

UNION COUNTY BOARD OF COMMISSIONERS
Joseph Building Annex Conference Room
Regular Commission Meeting Minutes
Wednesday, January 22, 2025

Present: Commissioner Paul Anderes, Chair
Commissioner R. Matthew Scarfo
Commissioner Jake Seavert

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

AGENDA REVIEW

There were no revisions to the agenda.

PUBLIC COMMENT

Commissioner Anderes opened the public comment period by reminding guests to limit their comments to 3 minutes and this is not a time when the Commissioners will engage in debate.

Brent Clapp, 10305 E. 1st Street, La Grande, addressed the Commissioners with suggestions related to communication with the public and to consider streaming Commission meetings via his service. He would like the county to develop a communication plan to include social media, Facebook and Instagram.

There were no further public comments. Commissioner Anderes closed the public comment period.

Waste-Pro Rate Increase

On behalf of Darrin Larvik, Ron Larvik, Waste Pro, 3412 Highway 30, La Grande, addressed the Commissioners with the rate increase request and Resolutions 2025-01 and 2025-02 for their consideration.

Waste Pro provides on-route garbage collection services for parts of the unincorporated areas of Union County under a Franchise Agreement, which requires the Board of Commissioners to approve rate increases. This year, Waste Pro is requesting a 2.7% increase, consistent with the Consumer Price Index (CPI).

Administrative Officer Burgess indicated that several years ago there was a significant increase, and the Commissioners suggested an annual review of the disposal rates. Which is why we are seeing rate increases more frequently.

Commissioner Seavert referred to the cost of the transfer site garbage compactor at \$2.2 million and asked if the rate increase will offset the cost to replace the machinery. Mr. Larvik indicated that they are setting aside reserve funds each year, and it has a life of 20,000 hours and it has about 17,000 hours on it right now. There are several years left on the machine, but they would like to get a jumpstart on funding for it.

Commissioner Scarfo made a motion to approve Resolution 2025-01; In the Matter of Updating the Fees for the Solid Waste District On-Route Collection Service as presented by Waste Pro. Commissioner Seavert seconded. Motion carried unanimously.

Commissioner Scarfo made a motion to approve Resolution 2025-02; In the Matter of Updating the Fees for the Solid Waste District Transfer Site as presented by Waste Pro. Commissioner Seavert seconded. Motion carried unanimously.

FY 2023-24 Audit Report

Chelsea Hewitt, 62686 Booth Lane, La Grande, Certified Public Accountants, LLC, presented a brief staff report to the Commissioners for their information. Mrs. Hewitt noted that she is always pleased to work with Union County staff each year during the audit, CPA appreciates all of their help.

Mrs. Hewitt referred to the letter to governance that includes adjusting journal entries that are done each year. There was nothing out of the ordinary this year that she would be concerned about. The Independent Audit reports opinion is that the financial statements are materially stated in all aspects.

Her recommendation is to read the Managements Discussion and Analysis because it is a really good overview of current to prior years and forward-looking numbers. The analysis is also drafted by the Union County staff, Administrative Officer Burgess puts a lot of time and effort into this.

Beyond that are the actual financial statements, where she highlighted on the Statement of Activities the change in net position, which increased a little over \$4 million since last fiscal year.

The Governmental Funds states that the general fund increased \$1.3 million as well. In total governmental funds increased by \$3.1 million.

Commissioner Seavert thanked CPA, Administrative Officer Burgess and staff for producing a wonderful audit.

Commissioner Scarfo appreciates the cliff notes and is sad to hear that Yvonne is retiring.

Commissioner Anderes asked if there will be any significant changes in 2026 with the ARPA funds being spent. Mrs. Hewitt indicated changes won't be impacted until 2027.

Commissioner Scarfo made a motion to accept the FY 2023-24 Audit as presented. Commissioner Seavert seconded. Motion carried unanimously.

ELECTED OFFICIAL, DEPARTMENT HEAD & EMPLOYEE COMMENTS

CJC Grant Award

On behalf of Lt. Huelter, Administrative Officer Burgess, presented the CJC Grant Award to the Commissioners for their consideration.

The Union County Sheriff's office applied for a grant with the Oregon Criminal Justice (CJC) for a Jail-Based Medication for Opioid Use Disorder Grant Program (MOUD). Union County was notified in December 2024 that the grant application was successful.

Total grant amount awarded at \$314,166 and runs from October 21, 2024 through September 30, 2025.

This will fund the existing MOUD program that has been in place by allowing Sublocade purchases and administration within the jail. It includes the cost of the drugs and the professional staff necessary to administer and oversee the dispensing of the medication to those who need it.

Commissioner Anderes noted that EOCCO is Eastern Oregon Coordinated Care Organization.

Commissioner Scarfo thanked Lt. Huelter for completing the grant application. The grant doesn't seem like much when the shots are \$1,653 each, but we are thankful for the funding.

Sheriff Bowen explained that Union County is the first jail in the state to administer the medication.

Commissioner Anderes appreciates that it can't be used as contraband.

Commissioner Seavert asked if he noticed any side effects from the medication. Sheriff Bowen indicated he has not had any issues thus far.

Commissioner Scarfo made a motion to accept the CJC Grant Award in the amount of \$314,166 as presented. Commissioner Seavert seconded.

Commissioner Scarfo asked if this is a shot that they will have to take for the rest of their lives. Sheriff Bowen indicated that it is only administered while they are incarcerated to keep them level headed, and to not feel the high from the opioid if they go back to using once released.

Motion carried unanimously.

Airport Project Bid Award

Doug Wright, Public Works Director, presented the Airport Project Bid Award to the Commissioners for their consideration.

On December 18, 2024, Union County Airport received five (5) bid proposals for the New Aviation Storage Hangars, Site Improvements and Building Construction. The bid contained a Base Bid for Hangar A (45x60) and an Additive Bid for Hangar B (100x100). The lowest bid proposal was from Mike Becker Construction at \$1,132,810 for both hangars.

Project funding will come from multiple sources. Connect Oregon with \$1,400,000 (including match), ARPA with \$710,000 and the Airport Capital budget of \$759,883.25.

Once the award and execution of the contract is complete, Union County will issue Notice to Proceed (NTP). Contract completion date is set for September 1, 2025, this will conclude the La Grande/Union County Airport Fuel & Maintenance Facility Improvement Connect Oregon grant.

Director Wright recommends approval of the bid award to Mike Becker Construction in total project amount of \$1,132,810. Total amount includes Base Bid A & Additive Bid B.

This project began in 2019, and did not have a fully executed Connect Oregon Grant agreement until 2022, the start of construction didn't begin until 2023. Add COVID in the middle of that, and supply chain issues has been one of the biggest challenges to try and get through the process because of issues we could not resolve. That is why we are seeing the timeframe trying to get the project through the process.

Director Wright indicated this grant does help the airport out considerably by adding an additional jet A fuel tank to the fuel farm. The plan is to also create the hangars, and give a place for maintenance and vehicle storage. The 100x100 will also be a place for transit aircraft as well, for instance, in the summer when there are hail storms.

The next project that is coming up is 12-30 Runway Shoulder Rehab Project, which is a major revamp of the shoulders and safety area. Included with that project is the Hangar Taxi Lane Project, and his plan is to build new taxi lanes in the south portion of the airport, that is next to the National Guard Armory and Blue Mountain hangars. There is a little bit of land, and he has been going through the process to get that set up to provide for additional area for general aviation pilots to have somewhere to go.

Commissioner Seavert thanked Director Wright for all of the information regarding the bid award. He appreciates the thoroughness and his work at the airport. He inquired about the location of the two hangars. Director Wright indicated there is an empty lot south of the fuel farm.

Commissioner Anderes asked for clarification regarding the location of each new project. Director Wright clarified each location.

Commissioner Scarfo made a motion to award the bid to Mike Becker Construction in the amount of \$1,132,810. Commissioner Seavert seconded. Motion carried unanimously.

CONSENT AGENDA

Commissioner Seavert moved approval of the consent agenda which included January 8 & 15, 2025 claims journals and the December 18, 2024 meeting minutes as presented. Commissioner Scarfo seconded. Motion carried unanimously.

Legal Counsel Report

The term limit clarification report from Legal Counsel Wyatt Baum was postponed until later in the meeting due to a court hearing.

ADMINISTRATIVE MATTERS

Commission Mission Statement

Shelley Burgess, Administrative Officer, addressed the Commissioners with the Mission Statement that was adopted in 2017.

The Commissioners discussed the mission statement during their last work session. With a new Commissioner, it would be appropriate for them to take a look at it and keep it as is, or revise and adopt a new statement.

Commissioner Seavert made a motion to continue to utilize the current Union County Commissioners Mission Statement as presented. Commissioner Scarfo seconded.

Commissioner Anderes read the mission statement out loud for those online, which was first adopted in March 2017.

Motion carried unanimously.

2025 Commissioner Liaison Designation List

Shelley Burgess, Administrative Officer, addressed the Commissioners with the 2025 Commissioner Liaison Designation List for their consideration.

Administrative Officer Burgess reminded the Commissioners that the intent in doing this, is to designate the primary liaison to help in knowing who contacts are for certain areas. It does not preclude involvement from the other Commissioners on these matters as Commissioners make decisions as a Board. It also helps county staff and department heads to know which Commissioner is the primary liaison.

Commissioner Anderes asked each Commissioner to read their list of liaison designations for the record.

Commissioner Seavert made a motion to approve the 2025 Commissioner Primary Liaison Designation List as presented. Commissioner Scarfo seconded.

Commissioner Scarfo appreciates discussing this because it really displays how many boards and committees each Commissioner participates on.

Motion carried unanimously.

Court Order 2025-01: In the Matter of Selection of an Official Newspaper for Union County Public Notice Publications

Shelley Burgess, Administrative Officer, presented Court Order 2025-01 to the Commissioners for their consideration. She explained the designation of an official newspaper is a statutory requirement.

The Commissioners hereby select the East Oregonian as the official newspaper for Union County publications for the calendar year of 2025.

Commissioner Seavert made a motion to approve Court Order 2025-01; In the Matter of Selection of an Official Newspaper for Union County Public Notice Publications. Commissioner Scarfo seconded. Motion carried unanimously.

Court Order 2025-02: In the Matter of Appointment of a Budget Officer for Union County for FY 2025-26

Shelley Burgess, Administrative Officer, presented Court Order 2025-02 to the Commissioners for their consideration.

The Union County Board of Commissioners are required to appoint a Budget Officer for the upcoming fiscal year 2025-26. Administrative Officer Shelley Burgess is qualified and has agreed to serve.

Commissioner Scarfo made a motion to approve Court Order 2025-02; In the Matter of Appointment of Shelley Burgess as the Budget Officer for the FY 2025-26 as amended. Commissioner Seavert seconded. Motion carried unanimously.

Term Limit Clarification

Wyatt Baum, Legal Counsel, addressed the Commissioners regarding the term limit ballot measure passed by voters in Union County.

Mr. Baum reported in 2017, an initiative petition was issued by the voters of Union County to implement a term limitation for county Commissioners to serve only two consecutive terms (8 years). When the petition passed, the county implemented it via Ordinance 2017-01. Shortly after the ordinance passed, Douglas County passed a similar ordinance that was challenged by a sitting County Commissioner who went before the circuit court, and the court overturned the limitation.

They specifically overturned Douglas County's term limits, not statewide. There are a number of term limit limitations on county Commissioners statewide. Which could be argued or considered as unconstitutional under the Oregon Constitution.

There are a couple of options on how the county Commissioners can approach that issue if there is a sitting county Commissioner who would like to run for a third term. The county can take proactive measures and essentially petition the court for a validation determination, which is a special writ under ORS 33 and 34. Or, a county Commissioner can decide to run for a third term and submit the paperwork to the county clerk's office. The clerk would then be the responsible party for initiating a potential court action for a determination.

The discussion today would be to decide if the county wants to take action to remove the potential prohibition for county Commissioners going forward.

Commissioner Seavert asked for clarification on the consecutive terms, as well as total terms served. Mr. Baum indicated he understands it as not being able to serve more than 8 years.

Commissioner Anderes noted that he may have misunderstood the wording and asked if there was a grandfather clause. Mr. Baum indicated it would have applied if a Commissioner were

sitting in a second term at the same time as the passage because it indicates they would not be able to run a third.

Commissioner Scarfo appreciates the topic being brought up and asked for clarification on the three options under the next steps. Mr. Baum prefers the second option, a petition to the court for a writ of review to determine the legality of the measure.

Commissioner Scarfo has not publicly announced that he would like to run again, but he would like to see an option for a third term. After being in this position, 8 years is not enough time to accomplish everything you have your mind set on. For example, the fairground funding he has been working on for almost 7 years.

Commissioner Anderes is not planning on running for his seat again and asked for clarification on the special writ, and which court it is. Mr. Baum indicated that it would be filed under Union County Circuit Court. The matter would go before Judge Powers most likely because he is Presiding Judge, but could go before Judge Boyd.

Commissioner Seavert is not necessarily opposed to term limits, but can concur with Commissioner Scarfo related to the time it takes to get things done.

Mr. Baum indicated if the Commissioners want a consensus to initiate the process to petition the court, it can be done.

Administrative Officer Burgess does not want to speak for County Clerk Lisa Feik, but she did have discussion with her after the last Commission meeting where it was asked to put this on the agenda and before reaching out to Wyatt. Lisa is interested in a determination. Both she and Shelley receive questions about term limits from constituents. There is currently a term limit in Union County by ordinance, that was challenged and overturned in Douglas County and since there has been no challenge in Union County, it is still in place. The trigger to that would have been if someone tried to file, then our clerk would be put in a position of saying, "can't accept your file, you have already served two terms", which creates an adversarial position there but also impacts the timeline because there are certain times that individuals can file. Depending on the length of the court, it seems a disservice to the person who would be filing along with any others who want to run for a position.

If the county is interested in a legal determination, it would be appropriate to seek that sooner rather than later so that it is known before anyone could file. That way everyone who is interested, would be fully informed of the situation.

Commissioner Scarfo indicated that even if Commissioner Beverage did not want to run again, it would have been appropriate to give her the option as well.

Commissioner Seavert made a motion that the County request a special writ under ORS 33.710 requesting the court determine the legality of county measure Ordinance 2017-01. Commissioner Scarfo seconded.

Lisa Feik, County Clerk, joined the meeting and Commissioner Anderes explained the motion before it was voted on. She indicated her support of seeking a court determination on the matter.

Motion carried unanimously.

Court Order 2025-03: In the Matter of Appointment to the Grande Ronde Model Watershed Board of Directors

Shelley Burgess, Administrative Officer, presented Court Order 2025-03 to the Commissioners for their consideration.

Donna Beverage was serving as a Commissioner representative on this board and has retired from her position. Commissioner Jake Seavert has replaced former Commissioner Donna Beverage and expressed interest in serving on the Grande Ronde Model Watershed Board of Directors.

His term will expire on November 30, 2026.

Commissioner Scarfo made a motion to approve Court Order 2025-03; In the Matter of Appointment to the Grande Ronde Model Watershed Board of Directors. Commissioner Anderes seconded. Motion carried unanimously.

Court Order 2025-04: In the Matter of Appointment to the Union County Tourism Promotion Advisory Committee

Shelley Burgess, Administrative Officer, presented Court Order 2025-04 to the Commissioners for their consideration.

Donna Beverage was serving as a Commissioner representative on this committee. Commissioner Jake Seavert has replaced former Commissioner Donna Beverage and has expressed interest in serving on the Tourism Promotion Advisory Committee.

His term will expire on July 31, 2028.

Commissioner Scarfo made a motion to approve Court Order 2025-04; In the Matter of Appointment of Commissioner Seavert to the Union County Tourism Promotion Advisory Committee. Commissioner Anderes seconded. Motion carried unanimously.

Court Order 2025-05: In the Matter of Appointment to the Northeast Oregon Economic Development District Board of Directors

Shelley Burgess, Administrative Officer, presented Court Order 2025-05 to the Commissioners for their consideration.

Donna Beverage was serving as a Commissioner representative on the NEOEDD board, and Commissioner Seavert has replaced her. Commissioner Jake Seavert has expressed an interest in serving on the Northeast Oregon Economic Development District Board of Directors.

His term will expire on December 31, 2025.

Commissioner Scarfo made a motion to approve Court Order 2025-05; In the Matter of Appointment to the NEOEDD Board of Directors. Commissioner Anderes seconded.

Commissioner Scarfo welcomed Commissioner Seavert to the committee.

Motion carried unanimously.

Court Order 2025-06: In the Matter of Appointment to the Union County Transient Room Tax Advisory Committee

Shelley Burgess, Administrative Officer, presented Court Order 2025-06 to the Commissioners for their consideration.

Donna Beverage was serving as a Commissioner representative on this committee. Commissioner Jake Seavert has replaced former Commissioner Donna Beverage and has expressed interest in serving on the Union County Transient Tax Advisory Committee.

His term will expire on December 31, 2026.

Commissioner Scarfo made a motion to approve Court Order 2025-06; In the Matter of Appointment to the Transient Room Tax Advisory Committee. Commissioner Anderes seconded. Motion carried unanimously.

Court Order 2025-07: In the Matter of Appointment to the Union County Airport Advisory Committee

Shelley Burgess, Administrative Officer, presented Court Order 2027-07 to the Commissioners for their consideration.

The term for committee member Corrine Dutto, serving as the City of La Grande representative is due for renewal. The City of La Grande representative has changed to David Glabe with Corrine Dutto as the alternate, and Mr. Glabe has expressed interest in serving on the Union County Airport Advisory Committee.

The term of Dave Campbell is also due for renewal and he has expressed interest in continuing to serve.

All new terms will expire on December 31, 2028.

Commissioner Seavert made a motion to approve Court Order 2025-07; In the Matter of Appointment to the Union County Airport Advisory Committee both Dave Campbell and David Glabe with Corrine Dutto as an alternate. Commissioner Scarfo seconded. Motion carried unanimously.

Court Order 2025-08: In the Matter of Appointment to the Union County Wolf Depredation Compensation Committee

Shelley Burgess, Administrative Officer, presented Court Order 2025-08 to the Commissioners for their consideration.

Donna Beverage was serving as a Commissioner representative on this committee. Commissioner Jake Seavert has replaced former Commissioner Donna Beverage and has expressed interest in serving on the Union County Wolf Depredation Compensation Committee.

His term will expire on December 31, 2028.

Commissioner Scarfo made a motion to approve Court Order 2025-08; In the Matter of Appointment of Jake Seavert to the Union County Wolf Depredation Compensation Committee. Commissioner Anderes seconded. Motion carried unanimously.

South County Health District Letter of Support

Shelley Burgess, Administrative Officer, presented the proposed letter of support to the Commissioners for their consideration. She briefed the Commissioners, and did not read the letter out loud.

Commissioner Seavert was contacted by representatives from the South County Health District seeking a letter of support because they are seeking grants for their dental program.

Commissioner Scarfo asked how much funding the district is seeking. Commissioner Seavert indicated that hasn't been determined yet, but should be substantial. The letter would be to support their project.

Commissioner Scarfo made a motion to approve the South County Health District Letter of Support as presented. Commissioner Seavert seconded. Motion carried unanimously.

Utility Easement – (OTEC & Ricker)

Shelley Burgess, Administrative Officer, presented the Utility Easements to the Commissioners for their consideration.

The two easement documents for a power line easement are for OTEC and Lee Ricker (Riclin Global). The easements are needed to allow for a new underground service for Lee Ricker at the west side of Buffalo Peak Golf Course. His plan is to develop the property adjacent to the golf course.

Both easements have been reviewed by county legal counsel Wyatt Baum.

Mr. Ricker also went on site with Dana Londin, BPGC General Manager, to visually see where they need to make the trench to be sure there were no conflicts with the golf course.

Commissioner Scarfo made a motion to approve the Utility Easements as presented. Commissioner Seavert seconded. Motion carried unanimously.

Opioid Abatement Advisory Committee Update – Pinnacle Architecture Supplemental Services Agreement

Shelley Burgess, Administrative Officer, provide a brief summary to the Commissioners regarding the Pinnacle Architecture Supplemental Services Agreement for their information.

Union County's Opioid Abatement Advisory Committee (OAAC) has been working with Pinnacle Architecture under a contract awarded for the purpose of conducting a feasibility study on the concept of developing, owning, and/or operating a Drug and Alcohol Detoxification and Stabilization Center. Pinnacle were selected utilizing an RFP process and awarded a contract not to exceed \$98,000.

Pinnacle has been working with the appointed OAAC and have completed the first phase utilizing only 51% of the funding that was allocated. They have presented an offer to conduct supplemental services using the remaining funds.

Administrative Officer Burgess turned it over to Commissioner Scarfo, as he has been Chair of the committee and has spoken with committee members individually. She indicated that a motion would be required to change the scope of services.

Commissioner Scarfo indicated that the scope is still there, and the feasibility study will continue through Center for Human Development (CHD). The committee members are supportive of continuing the work.

Commissioner Scarfo made a motion to approve the Supplemental Services Agreement with Pinnacle Architecture as presented. Commissioner Seavert seconded.

Commissioner Scarfo thanked the advisory committee for their time and efforts on this committee.

Motion carried unanimously.

Wolf Depredation Compensation Recommendation

Shelley Burgess, Administrative Officer, presented the Wolf Depredation Compensation Recommendation to the Commissioners for their consideration.

Union County has received funding from the Oregon Department of Agriculture in the amount of \$85,007.18.

The Union County Wolf Depredation Compensation Advisory Committee met on December 19, 2024 to review applications for funding under the non-lethal management and/or wolf deterrent techniques category.

The recommendations are as follows:

- Bar V Cattle Company - \$34,289.38
- Eric Harlow - \$16,122.03
- Krebs Livestock, Inc. - \$10,337.64
- Coleman Lay - \$ 11,900.00
- USDA Wildlife Services - \$14,358.13

Administrative Officer Burgess noted that the USDA Wildlife Services, if the grant is approved, will be purchasing their items and working with producers who have needs and place items in those

locations. When the need is over, it will be returned to USDA Wildlife Services. This process prevents the individual producers from having to make the purchase, and makes it available on an as needed basis.

They now have available a trailer and a wrench to remove carcasses from the areas, but the disposal fee is through the landfill or a transfer site. This money would be used to pay for the disposal, the staff and equipment would be provided. The recommendation is to award the funding as presented. The funds must be awarded prior to January 31, 2025 or the funds will need to be returned to the State.

Commissioner Seavert noted that USDA Wildlife Services has been borrowing Oregon Department of Fish and Wildlife's equipment in the past and that has really stretched the availability thin between both agencies.

Commissioner Scarfo made a motion to approve the Wolf Depredation Compensation Advisory Committee grant award recommendations as presented. Commissioner Seavert seconded.

Commissioner Anderes noted often times there are those groups that say all we want to do is kill the wolves. However, every single one of these read "non-lethal".

Motion carried unanimously.

GOOD OF THE ORDER

Commissioner Seavert attended AOC County College last week in Corvallis, he learned a lot and is excited to go back next month.

Commissioner Anderes drafted a list of priorities for Senator Nash as requested. Top on the list is the Fairgrounds water and wastewater project.

NEXT MEETING DATE

The next regular Commission meeting is scheduled for February 5, 2025 at 9 AM.

ADJOURNMENT

Commissioner Anderes adjourned the meeting at 10:40 AM.

Respectfully submitted,



Allison Moore
Senior Department Specialist