

Board of Commissioners Meeting
February 18, 2010

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

Call To Order

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

Public Comments

MERA Trail Unit

Dave Komlosi, 906 Penn Ave, La Grande, Jim McIver, 69565 Antles Lane Cove, and John Herbst, 1610 First St. La Grande, came to the Commissioners to address the MERA Trails Unit. Jim explained that he is a research professor with Oregon State University at the experiment station in Union. He has been working on forestry issues in a research context for the last 15 years mostly in Northeast Oregon. He is representing the residents of Union County that want to purchase the timber on the MERA Trails Unit. He explained that the goal of why they are before the Commissioners is to add some language to one of the criteria in the County management plan. Overall they like the management plan. He would like to restate criteria 1 to address a concern that the citizens have expressed. Currently criteria 1 reads, "A primary requirement for long term sustainable forest management will recognize economically sustainable timber harvest practices." He would like to add to that statement in the following way, "A primary requirement for long term forest management will recognize economically and ecologically sustainable timber harvest practices such that stocking levels of all stands in the MERA unit will be maintained within the management zone recommended by Powell, 1999." Powell is a book that contains tables that are based on growth and yield research on trees that grow in this climate. They would like that statement added because they want to make sure those stands that are in MERA are managed as a forest. A lower basal area or volume limit wouldn't be brought lower nor would the stand exceed the upper limit. He stated that it should be a management zone in which the forest would be managed. Essentially it is just maintaining a forest. In terms of who uses the Powell guide, the Umatilla Tribes, consulting foresters, private land owners and it is also recognized by the Oregon Department of Forestry and the Oregon State Extension Service.

Commissioner Hibbert asked if the Oregon Department of Forestry uses the guide or do they just recognize the guide as an acceptable guide. Jim stated that most of the lands that the Department of Forestry manages are on the West side of Oregon and the Powell guide does not refer to the West Oregon lands. The

Oregon Department of Forestry would recognize this guide as a means to create sustainable forest stands for the future.

John Herbst stated that he is not representing any committee, only himself. He was asked by a friend who is in the local interest group to take a look at the County management plan and see what he thought of it. He thinks that the County's plan and the plan the interest group is presenting are similar. He is comfortable with the County management plan. What he has seen is a lack of trust or a lack of understanding of what the Commissioners responsibilities are and what they can do. He would like to say that he appreciates and thinks that the group did a good job of studying and putting together a plan but he also thinks that the Commissioners have upheld the trust of the people in the County by not just picking up what a special interest group would say and moving forward with it. He has been a consulting forester in Eastern Oregon for over 30 years and has over 40 years of experience in the forest in Union County. He has found that the contracts that he has the least problems with are a page or two in length. The ones that he represents people in that are 90 pages in length says something about trust in who you are working with. Whenever someone is making a gift then there should be trust in the individuals who have said they are going to do something. He would like to see both parties have trust in one another. The plans are interested in managing for recreational purposes. Along with recreation goes commercial harvest. Commercial harvest has left the stand basically the way it is. The smaller trees that people would like to see removed won't pay their way out of the woods. There is no market for those trees. He has heard this stand referred to as an old growth stand and seeing as how the trees are about 100 years old he would like to compare that to people's ages. According to people's ages those trees are about 30 years old. He doesn't consider those trees old growth trees.

Commissioner Davidson stated that the deadline that was set by Forest Capital has passed. The County was told at the last extension that there would be no further extensions. He doesn't know if any more can come of this. He will initiate a conversation with Forest Capital and see what their interest is.

Jim asked if Commissioner Davidson was stating that the existing plan could not be added to. Commissioner Davidson explained that the Commissioners can consider the change but that conversation doesn't need to get started if Forest Capital is not interested in selling the timber.

Commissioner McClure asked Jim to give the addition that they are requesting in writing so the Commissioners can see exactly what they want to add to the management plan. Commissioner McClure would like to talk to some people in the industry to see what they think about using Powell as a reference.

Dave Komlosi stated that the group has been starting and stopping because they never quite had the assurance that their efforts would accomplish what they are wanting. The local interest group felt that if they had the additional statement in the management plan they would be able to move forward with collecting the funds needed to purchase the timber.

Commissioner Davidson stated that he is not comfortable in agreeing to the addition without consulting other Foresters and determine if that is the standard the County is going to agree to. He will initiate a conversation with Forest Capital to see if they would be willing to extend the deadline again.

Court Facility

Stephen Donnell, 2505 E. L Ave. La Grande, came to the Commissioners to talk about the proposal of a new court facility. He explained that in 1970 it became apparent that the old courthouse had to come down. He explained that if you look at the topography of La Grande this site is the highest portion. Of all the sites that have been identified, the County campus site is the one that is most opportunity ready. The Jail building was designed for at least one additional floor and possibly two floors on top of the building. The reason it was not done at the time was because the County could not get the money to pay for the additional levels on that building. When the current court building was purchased Stephen suggested that the County not purchase the building because it could not be remodeled. Now there is a situation where the County has lost its main tenant for the Joseph building. There needs to be an additional ability to handle the type of prisoners in society today. The County also has to accommodate what the requirements are for a modern court room. He stated that building on top of the Jail building is the only location that has been identified that is suitable. It is the only building in town that is built to atomic energy standards both for atomic energy and biohazard. It is the only building in this town that is centrally located next to the governing offices. The other two locations are in flood areas which make the Jail site the best site.

Commissioner Hibbert asked Stephen if he knew the seismic capacity that the Jail building was built to withstand. Stephen explained that the Jail building was built to the atomic energy code and the seismic code 3.

Court Facility Task Force Recommendation

Warner Wasley and Judge Russ West came to the Commissioners to update them on the Court Facility Task Force. Warner explained that there was a Court Facility study that was done statewide. The report rated Union County 48 out of the 48 courts. Chief Justice DeMuniz came to Union County and asked the County to address the problems with the court facility. The Commissioners appointed the Court Facility Task Force to define the facility needs, review potential site locations, review financial opportunities and provide periodic updates to the Board of Commissioners. Warner explained that the Court Facility

Task Force received a grant to bring a specialist out to Union County to do an analysis of the three sites that the Committee chose as the top three sites. The full committee took a vote on the sites based on the analysis performed and by a vote of 6 to 3 the County campus was the site that was chosen. Warner explained that this site would be more cost effective and it could be tied into the County jail as well. The project has had to be scaled back several times. The cost the Committee is looking at for this project is estimated at \$6,891,000 to have the location at the County Campus. The Committee has submitted applications for funds to Congressman Walden, Senator Wyden and Senator Merkeley which was for \$5,000,000. The Committee has also looked at recovery zone facility bonds that would be about \$1,781,000. There will have to be applications for grants made as well. Funding is going to be one of the major issues. The Committee felt that going to the taxpayers is not an option. The advantage of the recovery zone facility bonds is that 45% of the interest would be covered by the federal government.

Commissioner McClure asked if there are any drawings or conceptual floor plans on what is being proposed that the Commissioners can review. Commissioner McClure stated that he would like to know how the space estimates were formulated. Warner explained that the Needs Committee came up with space estimates as well as the consultant came up with some space estimates based on various courthouses.

Commissioner Davidson asked if a document could be prepared for the Commissioners to show what the project has been scaled back to. Commissioner Davidson stated that the committee should proceed on the appropriations requests to the Senators based on the numbers the committee came up with.

Judge West explained that the consultant that came out to look at the current facility as well as the proposed sites did state that the current facility could not be remodeled to meet the needs of the court.

Warner explained that the consultant looked at the possibility of the courts adding an additional floor to the current Jail building. The consultant stated that he did not think there would be enough space for the courts if an additional floor was added to that building. He also did not think the cost would be less or that it would meet the current zoning requirements. The consultant also thought there would be a lot of disturbance in the building while the construction was in progress. The consultant explained that it would cost between \$20,000 and \$30,000 to do a structural analysis to determine if the Jail building would meet the current building codes.

Judge West stated that there was a 30 year projection done as far as the needs.

Commissioner Hibbert thanked Warner and Judge West for the work they have done on the Court Facility Task Force.

Elected Official & Department Head

Commissioner McClure explained that the bids will be excepted for the 12th Street project on Monday, February 22nd. He stated that there has been a change in the plans for the funding. There is a petition to revoke one of the funding sources for the project. Previously ODOT assured the County that those projects that were already in progress would be funded out of existing funds. The contract has changed and now states that if the County takes the risk to move forward until the process is completed, then it is the County's responsibility. The project is being split into sections. There will be a base bid which will cover the amount of funding that is secure. There will be an alternative add bid which will be the rest of the project. The County should know by July if the petition will be on the ballot.

Consent Agenda

The January 28 and February 4 claims journals; and January 27 and February 4 Public Works claims journals; and the December 2 Board of Commissioners minutes were approved as presented on the consent agenda.

Appointment to the 4-H & Extension District Advisory Committee

Court Order 2010-12, In the Matter of Re-Appointment to the 4-H & Extension District Advisory Committee, was presented for consideration. Shelley Burgess, Administrative Officer, explained that staff has been working on updating the Advisory Committees and Boards to make sure there are current expirations. This Court Order re-appoints the members who have been serving and gives them expiration dates that are into the future. **Commissioner McClure moved approval of Court Order 2010-12 as presented. Commissioner Hibbert seconded. Motion carried unanimously.**

Appointment to the Union County Fair Association

Court Order 2010-14, In the Matter of Appointment to the Union County Fair Association Board of Directors, was presented for consideration. Shelley Burgess, explained that Val Stockhoff submitted a letter of resignation and her term expired December 31, 2009. The position opening was advertised. There was one application received from Robert Brant. Shelley stated that she has been notified that Tim DelCurto has decided not to reapply for his position on the Board. There is now an additional vacancy. She asked the Commissioners if they wanted to meet with the applicant or if they wanted to appoint him. There was no recommendation from the Fair Board regarding the application. Commissioner Davidson stated that he spoke to two members of the Fair Board and they were supportive of the appointment of the applicant and to advertise for the additional vacancy. **Commissioner Hibbert moved approval of Court Order 2010-14 as presented. Commissioner McClure seconded. Motion carried unanimously.**

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Adjournment

The meeting was adjourned at 9:53 a.m.

Respectfully Submitted,

Ashley Wilhelm
Department Specialist