

Board of Commissioners Meeting
November 4, 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 Commission members present.

Bagett, Griffith & Blackman

Rick Robinson, Bagett, Griffith and Blackman, brought a road dedication to the Commissioners for their approval. He explained that it is a road within the County. The road would be named Choke Cherry Road. **Commissioner Hibbert moved approval of the Choke Cherry Road dedication. Commissioner Davidson seconded. Motion carried unanimously.**

Intergovernmental Agreement

Jane DeClue, Director of Union Wallowa County Community Corrections Program, applied for a grant and has been approved for the grant. The grant will cover \$17,816 for a parole officer position. The qualifying offenses that the grant will cover are property crimes. Jane explained that property crimes need an intense level of supervision. **Commissioner Hibbert moved approval of the Intergovernmental Agreement between Union County and the State of Oregon. Commissioner Davidson seconded. Motion carried unanimously.**

Consent Agenda

The October 8, 15, 22 and 29 claims journals; October 7, 14, 21 and 28 Public Works claims journals; and the April 1, May 20, June 18, and August 19 Board of Commissioners minutes were approved as presented on the consent agenda.

Appointment to Extension Advisory Committee

Court Order 2009-38, In the Matter of Appointment to the Union County 4-H & Extension District Advisory Committee, was presented for consideration. The order appoints Beth Upshaw to the Advisory Committee. **Commissioner Hibbert moved approval of Court Order 2009-38 as presented. Commissioner Davidson seconded. Motion carried unanimously.**

Appointment to Farm Advisory Committee

Court Order 2009-39, In the Matter of Re-Appointment to the Union County Farm Advisory Board, was presented for consideration. The order re-appoints Ross Bingaman, Gilbert Weatherspoon, and Fred Watkins to the Advisory Board.

Commissioner Davidson moved approval of Court Order 2009-39 as presented. Commissioner Hibbert seconded. Motion carried unanimously.

Special Transportation Fund Grant Agreement

Shelley Burgess, Administrative Officer, explained that this agreement is between the Center for Human Development and Union County. She explained that the Commissioners reviewed the Special Transportation Fund recommendations at a previous meeting. The agreement is for \$10,000 that was recommended for funding from the STF committee. The Center for Human Development has to provide quarterly reports to Union County. The funds come from the State for the program and the County receives applications to request funding. This agreement would allow Union County to release the funds to the Center for Human Development. **Commissioner Hibbert moved approval of Special Transportation Grant Agreement. Commissioner Davidson seconded. Motion carried unanimously.**

12th St. Legalization

Hanley Jenkins, Planning Director, stated that when the conversations were initially made about potential improvements to 12th Street the current surveys were evaluated related to the adjacent properties and the right of way. Hanley explained that Anderson, Perry and Associates did the initial survey work and evaluation. There were some minor discrepancies within the multiple surveys that are along 12th Street. Hanley stated that it was necessary to go through a legalization process which would correct any errors in existing surveys. He explained that he is asking the Commissioners to initiate the legalization process so there is one survey for the right of way boundaries of 12th Street. Any improvements that are done to 12th street would have to be done within that boundary. The legalization process does allow the Commissioners to start the process. It is identified in the State Statutes 368.201 through 368.216. The Commissioners need to find that the location of the road cannot be accurately determined due to there being numerous changes to the survey of the road, defective survey of the road or adjacent properties, or lost or destruction of the original survey of the road. Hanley explained that there have been numerous changes to the surveys that have been completed and there is some defect associated with the surveyed information. The road has to maintain the width that was established in the original survey.

Commissioner Hibbert asked if there is another process in which an appeal can be made outside of what the Commissioners are doing to vary the width. She asked if it could be changed with the City of La Grande. Hanley stated that would require a vacation request. There is a Statutory requirement on initiating a vacation request. It would be an independent application from this process. Commissioner Hibbert stated that it is a possibility. Hanley explained that there is an opportunity for someone to initiate a vacation application to the

Union County Board of Commissioners
November 4, 2009
Page 3 of 3

Commissioners. The Commissioners also have an opportunity to initiate a vacation request. Union County has delegated authority for land use actions for that area to the City of La Grande. So, the vacation process would go through the City's process.

Hanley stated that all he is asking the Commissioners to do at this time is to start the legalization process. A public hearing is scheduled for December 2, 2009 at 10:30 a.m. in which the Commissioners will consider entering into an order abandoning the legalization process or completing the legalization process on the road. The legalization process only defines where the outside boundaries are on the right of way.

Commissioner Davidson asked if the staking that Anderson, Perry and Associates has done gives all of the land owners notice as to where they have found the edge of the right of way to be. Hanley stated that the City of La Grande and Union County have maps of where the boundaries are for the land owners. All of the adjacent land owners will also be notified by certified mail.

Hanley stated that the surveyors are recommending this as a way to establish the exact boundaries for the right of way so that if improvements are done to 12th Street the improvements will be within the boundaries of the right of way.
Commissioner Davidson moved to initiate the legalization process of 12th Street. Commissioner Hibbert seconded. Motion carried unanimously.

Adjournment

The meeting was adjourned at 9:50 a.m.

Respectfully Submitted,

Ashley Wilhelm
Department Specialist