

**UNION COUNTY BOARD OF COMMISSIONERS**  
*Joseph Building Annex Conference Room*  
Regular Commission Meeting Minutes  
Wednesday, July 17, 2024

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Present: Commissioner R. Matthew Scarfo, Chair  
Commissioner Donna Beverage  
Commissioner Paul Anderes

Commissioner Scarfo opened the meeting at 9:00 a.m. and the Pledge of Allegiance was given with all three Commissioners present.

**AGENDA REVIEW**

Administrative Officer Burgess requested to postpone agenda item IV, Designation of Surplus Equipment until the next scheduled Commission meeting. Commissioner Scarfo also requested to move Item VI. E Stabilization Center Feasibility Proposal Acceptance to the beginning of Administrative Matters due to a scheduling conflict.

**PUBLIC COMMENT**

There were no public comments.

Commissioner Scarfo closed the public comment period.

**ELECTED OFFICIAL, DEPARTMENT HEAD & EMPLOYEE COMMENTS**

There were no comments at this time.

**CONSENT AGENDA**

Commissioner Beverage moved approval of the consent agenda which included the June 25, & July 2, 10 & 11, 2024 claims journals as presented. Commissioner Anderes seconded. Motion carried unanimously.

**ADMINISTRATIVE MATTERS**

**Stabilization Center Feasibility Proposal Acceptance**

Shelley Burgess, Administrative Officer, presented the Stabilization Center Feasibility Proposal Acceptance to the Commissioners for their consideration.

In January 2023, the Commissioners authorized issuance of an RFP to explore a Drug and alcohol Detoxification and Stabilization Center Project Consultant utilizing up to \$40,000 of opioid settlement funds.

A great deal of time and effort was put into the developing of the RFP by a working group that included Commissioner Scarfo, District Attorney Kelsie McDaniel, Sheriff Cody Bowen, Lt. Nick Huelter, Treatment Court Coordinator Kylee Ingerson and Administrative Officer Shelley Burgess. An RFP was officially released in April 2024, seeking a project consultant(s).

One response was received from Pinnacle Architecture, which has been provided to the Commissioners. The working group reviewed the proposal and is concerned with the cost of \$110,000.

Commissioner Scarfo met with a representative of Pinnacle Architecture to discuss the proposal and to inquire about potential cost reduction measures. After consultation, they indicated they could offer a savings of \$12,000 bringing the proposal total to \$98,000.

Since the initial approval for a consultant was for \$40,000, it would be necessary for the board to approve an additional \$58,000 to enter into an agreement for the proposed services. To date, Union County has received \$334,177 in opioid settlement funds.

Commissioner Scarfo did not have anything to add and thanked the working group for their dedication.

Kalina Kunert, Senior Project Manager for Pinnacle Architecture, addressed the Commissioners with her thanks and provided a brief description of the project proposal. Kalina indicated that Pinnacle Architecture is partnering with Community Counseling Solutions and is excited to get to started.

Commissioner Beverage referred back to Pinnacle Architecture working with Community Counseling Solutions who are not located in Union County. Kalina indicated that is correct and they will be bringing a lot of expertise.

Commissioner Scarfo added for clarification that the City of La Grande and County are receiving separate funding. The county has gone this route to get a respite detox center in La Grande for our constituents. The city is still trying to identify gaps in services, but have not yet been successful. He indicated that this is the first step in pursuing a detox center, and he does not want to bypass it.

Commissioner Anderes thanked Commissioner Scarfo for forming an outstanding team to assist him in this process.

**Commissioner Anderes made a motion to approve the Stabilization Center Feasibility Proposal Acceptance not to exceed \$98,000. Commissioner Beverage seconded.**

Commissioner Beverage also thanked the working group for their dedication to the project.

Commissioner Scarfo indicated he will be proposing formations of an Opioid Advisory Committee that includes representatives from GRH, CHD and those who have experience in working with addiction.

**Motion carried unanimously.**

4-H & Extension Service Lease Renewal (OWRD & Weed Control)

Shelley Burgess, Administrative Officer, presented the 4-H & extension Service Lease Renewals (OWRD & Weed Control) to the Commissioners for their consideration.

The first lease agreement is between the 4-H & Extension Service District and the State of Oregon through their Water Resources Department. The 3-year lease will begin July 1, 2024 continuing through June 30, 2027.

It is a continuation of a lease they have had in place for some time and provides for an increase in rent each July 1 to keep up with costs.

The second lease is also at the same location in a different office space for the Union County Weed Program. The 1-year lease will begin July 1, 2024 continuing through July 30, 2025.

**Commissioner Beverage made a motion to approve the 4-H & Extension Service Lease Renewals with OWRD and Union County Weed Control as presented. Commissioner Anderes seconded. Motion carried unanimously.**

Blue Mountain Community College COD

Shelley Burgess, Administrative Officer, presented the Blue Mountain Community College (BMCC) COD to the Commissioners for their consideration.

This is a contract out of district between Union County and Blue Mountain Community College for FY 2024-25 and is continuation of the services that BMCC has been offering in Union County. During the last Commission meeting there was an update from Barbara Peden for the activities that happened in 2023-24; which Commissioner Anderes is a part of the advisory board.

**Commissioner Anderes made a motion to approve the Contract Out of District Agreement with BMCC as presented. Commissioner Beverage seconded.**

All three Commissioners thanked the BMCC for improving their services and continuing to serve those in Union County.

**Motion carried unanimously.**

PUBLIC HEARING: Ordinance 2024-03

Staff Report

Scott Hartell, Planning Director, provided a brief staff report and read Ordinance 2024-03.

The Union County Planning Commission received a Zone Amendment application on January 22, 2024 to amend the Union County Zoning, Partition and Subdivision Ordinance R-1 Rural Center Zone, R-2 Rural Residential Zone, R-3 Farm Residential Zone and R-4 Forest Residential Zone to allow for Additional Dwelling Units (ADU) to be established as a Conditional Use review.

On May 8, 2023 Senate Bill 644 was signed into Oregon law allowing counties to amend their land use regulation to establish Additional Dwelling Units in rural residential zones.

The Oregon Department of Land Conservation and Development was provided notice 35 days prior to the first evidentiary hearing on the proposed Zone Amendment application.

The Union County Planning Commission provided notice and conducted a public hearing on January 22 and February 26 2024 on the proposed zone changes. On April 22, 2024, the Union County Planning Commission made a unanimous decision to recommend approval of the application to the Union County Board of Commissioners.

The Planning Commission record has been provided to the Union County Board of Commissioners and in accordance with the Union County Zoning, Partition and Subdivision Ordinance, Section 23.06 2.7 the board is required to conduct a public hearing to review the Planning Commission's recommendation. A hearing was scheduled for this date and time with appropriate public notice given.

Director Hartell read out loud Ordinance 2024-03 for the record.

Public Comment

Kelly Gross, 62674 Standley Lane, La Grande, provided a copy of her comments in opposition of the ADU Amendment. Ms. Gross thanked the Commissioners for holding the hearing and allowing public comment. Her testimony included history on the Oregon Land Use Plan and referred to several senate bills. She feels there are already growth opportunities available and questions if there is a housing shortage in Union County.

Brad Askew, 58240 Park Road, La Grande, provided comments to the Commissioners in opposition of the ADU Amendment. He has lived in the Starkey area for 12 years on 3.5 acres and enjoys the peace and quiet with no neighbors. Recently he has faced issues with the cost of fire insurance as well. He is concerned there will be no policing of developments adding to fire hazards.

Carol Kroll, 61854 River Road, La Grande, provided comments to the Commissioners in opposition of the ADU Amendment. Her biggest concern is overcrowding when there are already water issues. She expressed her concern of the cost to drill a new well these days. Road safety is also a concern for her.

Ramona King, River Road, La Grande, provided comments to the Commissioners in opposition of the ADU Amendment. Ramona discussed the impact of adding ADU's as she likes the peace and quiet. Many of the residents on River Road have combined their own funds to pave, and to keep up on their wells. Her concerns lie with overcrowding, and water issues. She doesn't mind the current allowance for "mother in law" dwellings, but is concerned with ADU's being used as rentals.

Tim Donovan, 62300 Igo Lane, La Grande, provided comments to the Commissioners in opposition of the ADU Amendment. His concerns are with overcrowding, and an increase in traffic as well as water issues. He feels there are areas within the city available for building.

John Paustian, 62065 Blackhawk Trail, La Grande, provided his comments to the Commissioners in favor of the ADU Amendment with strict sideboards. Staff laid that out in their report, and he believes the sideboards are sufficient. The concern of rental income, he agrees it should not be a rentable housing unit. Addressing some of those concerns would ease some worry of those who

are opposed to the ADU. If the ordinance is approved, it would only allow for submission of a conditional use application not an automatic approval.

Debra Hansen, 69363 Lantz Lane, Cove, provided her comments to the Commissioners in opposition of the ADU Amendment. She asked the Commissioners to take Union County residents into consideration, because most residents are not in favor of ADU's. Water is an issue in her area.

Casey Kunkle, 508 N. 5<sup>th</sup> Street, Union, addressed the Commissioners with his comments regarding the ADU Amendment. When he first heard about the ADU, he was excited for the option to potentially bring in extra revenue. To his understanding, it is not subsidized housing and would like residents to keep that in mind. He believes there is a housing crisis in Union County, and would like to see this go through. He does however wonder about infrastructure impacts.

Carrie Williams, White Barn Estate, 62788 Hunter Road, La Grande, addressed the Commissioners with her comments in favor of the ADU dwelling units. She would like a permanent ADA compliant restroom and a lodging option on site for clients who are renting the facility. She believes this will provide additional opportunities for their business.

MaryLou Pierce, 64242 Marks Road, addressed the Commissioners with her comments in opposition of the ADU amendment. Her biggest concerns are water and the current condition of the road. She is very concerned for irrigation wells and doesn't see this addressing a housing shortage.

Kelly Gross stated she has attended three of the Planning Commission meetings and has developed a cynical view of the democratic process and how public comment can be trampled on. She shared a few things from the previous Planning Commission meeting, and referred to the meeting minutes. At the February meeting, Director Hartell closed the public testimony and when questions were asked about closing the testimony, he indicated it was closed. Her takeaway from this process, is no one is discussing the fact that this is not mandatory.

Carol Kroll, addressed the Commissioners once more regarding water issues should the ordinance be adopted.

Shelley Burgess, Administrative Officer, read out loud the first public comment submitted by email from John Schaefer, 69707 Squire Loop, Cove, who is in opposition of the ADU amendment. He provided comments related to the area he lives in just outside of Cove city limits. He appreciates that mobile homes are not allowed, and RV's must be parked out of view of residents. Adding ADU's will destroy the aesthetic valley in his opinion and lower the value of his property.

The second public comment read out loud was submitted by mail from Najaria Esty, 61083 Longview Lane, Cove, who is in opposition of the ADU amendment. Najaria stated that she loves the area she lives in because of the privacy. She would like to keep it that way, but understands the housing crisis. She also included lighting options in the area should the ordinance pass so that the neighbors are not impacted.

The third public comment submitted by email from Diana Partridge, who is opposition to the ADU Amendment. She referred to the January 22, 2024 Planning Commission meeting where she provided written and oral public comment and felt dismissed by the Planning Director. She asked the county to come up with numbers that demonstrate how the housing shortage will be effectively addressed by ADU's, so the decision can be formed by facts.

Brad Askew, 58240 Park Road, La Grande, addressed the Commissioners once again regarding road maintenance close to his residence, which is technically a private road.

Commissioner Scarfo closed the public comment period at 10:10 am.

#### Discussion/Action

Commissioner Anderes referred to Senate Bill 762, and asked for clarification if there is an emergency declared for housing or as an emergency clause on the bill. Director Hartell indicated he would have to review the bill before he can properly answer. He does know that SB762 identified a housing shortage within the bill, but it was tied to the state wildfire map being completed before any new discussions can be held. SB644 untied the connection to the wildfire risk map allowing the ADU review to go forward. The information that they have gotten and received on housing shortage is coming straight from the Oregon State Housing Authority.

Commissioner Anderes indicated that there is no longer an Oregon Wildfire Risk Map, it is now referred to as Oregon Wildfire Hazard Map. The meeting that was held over a month ago, only had three citizens attend the meeting.

Commissioner Anderes asked for clarification of the maximum square footage of the ADU. Director Hartell indicated the maximum square footage is 900 sq. ft.

Commissioner Anderes also asked if the ADU's will be allowed to be built on high value farm land. Director Hartell indicated all of the county's rural residential zones are in exception areas, meaning they have applied through the state and been granted an exception therefore farmland value is not a consideration.

Commissioner Anderes asked if there are setback requirements in the zoning ordinance. Director Hartell confirmed that there re setbacks for all property lines.

Commissioner Anderes asked is HOA's can prohibit ADU's. Director Hartell stated that he is not legal counsel but believes that HOA's can prohibit them.

Commissioner Anderes asked Director Hartell if he feels allowing ADU's will double the number of dwellings in Union County. Director Hartell state that since discussions have begun on the ordinance he has had eight calls inquiring, so he does not.

Commissioner Anderes clarified the ordinance would make ADU's subject to a conditional use process. Director Hartell confirmed explaining that an application would have to be submitted in each instance, which would be reviewed in a public hearing before the Planning Commission. Adjacent landowners would be notified and given the opportunity to comment.

Commissioner Beverage is aware of the housing shortage in Union County and asked if there is another option besides ADU's outside of city limits. Director Hartell indicated the City of La Grande has gone through their requirements dealing with ADU's, duplexes and apartment buildings. They have changed their ordinances to allow those sorts of things to happen within different residential zones. Union County has a joint management agreement with the City of La Grande, so those will apply in the UGA. None of the other seven incorporated cities have taken action.

Commissioner Beverage asked if the ADU's can be used as rentals. Director Hartell reported they can be used as rental, but not as short-term rentals.

Commissioner Beverage asked if hardship dwellings can be rentals. Director Hartell stated there is no prohibition on charging rent for hardship dwellings.

Commissioner Scarfo asked for clarification on whether the ADU's connect to a house for utilities. Director Hartell indicated the county Planning Department only approves the land use. In the land use approval process, there will requirements to go to DEQ to establish how they will connect to the septic system, and state Watermaster. Those are not county decisions.

Commissioner Anderes asked if an ADU can be built if there is not a dwelling unit on site. Director Hartell indicated that one of the requirements of an ADU is to have a permanent dwelling unit.

Commissioner Scarfo indicated after listening to public testimony, he realizes there are water, road and traffic issues. In his opinion, this decision is not based on that in a way. With the unanimous decision from the Planning Commission, and their willingness to allow applications to come in and make the decision on a case by case basis. He has full faith in the Planning Commission and believes they will be thorough in their review.

Commissioner Anderes stated he serves on the Northeast Oregon Housing Authority Board and feels since Timber Ridge is completed the goals for affordable housing have been met now the focus is back on workforce housing.

**Commissioner Anderes made a motion to adopt the first reading of Ordinance 2024-03; In the Matter of Amending the Union County Zoning Partition & Subdivision Requirements Allowing for the Establishment of Additional Dwelling Units. Commissioner Beverage seconded.**

Commissioner Beverage indicated that she will be voting against it. She appreciates the Planning Director and the Planning Commission for working on this. She believes the City of La Grande is helping to provide other options.

**Roll call vote: Commissioner Beverage, no. Commissioner Anderes, yes. Commissioner Scarfo, yes.**

**Motion carried.**

The second reading will be held on August 21, 2024 at 9:15 am.

The Chair called a five-minute recess at 10:30 am.

FY 2023-24 Audit Contract

Shelley Burgess, Administrative Officer, presented the FY 2023-24 Audit Contract to the Commissioners for their consideration.

This contract for financial and audit services is for fiscal year ending June 30, 2023. The proposed fee is in the amount of \$46,575. Union County has had an excellent track record with Connected Professional Accountants, LLC.

**Commissioner Beverage made a motion to approve the FY 2023-24 Audit Contract with Certified Professional Accountants as presented. Commissioner Anderes seconded.**

All three Commissioners are thankful for a local accountant, they always do an exceptional job.

**Motion carried unanimously.**

UCLEA Collective Bargaining Agreement

Shelley Burgess, Administrative Officer, presented the UCLEA Collective Bargaining Agreement to the Commissioners for their consideration.

Negotiations with the Union County Law Enforcement Association which represents non-management employees within the Sheriff and Corrections departments have been successfully completed.

The new agreement is for a three-year period beginning July 1, 2024 through June 30, 2027. The salary schedule in place at June 30 will be increased by 3.9 percent July 1, 2024. For July 1, 2025 and July 1, 2026, the salary schedule will be increased by the previous years average of All US Cities CPI W, with a minimum of 2.5 percent and a maximum of 4.5 percent.

There is an option to cash out 30 hours of comp time and/or 30 hours of vacation time annually that will no longer be subject to cap restrictions.

Juneteenth has also been added as a paid holiday. Holiday leave increases from 8 hours per holiday to 10 hours per holiday for those working 10-hour shifts.

Vacation accumulation increases as follows: 11-15 (12 hours per month); 16-20 years (14 hours per month); 21-24 years (16 hours per month).

Addition of one compassionate day leave from 2 to 3.

Travel expense reimbursement to follow US GSA rates to align with county travel policy.

The SWAT team will also receive a monthly bonus pay.

Longevity recognition payments at years 10, 15, 20 & 25.

Updated Appendix I – Job Classification & Wage Schedule.



The contract has been negotiated in good faith and the provisions are fair to the UCLEA membership, recognizing the value of our employees; and are within Union County's ability to fund.

Commissioner Anderes asked if the contract is approved would it be retroactive to July 1. Administrative Officer Burgess indicated that is correct.

**Commissioner Beverage made a motion to accept the UCLEA Collective Bargaining Agreement as presented. Commissioner Anderes seconded.**

All three Commissioners thanked Administrative Officer Burgess for working on this agreement.

**Motion carried unanimously.**

ODA Grasshopper Grant

Shelley Burgess, Administrative Officer, presented the ODA Grasshopper Grant to the Commissioners for their consideration.

Commissioner Anderes has been working with OSU Extension agents; Darrin Walenta and Will Price regarding impact to local producers from grasshoppers. The Legislature has made funds available through ODA to producers through a program to be administered through counties.

OSU agent Will Price has been administering a similar program in Baker County and is willing to provide templates and assist Union County.

Recommended Union County cost share parameters – 75 percent cost share, maximum of \$20.00 per acre for treatment, applications submitted to either Will Price or Darrin Walenta. Union County will have an IGA/Grant with ODA, Union County is required to serve as fiscal agent and cut checks from the grant.

ODA has not provided an application, but Union County anticipates applying for \$50,000. Approval is requested to authorize grant submission when available.

Commissioner Anderes reported that he learned a lot about grasshoppers from the meeting he attended with Darrin and Will.

**Commissioner Anderes made a motion to approve submission of an ODA Grasshopper Grant as presented. Commissioner Beverage seconded. Motion carried unanimously.**

GOOD OF THE ORDER

Commissioner Beverage reported that the River Democracy Act is back in movement.

Commissioner Anderes requested a moment of silence for the gentleman that was killed in the attempted assassination of the Former President Trump. He also reported that he attended NACo in Tampa, Florida

Commissioner Scarfo attended the town hall held by Senator Merkely and staff. Discussions were held regarding mental and behavioral health.

**NEXT MEETING**

The next regular scheduled meeting will be held on Wednesday, August 7, 2024 at 9 AM.

**ADJOURNMENT**

Commissioner Scarfo adjourned the meeting at 10:55 AM.

Respectfully submitted,



Allison Moore

Senior Department Specialist