jenkins II, Planning Director, presented a Nonexclusive Easement related to the Right of Way for Pierce Road and adjoined to Sherilyn Rayburn's property on the east side of Pierce Road. There is approximately seven feet of difference between the fence and the right of way, and so this nonexclusive easement will allow Sherilyn Rayburn use of the seven feet of property until the fence is replaced in its entirety by either party. He presented the Nonexclusive Easement to the Commissioners for authorization and approval. **Commissioner Rosholt moved approval of the Nonexclusive Easement to Sherilyn F. Rayburn. Commissioner McClure second. Motion carried unanimously.**

Sean Chambers, Parks Coordinator, presented Resolution 2013-12, In the Matter of Authorizing the Union County Parks Department to Apply for a County Opportunities Grant from the Oregon Parks and Recreation Department Development and Rehabilitation of Campsites at Pilcher Creek and Wolf Creek Reservoirs and Delegating Authority to the County Commissioners to Sign the Application, for approval. This will provide improvements and larger campsites at Pilcher Creek Reservoir and an ADA approved campsite. At Wolf Creek Reservoir, this will improve the two camp loops, and allow installation of nine campsites, one of which is an ADA approved campsite. Sean stated that Pilcher Creek and Wolf Creek Reservoir are owned by the Powder Valley Irrigation District, and the County operates these reservoirs under an agreement. **Commissioner McClure moved approval of Resolution 2013-12, In the Matter of Authorizing the Union County Parks Department to Apply for a County Opportunities Grant from the Oregon Parks and Recreation Department Development and Rehabilitation of Campsites at Pilcher Creek and Wolf Creek Reservoirs and Delegating Authority to the County Commissioners to Sign the Application as presented. Commissioner Rosholt seconded. Motion carried unanimously.**

Doug Wright, Public Works Director, presented an Airport Filter System Bid Award to the Commissioners for approval. The low bid received is through Fluid Control Company, of Boise, Idaho, for \$7,573.03, which includes parts and labor. **Commissioner McClure moved approval of awarding the bid to Fluid Control Company. Commissioner Rosholt seconded. Motion carried unanimously.**

Commissioner McClure said that we will soon have two air ambulance companies in the county. He recently received a phone call from Air Life, and he then contacted the County attorney for assistance with how the county should handle having two air ambulances. JB Brock, Emergency Services Manager, initiated a review and discussion of the Air Ambulance Services in Union County. Air Life/Air Methods is new to the area and would like to establish business in the area, while Life Flight has been operating for a few years in this area. A request has been made by Air Methods to have a rotation of call-outs for air ambulance service between the two companies. An opinion was received by legal counsel, which included a summary statement. The attorney states that we cannot give

one provider preference over another just because they have been providing service in the County. In 2011, the County was transitioning between an air ambulance service leaving the area, and a new air ambulance establishing service. At that time, an opinion was requested by our local Ambulance Service Advisory (ASA) Committee from Donna Wilson, State of Oregon, asking whether we had the right and/or responsibility to regulate air ambulance service within Union County. She stated that air ambulances do not have assigned ambulance service areas, therefore, they are only answerable to the state for regulation and licensing. The County can choose to regulate air ambulance and this can be addressed in the ASA plan. Commissioner McClure said Grande Ronde Hospital has a contract with Life Flight for transfers, but the County is not involved with that, nor would they interfere. This is addressing rotation on 911 calls to alternate between the two air ambulance companies. Commissioner Davidson stated that the County would like to have an open and public process involving all interested parties, including local ground ambulance services, local fire services and both air providers, then listen to all input to arrive at a decision. Commissioner McClure brought this forward as Air Life is about to begin service and knows that Air Life would like a decision shortly. Commissioner Davidson stated this will be a public hearing on the Board of Commissioners Agenda for October 16, 2013 at 10:00 a.m. JB stated a significant concern that has come up repeatedly is citizens questioning if a reciprocity agreement is in place between the two companies for air insurance coverage, which he has received confirmation from both companies that they do have the agreement in place.

Consent Agenda

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

Administrative Matters

Appointment to the Union County Fair Association Board of Directors with Court Order 2013-33 was presented for consideration. There is currently one vacancy on the committee, and an application was received from Melody Mai.

Commissioner Davidson stated she is a current volunteer at the County Fair and an active participant of the County Fair Advisory Committee. **Commissioner Rosholt moved approval of Court Order 2013-33, In the Matter of Appointment to the Union County Fair Association Board of Directors. Commissioner McClure seconded. Motion carried unanimously.**

Resolution 2013-13 In the Matter of a Resolution Providing Workers' Compensation Insurance Coverage to Municipal Volunteers was presented for consideration. The County provides workers compensation insurance coverage for volunteers, including Search and Rescue, Sheriff Reserve, and community service volunteers commuting their sentences by performing work authorized by the Union County Sheriff/Correctional Facility. **Commissioner Rosholt moved approval of Resolution 2013-13, In the Matter of a Resolution Providing**

Workers' Compensation Insurance Coverage to Municipal Volunteers. Commissioner McClure seconded. Motion carried unanimously.

Meeting was adjourned until 10:00 a.m. for the La Grande Rural Fire District Annexation.

10:00 a.m. La Grande Rural Fire District Annexation (Love/Rodighiero)

Hanley Jenkins II, Planning Director, presented a staff report, which included information that an application was received August 26, 2013 for Rural Fire District Annexation into the La Grande Rural Fire Protection District. The petition was signed by Deborah Love and Nick Rodighiero. They own 17.5 acres which is predominantly forested land. They were also required to sign an application to the Department of Revenue, which states the applicants are aware they will be taxed for both Rural Fire Protection and Wild Land Fire Protection from State Forestry. This Hearing was published in the La Grande Observer on September 16 and 17, 2013, and a Court Order has been prepared for the Commissioner's consideration. The property is located up Igo Lane, and has property that it surrounds that is currently in the Rural Fire Protection District. Commissioner Davidson asked if this is the former Lloyd Mason property, and if this will place the entire 17.5 acres in the Rural Fire Protection area, which Hanley responded was correct. Commissioner Davidson asked for public testimony, of which there was none. The Public Hearing was then closed, and the Commissioners moved on to deliberation. **Commissioner McClure moved approval of Court Order 2013-32, In the Matter of Adopting an Amendment to the La Grande Rural Fire Protection District Boundary. Commissioner Rosholt seconded. Motion carried unanimously.**

Meeting was adjourned until the 10:30 a.m. Zoning Ordinance Amendment.

10:30 a.m. Zoning Ordinance Amendment – Public Hearing.

Commissioner Davidson brought the meeting back into session with a continuation of a Hearing on Amending the I-2 Heavy Industrial Zone in the Union County Zoning Partition Subdivision Ordinance. Hanley Jenkins II, Planning Director, gave a review of the staff report and supporting findings. He stated that on September 18, a tentative decision was made by the Board of Commissioners and the record was closed on the application to amend the I-2 Heavy Industrial Zone, removing the terms aggregate and mineral mining from the uses that are identified as conditional in the I-2 Heavy Industrial Zone. After reviewing the evidence of testimony in the record, he prepared Ordinance 2013-05, which includes an emergency provision, and he also prepared supporting findings for that decision. He addressed the Union County Zoning, Partition & Subdivision Ordinance requirements in Section 23.05 (3) and he also addressed the issues raised by objectors to the application. The findings support the change to remove aggregate and mineral mining as a conditional use within the I-2 Heavy Industrial Zone. Commissioner Davidson asked if the remaining

section would still allow aggregate and mineral exploration and processing on a conditional basis, which Hanley confirmed. **Commissioner Rosholt moved approval of Ordinance 2013-05, In the Matter of Amending the I-2 Heavy Industrial Zone in the Union County Zoning, Partition & Subdivision Ordinance & Declaring an Emergency.**

Commissioner McClure asked for clarification, and if a Hearing had been held on the Ordinance. Hanley stated that a tentative decision was made by the Commissioners on September 18, 2013 to overturn the Planning Commission's decision and approve the application and he was then asked to prepare findings. Commissioner McClure stated that an Ordinance was not being considered at that time. Commissioner Davidson stated that it was a public hearing to amend the zone. Commissioner McClure stated that they were hearing an appeal of a land use condition, but this is an Ordinance. Commissioner Davidson stated it wasn't an appeal. Hanley stated it was a recommendation from the Planning Commission to the Board of Commissioners, and the recommendation was not accepted, so the Board of Commissioners are overturning the Planning Commission recommendation and approving the application. This was prepared with an emergency provision. Commissioner McClure stated that State law requires you have a public hearing for an Ordinance and this is the first time the Ordinance has been presented, so we should be having a public hearing. Shelley Burgess explained that this is the land use that is being talked about, and the hearing at the last meeting was discussing action. When planning adoptions are done by Ordinance, a hearing is held for the topic of it. Hanley said that because the Zoning Partition and Subdivision Ordinance is local law, it has to be adopted by Ordinance. Commissioner McClure understood, he just wanted to make sure it was being adopted by the right process. **Commissioner McClure seconded. There was no further decision. Motion carried unanimously. A second motion by Commissioner McClure was made to adopt Ordinance 2013-05, In the Matter of Amending the I-2 Heavy Industrial Zone in the Union County Zoning, Partition & Subdivision Ordinance & Declaring an Emergency. Commissioner Rosholt seconded. Motion carried unanimously.**

Meeting adjourned.

Respectfully submitted,

Annette Powers
Department Specialist