

Union County
Board of Commissioners Meeting
March 2, 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

Mary McCracken, 63036 Buchanan Lane, La Grande, explained that she is speaking on behalf of the Friends of the Trails Unit who have a request for the Commissioners. In order to show support and promote the purchase of Forest Capital Partners Trails Unit Timber Contract the Friends of the Trails Unit are requesting that the Commissioners formally sign a copy of their management plan that states a clarification agreed upon during the February 18th Board of Commissioners Meeting. The clarification adds to the County Commissioners criteria in their management plan. It adds that there be a primary requirement for long term forest management that will recognize economically and ecologically sustainable forest practices such that harvesting levels for each stand within MERA will be maintained within the management zone recommended by Powell 1999. Powell is a document that covers management and stocking levels for the East side of Oregon that is used widely on Forest Service land and in many other forest management plans. Mary would like the Commissioners to add this verbiage to their criteria before a purchase plan is agreed upon by Forest Capital to show their support and promote the purchase. The Friends of the Trails Unit is also asking the Commissioners to task John Collins with negotiations for the purchase of the timber from Forest Capital.

Commissioner Davidson stated that the Commissioners did not agree to the additional verbiage in the criteria of the management plan. The Commissioners told the gentlemen at the meeting that they would consider the additional verbiage only after consulting with experts. The Commissioners explained that before they would add the verbiage they needed a response from Forest Capital that they are willing to negotiate the purchase of the trees. Forest Capital has expressed no willingness to negotiate and have said they were not interested in any further discussions about the purchase. Commissioner Davidson stated that the Commissioners cannot take action on this without consulting their advisors.

Mary stated that she has been working on this project out of the love of the Trails Unit and out of a love for the community. She stated that she doesn't want to get

angry and has been trying to see the Commissioners as people with a common goal. Mary explained that in December after the County Commissioners meeting Kristine Kirk approached Mary and told her that she and her husband, Loyd Mason, have property at the end of Igo Lane. Kristine stated that they were concerned with the harvesting that was planned because it came right up to their property. She gave Mary their contact information and asked that she contact them. When Mary did contact them she learned that Commissioner Hibbert was at their home at that time speaking with them. Later Mary was walking in the Trails Unit and noticed that the trees that adjoin the Mason property had been remarked making them "remarkable trees". They had been remarked as Forest Capital does with a black stripe of paint that covers the blue stripe of paint that indicates it is a tree to be cut. Gary Price was concerned about an area that directly affected his water supply and asked Forest Capital to go with him to look at the trees that were marked along the area. Forest Capital remarked a number of trees in that area and the trees on the Mason property were remarked in the same way. She asked the Commissioners to explain why the trees on the Mason property were remarked. Mary stated that Loyd Mason is on the Non-Motorized Advisory Committee and was selected by the Commissioners to be on that Committee. She explained that it appears as though he was able to get some special favors. There are many other citizens in the County who would like the option of marking a few trees that they would like to have not harvested.

Commissioner Davidson stated that he is not sure what Mary's accusation is but Union County does not own any of the trees on MERA. All of the trees are held in Forest Capital's name and when they are done harvesting their percentage of the timber then they will quit claim deed the rest of the timber to Union County. The Commissioners don't have any input into their harvest plan.

Mary stated that apparently the Commissioners do because there have been no other trees that have been remarked on that unit except those that are bordering Loyd Mason's property.

Commissioner Hibbert stated that the Masons called and specifically asked her to come out and visit with them. Mr. Mason had her walk the property line and he said that he had been in contact with Forest Capital about the marking of the trees. She had no influence on Forest Capital at all. The Masons wanted her to come out and give them her opinion on what the Commissioners were doing as a County and what their obligation was. That was the end of her participation at all. She did not have one conversation with Forest Capital about remarking any trees. Her conversation with the Masons was at their invitation and being a County Commissioner since they were interested and concerned she went to address those concerns and that was it.

Mary stated that it is amazing that the Masons can have trees remarked along their borderline.

Commissioner Hibbert explained that she has no idea what kind of conversations the Masons have had with Forest Capital.

Mary stated that it is impossible for anyone else to get through and have a conversation with Forest Capital. She explained that the two requests she came with still stand and would like those requests honored. Mary stated that Commissioner Hibbert has said that she wants to hold to the agreement with the County regarding MERA. She asked if it stated any place in the agreement that the Commissioners support industrial logging on any of that property.

Commissioner Hibbert explained that the language that is used is sustainable harvest.

Mary stated that in order to maintain sustainable harvest on the Trails Unit it will be many years after an industrial log which is what is happening on all of MERA because the County could not come up with the funds to purchase the timber. She is not blaming the Commissioners for the lack of funds. She is asking that in the heart of the non-motorized section, the Trails Unit, that the citizens of Union County have the opportunity to buy those trees for the County so that the County can do their own sustainable logging on that piece starting whenever. They will be the County's trees to sustainably harvest. After an industrial logging which is being proposed there will be no sustainable logging on that property for decades.

Stephen Donnell, 2905 E. L Avenue, La Grande, came to the Commissioners to talk about the wind energy situation. He explained that he was hired to run the biomass electrical generation plant in North Powder and he has some knowledge of what it is going to take to get the power out of this County. There are a number of things in the newspaper articles but he hasn't seen who is going to wheel the power and how the power is going to go from the facility to the wheeling point. If a new power line is going to have to be built there will need to be right-of-ways for the power line from the facility. There will need to be power lines either buried or above the ground in that area. There is a value on the property surrounding the area the wind turbines will be on and an appraiser can say what that is worth. There is a noise problem from the turbines and this is well understood by those people who live near them. He has been in some of those facilities. His viewpoint is that before the Commissioners jump into the project he thinks that they need to expand the scope of what is going to be looked at for that particular project. Another thing is that a lot of people don't understand that for every time an interruptible power source is made they have to be backed up by hard power supply. It is either coal generation or natural gas generation. There are a lot of viewpoints and issues that have not come out before the Commissioners and/or the Public Utilities Commission on their effort. Whoever buys that power has to have backup power. Idaho Power are the same people that want to put a power line for distribution down by Boardman. He would request that all of these issues be considered by the Commissioners before they make final approval.

Commissioner Davidson reminded Mr. Donnell that the project is not going through the local siting process and the Union County Board of Commissioners do not have a say in approving or denying their permit. It is going through the Oregon Department of Energy Facility Siting Council and there will be a series of hearings. He encouraged Mr. Donnell to submit his comments to EFSC for their consideration.

Stephen stated that the Commissioners do have zoning approval. Commissioner Davidson explained that the County does not have zoning approval. The State Statutes say that a project over 105 megawatts has to go through the State process and when they get their permit from EFSC the County shall issue a conditional use permit without delay and without a hearing.

Stephen stated that the Commissioners do have the ability to raise these concerns with the people that are going to approve the project and to his knowledge they have never been raised. The Commissioners are elected and have the ability when they get knowledge from those who understand the totality of this project to make letters of points of consideration for the deciding body and that is what he is asking the Commissioners to do.

CDBG Housing Rehab Loan – Public Hearing

Commissioner Davidson recused himself from the hearing and turned the hearing over to Commissioner McClure stating that a member of his immediate family is the Executive Director of Community Connections.

Commissioner McClure opened the public hearing. Margaret Davidson, Executive Director of Community Connections of Northeast Oregon, and Kale Elmer, auditor inspector for the CDBG Rehab Loan, came to the Commissioners with the close out of a grant for Community Connections that was sponsored by Union County in 2007. The grant was for \$400,000 and the purpose was to rehab owner occupied homes in the four counties, Baker, Grant, Union and Wallowa. The funds have been expended. A close out report has been prepared for the Commissioners along with evaluations that were completed by the home owners who responded. Margaret explained that she is coming to the Commissioners to answer any questions that they might have and to thank the County for their sponsorship of the application. They have notified all of the families that were served under this grant of their opportunity to attend this public hearing and submit comments in writing if they wanted to comment on the program.

Commissioner McClure then closed the hearing with no other testimony. Commissioner Hibbert stated that it is an admirable program and is hoping that more funds will be made available for this program in the future. Margaret explained that Community Connections is concluding a similar grant that Wallowa County sponsored to benefit the four counties. There are two homes

that are still in progress on that grant. Grant County sponsored an application last month that would benefit the four counties in a similar program. The four counties have been working together the past few years. The State required the program to regionalize. There is a policy committee that has representatives who are Commissioners from each of the four counties. The committee has developed a sustainability plan on how to build a fund of five million dollars that can be a self-perpetuating sustainable fund. Each County has agreed to rotate sponsorship of applications. There is active participation by the four Boards of Commissioners. It is a great program that creates a revolving fund that continues to serve the home owners in the County.

Shelley Burgess, Administrative Officer, stated that the Commissioners did receive one letter besides the evaluation for the record. The letter expressed appreciation for the program. Commissioner McClure closed the hearing.

Commissioner Hibbert moved approval of the project completion report and certification for HR709 as presented. Commissioner McClure seconded. Roll Call: Commissioner Hibbert; yes, Commissioner McClure; yes, and Commissioner Davidson; abstain. Motion carried.

Biannual Mental Health and Drug and Alcohol Health Plan 2011-2013

Dwight Dill, Mental Health Director for the Center for Human Development, and DeAnne Mansveld, Prevention Coordinator for the Center for Human Development, presented to the Commissioners their Biannual Mental Health and Drug and Alcohol Health Plan. As the County Mental Health Authority the Commissioners are charged with the development and submission of a plan for the available services for Mental Health and Alcohol and Drug Treatment and Prevention. The plan is developed every two years. The responsibility is contracted to CHD and they do the plan on the County's behalf.

The first page is basic information on who to contact for each of the specific program areas. The second page is the partner inclusion matrix. This reflects who is involved as partners and collaborators for the different programs. The priorities identified in the plan are identified by the Commission on Children and Families as their priorities as defined and directed by SB555.

The adult mental health will continue to focus on peer support, peer delivered services. Those services are something that CHD strongly believes in and a number of the peers have been trained and the next step is to implement the program and have them deliver peer support services. They have found that the peer support system works better than just coming in to see a therapist because they can relate on a day to day basis. CHD is also concerned with their rising acute care rates. There have been a number of hospitalizations and the trend seems to be increasing so it is another area they will be addressing. Dwight believes that there should be a development of a local respite and other

residential options. CHD has submitted a proposal for the development of an acute care facility which is in the planning process. People could be placed in a local respite bed earlier in the process to avoid the psychiatric hospitalization.

Dwight stated that the important thing is the funding matrix. In the biannual plan only the indigent funds that are contracted directly from the State are discussed. This does not cover the Oregon Health Plan funds which are addressed in a separate regional document that is done by Greater Oregon Behavioral Health. The funding comes in specific service elements with performance requirements attached to them.

Service element 66 funding is designed to provide outpatient alcohol and drug treatment with priority given to pregnant women, I.V. drug users, and Drug Court participants. Those are Federal requirements to address those three populations before alcohol and drug treatment can be provided for anyone else. They prioritize getting people in from Drug Court and Department of Human Services as referrals. If there are additional resources and those needs are being met the next level of service can be given but those populations are first for treatment.

Service element 80 is gambling prevention activities that is \$2500 which is used to do some local promotions for treatment for gambling addiction. Service element 81 is the gambling outreach and outpatient treatment. Those funds are subcontracted to Grand Ronde Recovery who is the gambling treatment provider in the area. The treatment is offered at no cost to anyone that needs gambling treatment.

Service element 1 is the funds that CHD receives to coordinate the local mental health system on the County's behalf. Service element 20 is outpatient adult mental health services and jail diversion services. Those funds are used to deliver outpatient services to high risk indigent individual people without insurance or without the ability to pay for mental health treatment. They also provide jail diversion services with those funds which is a specific pot of money that the State legislature allocated in the last biennium to meet the needs and try to avoid in part the number of referrals to the Oregon State Hospital for aid and assist evaluations. Those are for people that have committed a crime but there is question as to whether they are competent to stand trial. In the past there have been quite a few people sent to the State hospital and that is done through the District Attorney's office. These funds can be used to try and avoid the referrals and offer some services and develop alternatives.

Service element 22 is for outpatient mental health services. These funds are for direct treatment as well as service coordination and the Intensive Children Treatment services which are services that are for children that are high risk. They are either in DHS custody or they are at risk of going into a psychiatric facility because of mental illness.

Service element 25 are the funds that are used to coordinate the 24-hour acute crisis services for individuals that show up in the local emergency room or have contact with law enforcement. It has to be determined whether they are a danger to themselves or others and if they need to be psychiatrically hospitalized. Those services have to be provided 24-hours a day, seven days a week.

Service element 30 is Psychiatric Security Review Board services which are individuals who have been found guilty of a crime but because of a mental illness they are not in the prison system but are in a psychiatric hospital. They come out under the jurisdiction of the Psychiatric Security Review Board which is a form of parole but instead of being covered by Community Corrections for their parole they are covered by this Board.

Service element 31 are the funds that are used for services that are provided to individuals who have come out of the State hospital and into primarily the Evergreen Vista Nursing Home. It is a twelve bed facility that is a locked and secure unit within the nursing home. The nursing home provides all of their nursing related services and CHD provides their mental health treatment. The goal is to get the individuals into a lower level of care which would be an assisted living facility, an adult foster home, or living independently.

Service element 34 is for adult foster care. It is for relative and non relative foster care. It is a direct service payment to foster care providers. The amount is determined on a case by case basis. The foster care provider is paid a monthly service payment to keep that individual in their home.

Service element 36 is for assessments that CHD does for people who are in nursing homes but may have a mental health need. Those service elements are how they deliver those funds.

The rest of the funds are used while partnering with other community agencies such as DHS. There is a statement that CHD will be signing on the County's behalf regarding the maintenance of effort funds. The County provides a small amount of the funding for alcohol and drug treatment. The Federal requirement for the match of the funds is that the funds must be used for alcohol and drug treatment.

DeAnne Mansveld, prevention coordinator, explained the prevention plan. The top three prevention priorities that are from the County comprehensive plan are to reduce teen alcohol use, increase youth disapproval of substance abuse and increase adult disapproval of youth substance abuse. Everything that is being worked towards in the plan is to support those goals. The delivery is in two parts. The first deals with evidence based programs which is mandated by the State that the programs that are supported by CHD are deemed a best practice or they have been scientifically shown through rigorous evaluation and research to

produce the outcomes that they say they do. They want to invest their time and efforts into programs that show results. To reduce teen alcohol use the issue will be addressed through the strengthening families program. It is a program for youth and their parents to receive together. Providing Teen Court M.I.P education classes using the evidence based curriculum. Under increase youth approval of substance use they would like to use a model program called Protecting Me Protecting You. Research shows that the most effective prevention programs begin at Kindergarten. So, this program is a model program recognized at the Federal level and it spans Kindergarten through Fifth Grade. The high school students can be partnered with the younger students to teach the program. The results are then two-fold with the younger students and the older students. Not on Tobacco is a voluntary cessation program from the American Lung Association. Union County statistically has youth rates that are higher than the State of Oregon average with tobacco. Research has shown that reducing tobacco use among youth also reduces substance use because tobacco is a gateway drug. Incredible Years is another program for youth and families that they would participate in.

There are five strategies that are recognized by the State as effective prevention strategies. The first one is to partner with communities to support and create alternative activities for youth. Alternative activities for youth have not been shown effective on their own so it would be used in conjunction with other strategies to help reduce substance abuse and increase risk and protective factors. The second strategy is to prepare Union County in community mobilization to apply for drug free community grants and other grants. The next two strategies are working with education and awareness campaigns to help make people aware of the problems in the County using County driven data. The Commission organized a Community Needs and Readiness assessment and the data that was found from those assessments as far as community norms around youth substance abuse is what is driving those campaigns. Strategies that work with Teen Court are required by the State for problem identification and referral. The final strategy is engaging local festival, community organizers and leaders to address the availability of beer and wine at public events where minors are present through education or policy change. This stems back from the community norms and the best way to address substance abuse is by modeling the behavior that the adults want the kids to adopt. The strategy is to initiate the conversation of the best practice and to provide table tents with messages that would be pro-family and to support the risk and protective factors against substance abuse.

Dwight stated that the Commissioners need to be aware that this last strategy is one that has controversy. This would be for example approaching the County Fair and talking about having the beer garden every night or approaching coordinators of other events and discussing alcohol being served at those events. The thinking behind it is that there should be a message sent to children

and young adults that it is not necessary to have alcohol at every social function to have a good time. They are not out saying that there should be a ban on alcohol at all of the functions but they want to educate and ask the coordinators if alcohol does need to be served at every social gathering that is open to children. The alcohol abuse rates among youth is higher than the Statewide average so they will be doing everything they can to bring that rate down.

DeAnne explained that the remaining parts of the report are other requirements of the State. They will use gender and cultural considerations when appropriate in the programs that are delivered. Another requirement of the State is that the County prevention coordinator be a certified prevention specialist. As the prevention coordinator she has completed almost everything that she needs to test and she will test for that certification in September.

Commissioner Hibbert stated that their strategies coincide with the Commission on Children and Families. If there are more voices in the community saying the same thing it may be more understood.

Commissioner Hibbert moved approval of the Biannual Mental Health and Drug and Alcohol Health Plan 2011-2013 as presented. Commissioner McClure seconded. Motion carried unanimously.

Public Comments Continued

Curtis W. Martin, 51840 Hwy. 237, North Powder, came to the Commissioners to discuss the proposed Antelope Ridge Wind Farm. He explained that he does realize that the size of this project is beyond the approval capacity of the County Commissioners and it is at the State level. He is an adjoining land owner and he wanted to express his opposition to the proposed project. He believes that if this project does go in there will be a decrease in the value of his land. He doesn't think this effect is being addressed adequately. He is concerned about the connecting facilities that will be needed for this project that are not in existence now. There have been some comments that people who are in opposition to the project are not thinking about the economic impact. He has been in contact with Senator Wyden and Representative Walden about their proposed healthy forest initiatives. There could be a cogeneration plant put in operation in North Powder. There would be a tremendous impact in family wage jobs that will be sustainable. It could also alleviate a catastrophic fire in the watersheds.

Curtis asked the Commissioners where the County is at with the Strategic Investment Plan process. Commissioner Davidson stated that the Strategic Investment Program negotiations with Horizon Wind will begin later in March. Curtis asked if the negotiations are open to public participation. Commissioner Davidson explained that as defined by State law the negotiations are confidential until an agreement has been reached. Once an agreement has been reached

there will be a public hearing prior to the adoption of the agreement. Curtis stated that he was under the impression that the Elkhorn Wind Farm negotiated a SIP which included a tax break from the County. He would recommend that the Commissioners do not allow that again. This project is already getting subsidies from the State and Federal Government. He believes that without those subsidies the wind generators could not fund their projects. They are not an efficient means of power. He stated that if the County showed an opposition to this project it would have an effect on the State agency approval process. He does know that North Powder Rural Fire Department did receive funding through the County from the Elkhorn Wind Project but the funding that they received was the minimum requirement. There have been numerous requests for more funding for the local fire department to Horizon Wind because of the lack of equipment for wild land fire fighting and a wild land truck to go over rough terrain to fight fire. Those requests for more funding have been denied.

Tom Price, Exit 273, I-84 Ladd Canyon, came to the Commissioners in opposition of the Antelope Ridge Wind Farm. His property is referred to as the old Stockoff place on the top of Craig Mountain. There are only a few ranchers who have not signed on with Horizon and he is one of them. During the ownership of this ranch his family has spent a lot of time improving the property which includes changing the grazing, fencing areas for the benefit of fish, planting trees, and spraying weeds. He believes that if the Commissioners put themselves in their position they would understand how the land owners feel. This property is to be left to his children and grandchildren with the prospect that they could continue to maintain and be good stewards. He doesn't understand how this County can allow the potential of an industrial site in an area that for years was considered critical wildlife habitat. He is here to plea to the Commissioners as stewards of this County to stop the project and work with the Department of Energy and the State and represent the citizens as tax payers and landowners to stop the project.

Rod Swanson, Telecaset, came to the Commissioners in opposition to the Antelope Ridge Wind Farm Project. He explained that his home is surrounded by the wind towers of the Elkhorn Wind Farm. This new project will surround their home even more. He explained that they are being effected by the wind generators. His wife has wind tower syndrome. He stated that the Commissioners implemented the SIP on the Elkhorn Wind Farm and he wants to know the reason why. Commissioner Hibbert stated that she believes that the SIP was negotiated when Commissioner Lamoreau was in office. Rod strongly stated that he did not believe that Commissioner Hibbert was not in office at the time. Commissioner Davidson asked Rod to calm down and explained that Commissioner Hibbert is correct that the Commission that was in office at the time the SIP was negotiated was Commissioner McClure, Commissioner Lamoreau and Commissioner MacLeod. Commissioner Lamoreau negotiated the SIP agreement with Horizon Wind. Commissioner Davidson asked Rod not to

direct his anger towards Commissioner Hibbert because she was not involved in that process. Rod proclaimed that he has had no help from the Commissioners at all. Rod demanded to know how the zoning was changed to put industrial building on the property. Commissioner Davidson explained that Hanley Jenkins can explain the reason why but he believes it is because those generation facilities are a conditionally allowed use in a resource zone in the State of Oregon. Hanley stated that is correct information. Rod wanted the Commissioners to know that they have ruined their lives even though he feels that the Commissioners don't care. Rod demanded Commissioner McClure explain why a SIP was accepted by the Commissioners on the Elkhorn Wind Farm. Commissioner McClure stated that it was proposed to the Commissioners and they accepted it.

Stephen Donnell stated that it is his understanding that once the powerline leaves that property the County would have to approve a right of way or have a say in where that power line can go. Commissioner Davidson explained that it is his understanding that the transmission line is part of the application to the Energy Siting Council. There are two options. One would be following the existing Idaho Power lines that come down into La Grande and ties into Bonneville Power at the Gekeler substation. The other option would be expanding the substation on the Elkhorn project. Stephen asked if they expand the substation how would they receive the right of way for that. Commissioner Davidson explained that he thought that Horizon has right of way agreements with the land owners. Hanley explained that the County does not have any jurisdiction if the project is over 105 megawatts. Stephen asked if there was a Federal process. Hanley stated that there is no Federal review in energy production process for wind farms.

Curtis Martin has been dealing with the right of way agreement and there has not been an established right of way for an additional power project. The existing right of way for the Elkhorn wind farm would have to be expanded. The right of way expansion has not yet been negotiated.

Chuck Lebold, Union, explained that he was able to view a perspective that was provided at a meeting by Horizon. He asked the Commissioners if they have seen the perspective view. The Commissioners stated that they have been able to see the visualization of the windmills from the Union football field. He would like to emphasize that the Commissioner's comments to the siting committee are very influential and it does help to have the Commissioners voice the citizens opinions. This is a unique project since it is the third largest project being developed in Oregon. There is no other instance where they have been put so close to a city like this project. He would like to see more of a visualization and perspectives taken into consideration such as Buffalo Peak Golf Course.

Randy Knott, 1038 South 4th St., Union, explained to the Commissioners that he is not at the meeting to speak for or against the project. He has concerns because he worked in the energy development industry. In traveling throughout a number of Northwest states the development of wind energy projects always evokes a strong emotional response from a community with respect to control issues. His concern is not that he opposes the project but that the process for achieving the needs of commerce are fairly weighed against those of the tax payers. This project by no measure is a private development. With that comes a responsibility by the elected officials to represent the interests of the tax payers in the State siting process. He feels that the Commissioners have an obligation to represent the concerns of the citizens. He has negotiated socioeconomic terms and conditions by memorandums of understanding through cities and counties that specify to a developer and all the contractors that they will purchase as much as 80% of material within a fifty mile range of the project if the material is available. He has negotiated agreements where 80% of all the employees working for the developer must be from within a specific mileage of the project. He is hoping that as Commissioners they are considering these options for the project.

Consent Agenda

The February 11, 16 and 18 claims journals; and the February 10 and 17 Public Works claims journals; and the December 16 Board of Commissioners minutes were approved as presented on the consent agenda.

Appointment to the 4-H and Extension District Budget Committee

Court Order 2010-13, In the Matter of Appointment to the 4-H & Extension District Budget Committee, was presented for consideration. This order would re-appoint Bob Messinger and Don Sands and appoint Kelley Gross to the 4-H and Extension District Budget Committee. **Commissioner McClure moved approval of Court Order 2010-13. Commissioner Hibbert seconded. Motion carried unanimously.**

Appropriating Unanticipated Funds

Court Order 2010-15, In the Matter of Appropriating Unanticipated Funds, was presented for consideration. Shelley Burgess, Administrative Officer, explained there were unanticipated grant funds received by Union County from the Oregon Department of Transportation Public Transit Division. The STO funds became available after the budget was adopted. **Commissioner Hibbert moved approval of Court Order 2010-15. Commissioner McClure seconded. Motion carried unanimously.**

Appropriating Unanticipated Funds

Court Order 2010-16, In the Matter of Appropriating Unanticipated Funds, was presented for consideration. Shelley Burgess explained that these are funds that

have come available to Union County from the State of Oregon Criminal Justice Commission. The funds are for Adult and Juvenile Drug Court program. These funds were not received until after the budget was adopted. **Commissioner McClure moved approval of Court Order 2010-16. Commissioner Hibbert seconded. Motion carried unanimously.**

Mt. Emily Recreation Area Road Easement – Hibbert

Hanley Jenkins, Planning Director, came to the Commissioners with an easement request on the Mt. Emily Recreation Area Road. He explained that the Planning department was approached by Milo Hibbert who is an adjacent land owner to MERA and he submitted a request to the County for road access easements to his property that is West of the MERA property. Commissioner Hibbert stated she would not participate in the discussion of this request as it involves a relative. Hanley brought a map for the Commissioners to look at. There is a Forest Service road that is inside the Mt. Emily Recreation Area. The current access that is being used comes off of the Forest Service road extending West into his parcel. He also has property on the Southern end of the Forest Service road but in that case he does have direct access to his property from the Forest Service road. This easement grants him a perpetual access easement across the MERA property from the Forest Service road into his parcel. His request is based primarily on livestock grazing management needs. Commissioner Davidson asked how many acres Milo Hibbert has. Hanley stated that in the piece that he would receive the easement for there is 160 acres, but he also owns other property to the South. Commissioner Davidson asked if he could put a home on the property. Hanley explained that the land would have to be 240 acres before he could build a home on it. **Commissioner McClure moved approval of the easement as presented. Commissioner Davidson seconded. Roll Call: Commissioner Hibbert; abstain, Commissioner McClure; yes, and Commissioner Davidson; yes. Motion carried.**

Adjournment

The meeting was adjourned at 10:40 a.m.

Respectfully Submitted,

Ashley Wilhelm