

Union County Board of Commissioners
October 7, 2009

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

Call to Order

Chairman Steve McClure called the meeting to order at 9:00 a.m. with Chairman McClure and Commissioner Davidson present. Commissioner Hibbert joined the meeting shortly after it began.

Public Comments & Concerns

No public comments or concerns were presented.

Elected Official, Department Head & Employee Comments

Sheriff's Office Vehicle Bids

Boyd Rasmussen, Sheriff, reported that bids were received for a 3 year lease on a new vehicle for the animal control program. There were no bids on a 5 year lease to evaluate. The following bids were received for 3 year leases: Goss Motors \$29,026.80; Legacy Ford \$25,099.92; Frontier Motors did not submit a new bid. Sheriff Rasmussen recommends going with Legacy Ford's bid, but pointed out that an adjustment in the Sheriff's budget would need to be made because this vehicle will cost them more than \$6,800 a year, as budgeted for. Shelley Burgess, Administrative Officer, reported that this vehicle will cost them approximately \$8,300 a year which is about \$4,700 more than anticipated over the life of the lease. It will not impact the current budget because of the date of purchase. Commissioner Davidson feels that this vehicle needs to be purchased to replace the existing animal control vehicle. **Commissioner Davidson moved to accept the lease proposal on the 2010 Ford Ranger 4x4 Supercab from Legacy Ford for \$25,099.92. Chairman McClure seconded. Roll call: Commissioner Davidson – yes; Commissioner McClure – yes. Motion carried.**

Intergovernmental Agreement with Oregon Department of Energy

Hanley Jenkins, II, Planning Director, presented an Intergovernmental Agreement between the Oregon Department of Energy and Union County. This agreement allows the Oregon Department of Energy to reimburse the County for staff time that is used while working on projects permitted through the Oregon Department of Energy. There are currently two projects that are anticipated to submit applications this fiscal year, the Antelope Ridge Wind Farm Project and the Idaho Power High Voltage Power Line Project. This agreement is retroactive

to July 1, 2009 and will run this fiscal year. It allows reimbursement for up to \$30,000 for staff time that will need to be documented very specifically and submitted to the Oregon Department of Energy based on the terms identified in this agreement. Hanley stated that the Oregon Department of Energy staff commented to him that the \$30,000 is not a firm number and if additional time is committed exceeding this amount, additional payment will be considered. Commissioner McClure asked if all the expenses for travel are covered. Hanley replied that yes all travel is included in the \$30,000. Commissioner McClure also wanted to verify that the \$30,000 not only covers the two projects but also any additional projects through the Oregon Department of Energy. Hanley stressed that it is important to remember the Oregon Department of Energy is permitting these projects but using Union County's regulations, therefore they would like Union County's assistance with these projects and any other ones that may come up. Commissioner Davidson pointed out that the agreement says for 2009-2011 fiscal years. Administrative Officer Shelley Burgess verified that this agreement is for the biennium. **Commissioner Davidson moved approval of the Intergovernmental Agreement as presented between the Oregon Department of Energy and Union County. Chairman McClure seconded. Roll call: Commissioner Davidson – yes; Commissioner McClure – yes. Motion carried.**

Commissioner Hibbert joined the meeting.

Northwest Health Foundation Contract

A contract between Union County's Commission on Children and Families (CCF) and OHSU School of Nursing was presented by Vicky Brogoitti, Commission on Children and Families (CCF) Director. This is a subcontract that is funded by the NW Health Foundation and contracts a staff person from the School of Nursing to keep the Union County Fit Kids project moving forward during the time between funding. They have already hired Robin Steffeld for this position and have been training her for the past 9 months. **Commissioner Davidson moved to approve the agreement between Union County and the OHSU School of Nursing as presented. Commissioner Hibbert seconded. Motion carried unanimously.**

Consent Agenda

The September 3 claims journal; and September 3 Public Works claims journal were approved as presented on the consent agenda.

Administrative Matters

Appointment to Board of Property Tax Appeal (BOPTA)

Court Order 2009-33, In the Matter of Appointment to the 2009 Board of Property Tax Appeals, was presented for approval. The order appoints Steve McClure, Russ Smith, and Gary Howland to the 2009 BOPTA. **Commissioner Hibbert**

moved approval of Court Order 2009-33. Commissioner Davidson seconded. Motion carried unanimously.

Appointment to Special Transportation Fund Advisory Committee

Court Order 2009-33A, In the Matter of Appointment to the Union County Special Transportation Fund (STF) Advisory Committee, was presented for consideration. The order appoints Libby Goben, Jessie Huxoll, Mike Boquist, Tricia Koehn, and Cheryl Jarvis-Smith to the committee. **Commissioner Davidson moved approval of Court Order 2009-33A. Commissioner Hibbert seconded.** Chairman McClure informed the other Commissioners that Libby Goben works for the State Human Services Department, Jessie Huxoll is the director of Grande Ronde Retirement Center, Mike Boquist is the City of La Grande city planner, Tricia Koehn is a user of the system, and Cheryl Jarvis-Smith works for the Oregon Department of Transportation. He feels that these people will make up a good committee. **Motion carried unanimously.**

STF Grant Agreement

Oregon Department of Transportation (ODOT) agreement #25697 between Union County and the State of Oregon Public Transit Division was presented. This agreement is for the STF formula money that was previously reviewed and presented for approval in the amount of \$84,037. This is the biennium amount that will come to Union County and will be distributed to the providers that have already gone through the STF application process: Community Connections, New Day Enterprises, and Center for Human Development. **Commissioner Hibbert moved approval of ODOT Agreement #25697 between Union County and the State of Oregon Public Transit Division as presented. Commissioner Davidson seconded. Motion carried unanimously.**

Recovery Act Law Enforcement Assistance Grant

The Fiscal Year 09 Recovery Act Rural Law Enforcement Assistance Grant for Improving Rural Law Enforcement Investigations was presented for consideration. The grant provides \$309,168 in ARAA funds to fund law enforcement positions that will be specifically working for the Drug Task Force. The grant period started August 1, but will not be implemented until at the earliest November 1. Chairman McClure stated that previously they were concerned because the application calls for the County to continue funding for this position after the grant is finished. Shelley Burgess, Administrative Officer, commented that they have amended the application to indicate there is no guarantee the position will continue after the funding goes away. It will be advertised as a grant dependent limited duration position. Commissioner Davidson questioned whether Union County already has the equipment necessary to provide transportation for this position. Ms. Burgess replied that the grant only covers personnel and some training, but that the position is designed to be a part of the drug task force so they should have the equipment. Commissioner Hibbert remarked that when advertising for this position it needs to be stressed that this

position is for a limited duration. **Commissioner Davidson moved approval of Fiscal 2009 Recovery Act Rural Law Enforcement Assistance Grant for Improving Rural Law Enforcement Investigations. Commissioner Hibbert seconded. Motion carried unanimously.**

Unanticipated Funds Court Order

Court Order 2009-34, In the Matter of Appropriating Unanticipated Funds, was presented for consideration. The order is needed to accept \$156,746 into the 2009-10 budget from a grant received from the Department of Justice, Recovery Act Rural Law Enforcement Assistance Program. **Commissioner Hibbert moved approval of Court Order 2009-34. Commissioner Davidson seconded. Motion carried unanimously.**

Intergovernmental Agreement with the Department of Justice

An Intergovernmental Agreement between the State of Oregon Department of Justice and Union County was presented for consideration by District Attorney, Tim Thompson. This agreement allows the District Attorney's Office to represent the State of Oregon on juvenile dependency matters for the amount of \$15,120 for the biennium. **Commissioner Hibbert moved approval of the Intergovernmental Agreement as presented. Commissioner Davidson seconded. Motion carried unanimously.**

Oregon Department of Transportation (ODOT) Hells Canyon Management Grant
Grant Agreement #25958 between Union County and the Oregon Department of Transportation was presented for approval. This grant is for \$25,000 and will be administered by Union County. The Eastern Oregon Visitors Association will perform work on the Hells Canyon Scenic Byway Management Plan. At the same time an agreement between Union County and the Eastern Oregon Visitors Association, for Union County to administer grant #25958 was presented. Eastern Oregon Visitors Association will perform the work on the Hells Canyon Scenic Byway Management Plan as required by ODOT grant #25958. Commissioner Hibbert asked if another county will administer this grant after Union County. Chairman McClure explained that this grant is for the Hells Canyon Scenic Byway located in Baker, Union, and Wallowa Counties. Shelley Burgess, Administrative Officer explained that this is the third year for this grant and Baker County has been awarded it the last two years. Union County will take a turn now and it is anticipated Wallowa County will also do so in the future.

Commissioner Davidson moved to approve the local agency agreement for the Hells Canyon Scenic Byway for \$25,000 between Union County and the Oregon Department of Transportation as presented. Commissioner Hibbert seconded. Motion carried unanimously. Commissioner Davidson moved approval of the personal services contract between Union County and the Eastern Oregon Visitors Association for grant administration for the Hells Canyon Scenic Byway Program Project Agreement #25958. Commissioner

Hibbert seconded. Motion carried unanimously. Commissioner Davidson remarked that this project is the #1 tourist attraction of Union County.

Workers Compensation Resolution

Resolution 2009-21, In the Matter of a Resolution Providing Workers' Compensation Insurance Coverage to Municipal Volunteers, was presented for consideration. This resolution calls for the County to provide workers' compensation coverage to the classes of volunteer workers listed on the Volunteer Election Forms pursuant to ORS 656.031. **Commissioner Davidson moved passage of Resolution 2009-21 as presented. Commissioner Hibbert seconded. Motion carried unanimously.**

Appointment to Ambulance Advisory Committee

Court Order 2009-36, In the Matter of an Order Appointing Members to the Union County Ambulance District Advisory Committee, was presented for consideration. The order re-appoints Mike Gooderham, J.P. Morgan, Pamela Forest, Brent Brotherton, and George Russell to serve on the Ambulance District Advisory Committee for a term to expire June 30, 2013. **Commissioner Hibbert moved approval of Court Order 2009-36. Commissioner Davidson seconded. Motion carried unanimously.**

Predator Control Agreement (USDA Wildlife Services)

A Cooperative Service Agreement between the USDA Wildlife Services Predator Control Program and Union County was presented for consideration. The Predator Control Program was allocated \$19,200 in the 2009-10 Union County budget, contingent upon them securing additional funding from other counties. Shelley Burgess, Administrative Officer, received confirmation that Baker County has approved \$20,000 for this program. This agreement authorizes the program to budget funds for their payroll. **Commissioner Hibbert moved approval of the Cooperative Service Agreement Trust Fund between Union County and the USDA Wildlife Service for their Predator Control Program. Commissioner Davidson seconded.** Commissioner Hibbert reported that this program has received funds from multiple agencies and she fully supports this program. Commissioner Davidson also stated that he supports the program and feels that it's giving back to our agricultural community. Union County is in need of this service since our predator numbers have been growing rapidly. **Motion carried unanimously.**

VAWA Grant Agreement

A Grant Agreement between the Department of Justice Office of Violence Against Women and Union County was presented for consideration. This grant will go towards funding for one-half Deputy District Attorney Position, a portion of a Parole/Probation Officer and various programs through the Shelter from the Storm. The funds from this grant were included in the budget in hopes that Union County would be awarded this biennium grant. **Commissioner Hibbert moved approval of the grant agreement between the Department of Justice**

Office of Violence against Women and Union County as presented. Commissioner Davidson seconded. Commissioner Hibbert wanted to say that these grants come at a great time and allows programs already in place to continue running. **Motion carried unanimously.**

Uncollectable Personal Property Taxes Court Order

Court Order 2009-35, In the Matter of Cancellation of Uncollectable Personal Property Taxes, was presented for consideration. The order cancels uncollectable personal property taxes for Almega Cable, Blue Mt. Log Homes, American Lending Corporation, Comfort Homes of Oregon, LLC, 360 Networks (USA 2) LP, David Brownson, Micki Kollen, Cheryl R. Sutor, and Shane Largent.

Commissioner Davidson moved approval of Court Order 2009-35.

Commissioner Hibbert seconded. Commissioner Hibbert remarked that she really appreciates the Assessor/Taxation Office listing the reasons these taxes are uncollectable. **Motion carried unanimously.**

Appointment to Renewable Energy Advisory Committee

Court Order 2009-37, In the Matter of Appointment to the Renewable Energy Advisory Committee, was presented for consideration. The order appoints David Opperman and Steven Bartell to replace Charles Koch and Norm Cimon on this committee. **Commissioner Davidson moved approval of Court Order 2009-37. Commissioner Hibbert seconded. Motion carried unanimously.**

Meeting was recessed until the 10:00 a.m. Renewable Energy Committee Recommendation

Renewable Energy Committee Recommendation

Arthur Bingham, Renewable Energy Committee Chairman, along with Howard Butts, applicant, were present to discuss a recommendation by the Renewable Energy Committee regarding a funding request.

Chairman McClure explained that when the Elkhorn Valley Wind Farm began operations the county set up a renewable energy fund that was funded with 25% of the Community Service Fees. The Renewable Energy Committee was started to develop the criteria for small grant requests on renewable energy projects in Union County. The committee has received their first request from Howard Butts for \$2,000 and reimbursement will be based on actual production of the site over time, which will be explained in a contract between the grant recipient and Union County.

Arthur Bingham, Chairman, stated that this is the first grant request they have received and that the Committee's goal is to increase renewable energy in Union County. The original plan was to look at the system after 6 months but the committee has identified a problem with that plan because this project is starting during the winter cycle, which is the lowest part of production. From now on they will evaluate the project after a full year of production.

Howard Butts, 69873 Summerville Rd., Summerville, thanked Chairman McClure for the time and effort he has put into this project and thanked the Commissioners for considering his request. He explained that he has been an energy conscious person all his life and has recently installed a 1700 watt photovoltaic system by Kent Oltenberg of Cove, at his residence in Summerville to supplement his electrical needs. Mr. Butts' goal is to double the size of his system within the next few years. He was very pleased to report that his system produced 1600 watts of electricity yesterday, which would have displaced 125 lightbulbs for 2 weeks, powered 45 computers, ran his home for one full day, and planted one tree through the displacement of carbons. He also could have driven two cars for one full day with the amount of carbons he saved,

Commissioner Hibbert remarked that the amount of carbon offset was approximately 76 pounds and wondered whether Mr. Butts would market his carbon credits. Mr. Butts stated he hadn't considered that, but would bring it up at the next Renewable Energy Committee meeting.

Chairman McClure asked Mr. Butts if he received a BETC grant for this project. Mr. Butts stated he didn't.

Commissioner Davidson questioned the committee representatives about if the project meets production expectation after the 6 month waiting period will the \$2,000 be paid out in one lump sum. Chairman McClure explained that the committee's intent was to not put the money up front but rather make sure the project is successful and then make the payment, either in one lump sum or payments.

Commissioner Hibbert wondered if the committee would be doing an annual assessment on the project. Mr. Bingham explained that the recipients would need to provide the committee with the wattage and kilowatts it is producing at the start of the project and the wattage and kilowatts it is producing at the end of the probation period.

Chairman McClure stated that the committee is requiring that all projects have a minimum 5 year life and are subject to county Renewable Energy Committee inspections.

Commissioner Davidson suggested that larger projects be paid out over a longer amount of time to make sure they continue to be operated.

Commissioner Davidson moved approval of the Union County Renewable Energy Committee's recommendation as presented. Commissioner Hibbert seconded. Motion carried unanimously.

Adjournment

The meeting was then adjourned at 10:14 a.m.

Respectfully submitted,

Kylee J. Ingerson
Department Receptionist