

**Union County Board of Commissioners
June 18, 2009**

Present: Commissioner Steve McClure
Commissioner R. Nellie Hibbert
Commissioner Mark D. Davidson

Call to Order

Chairman McClure called the meeting to order at 9:00 a.m. with all three members present.

Public Comments & Concerns

No general public comments or concerns were presented.

Elected Official, Department Head & Employee Comments

Household Hazardous Waste Lease Agreement

Solid Waste District Matter (see separate minutes).

Modification of Solid Waste Franchise Agreement

Solid Waste District Matter (see separate minutes).

Consent Agenda

The May 28 and June 4 claims journal; May 27 and June 3 Public Works claims journal; March 4 Board of Commissioners minutes were approved as presented on the consent agenda.

Administrative Matters

Travel Management Advisory Committee

Court Order 2009-25, Establishing and Appointment to the Union County Travel Management Advisory Committee, was presented to the Commissioners for consideration. Commissioner Davidson has reviewed the applications submitted and recommends Justin Rock, Jack Aldrich, Mike Brock, Ray Clements and Mark Barber be appointed to the committee along with J.B. Brock as the staff representative and Kurt Weidenmann as the Forest Service liaison.

Commissioner Hibbert moved to approve Court Order 2009-25, In the Matter of Establishing and Appointment to the Union County Travel Management Advisory Committee. Commissioner Davidson seconded. Motion carried unanimously.

May Park Irrigation District Dissolution Resolution

Resolution 2009-13, Dissolution of the May Park Ditch Irrigation District was presented to the Commissioners for consideration. This resolution was prepared based on instructions from attorney Brandon Eyre. Commissioner Hibbert asked to recuse herself from the discussion because the ditch runs in front of her property. On May 11, Planning Director, Hanley Jenkins II, received a letter from a former board member of the May Park Ditch Company asking that the District be dissolved. Mr. Jenkins then began the statutory process for dissolution of the water company. Since there are no board members for the May Park Irrigation Ditch Company, Mr. Jenkins is required to follow the public process to dissolve the district. The first step to dissolve a district with assets is to create a resolution that allows dissolution. **Commissioner Davidson moved to approve Resolution 2009-13, In the Matter of the Dissolution of the May Park Ditch Irrigation District. Chairman McClure seconded. Roll call: Commissioner Davidson – yes; Commissioner McClure – yes; Commissioner Hibbert – abstain. Motion carried.**

12th Street Project

Commissioner McClure updated the Board on the 12th Street Project. Currently, this is a \$2.5 million project and \$268,000 in stimulus funds has been secured. Commissioner McClure and ODOT have discussed de-federalizing the project, which will save money by removing costly federal regulations.

Oregon Department of Transportation (ODOT) – STF Discretionary Agreement

Administrative Officer, Shelley Burgess, presented an STF Discretionary Agreement between Union County and the ODOT Public Transit Division. Commissioner Davidson recused himself because the agency that the county contracts with on this project is headed by his sister. This agreement would begin July 1, 2009 and end June 30, 2011. The funds provide transportation to medicaid eligible individuals for non-medicaid purposes. The program costs \$64,913 with a 40% local match making the value of the program approximately \$160,000 over a 2 year period. Union County sub-contracts this program with Community Connections. **Commissioner Hibbert moved to accept the STF Discretionary Agreement between Union County and the Oregon Department of Transportation (ODOT). Chairman McClure seconded. Roll Call: Commissioner Hibbert – yes; Commissioner McClure – yes; Commissioner Davidson – abstain. Motion approved.**

Request for Funding from Transient Room Tax Discretionary Fund for Art Walks

A recommendation for funding from the Transient Room Tax Discretionary Fund was presented to the Commissioners from the Transient Room Tax Discretionary Fund Advisory Committee, recommending that \$500 be allotted to the Art Walks 2009 project which would take place during the Elgin Riverfest. This recommendation comes with the stipulation that the Elgin Lions Club, who sponsors Elgin Riverfest, administer this money. **Commissioner Davidson**

moved to fund \$500 for Art Walks 2009 from the Transient Room Tax Discretionary Fund. Commissioner Hibbert seconded. Motion carried unanimously.

The meeting was recessed until the 10:00 a.m. Mt. Emily Recreation Area Ordinance Hearing.

Mt. Emily Recreation Area (MERA) Ordinance – Hearing

Cody Vavra, Assistant Planner, presented the Commissioners with Ordinance 2009-01 which establishes rules and regulations for MERA. Two advisory committees have been established for the development of MERA, a motorized and a non-motorized and both committees participated in drafting the ordinance. The ordinance was drafted by reviewing state laws and looking over ordinances for other county parks that are similar to MERA. Some of the main points of the Ordinance are all Class I and III ATV's must have spark arrestors; camping is only allowed in designated campsites; camping stay limit is 14 days out of a 30 day period; camp fires are only allowed in designated areas; all trails will be designed and designated for type of use; hunting is allowed; firearm target practice is not allowed; woodcutting is allowed by permit only, which will be issued by Union County; and reservations and/or a special use permit for use of the park are required for any community or private event. Commissioner Hibbert noted that nothing was said about the disposal of garbage in the Ordinance. Mr. Vavra explained that the Eagle Scouts will be building some trash receptacles this summer and Hanley Jenkins, II, Planning Director, said that this issue will be addressed in the operations plan. Mr. Jenkins also pointed out that the Sheriff's office has received funding to patrol and enforce laws on MERA. Commissioner Davidson was concerned about the closures that would be occurring during the harvesting of timber on MERA. Would these areas be closed during the week and open on the weekend and if so how would users know this? Mr. Jenkins verified that these areas would be closed during the work week and open during the weekends and there would be signs stating this information posted around these areas.

Chairman McClure opened the hearing to public testimony.

Mike Gooderham, 64916 Blackhawk Trail, thanked the commissioners and all participants in making MERA successful. After looking over the ordinance he found some areas of concern. He would like to see the Commissioners give MERA users a little bit of a cushion for the first couple of years when not following the rules and regulations of MERA. For habitual offenders he agrees with giving them citations but feels that until the public gets educated on the new rules and regulations there should be a little bit of leeway. Mr. Gooderham is already seeing accelerated commercial and recreation use to MERA and would like to see an ordinance to ride ATV's on the county roads associated with MERA. Mike suggested that users should be able to park in all parking areas regardless of what they are using MERA for, rather than having designated

parking areas for certain users. He also thinks that motorized access for emergency service vehicles needs to be addressed and that these vehicles be allowed into certain areas otherwise closed off.

Gene Erwin, La Grande, testified that he is a member of the non-motorized committee and thinks that there needs to be separate parking areas for different recreation users. If ATV users are allowed to park their vehicles in the area designated for horse trailers, the horse riders will have trouble getting in and out of the area.

The hearing was then closed to further testimony.

Commissioner Hibbert likes that the ordinance can be reviewed, changed, or amended. Commissioner Davidson agrees that the documents will probably have to be reviewed numerous times over the next few years. Mr. Vavra wanted the Commissioners to know that access for emergency responders will be addressed in the master plan. **Commissioner Hibbert moved to approve Ordinance 2009-01, In the Matter of an Ordinance Establishing Rules and Regulations for the Mt. Emily Recreation Area & Declaring an Emergency. Commissioner Davidson seconded. Motion carried unanimously.**

Commissioner Davidson moved approval of Ordinance 2009-01 with Emergency Clause, In the matter of An Ordinance Establishing Rules and Regulations for the Mt. Emily Recreation Area and Declaring an Emergency. Commissioner Hibbert seconded. Motion carried unanimously.

4-H and Extension Service District Purchase Agreement

Carole Smith, 4-H & Extension Service District representative, presented a purchase agreement to the Commissioners for the purchase of the building they are currently in from the Soil & Water Conservation District. The building was appraised at \$599,000 but is being purchased for \$350,000. The 4-H & Extension Service District has one year to come up with the funds to purchase the building and are exploring grants, mortgage opportunities, and partnerships. **Commissioner Davidson moved to approve the Sales Purchase Agreement with the Soil and Water Conservation District. Commissioner Hibbert seconded. Motion carried unanimously.**

4-H and Extension Service District Lease Agreement

Administrative Officer Shelley Burgess, presented a lease between the 4-H and Extension Service District and the Soil & Water Conservation District for office space and conference room rent. The office space rent did increase but the conference room rent decreased so the amount that the County will be paying is less this year than last year. The lease will be for one year and begins July 1, 2009 and ends June 30, 2010. **Commissioner Hibbert moved approval of the lease agreement between the 4-H and Extension Service District and the**

**Soil & Water Conservation District. Commissioner Davidson seconded.
Motion carried unanimously.**

Executive Session

An Executive Session was held under ORS 192.660(1)(d) Labor Negotiations.

Adjournment

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

Respectfully submitted,

Kylee J. Ingerson
Department Specialist