

UNION COUNTY BOARD OF COMMISSIONERS
Joseph Building Annex Conference Room
Regular Commission Meeting Minutes
Wednesday, March 19, 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 at this time.

PUBLIC COMMENT

Commissioner Anderes reminded guests providing public comment that this is not a time for debate or to engage with the Commissioners.

Celeste Tate, City of Union Administrator, 310 N. 5th Avenue, Elgin, addressed the Commissioners in regards to the Buffalo Flats Project. The City of Union Councilors have been meeting on this topic for the last several years, prior to her coming to Union. It has really ramped up, because they have almost 100 percent design documents, and have been given 80 percent design documents. They have reached out to landowners that are downstream on Wolf Creek from the proposed project. Most of the landowners were not aware of the project. There was a committee meeting held last Saturday, and there were 63 people in attendance. There are now 139 signatures on a petition to stop the Buffalo Flats Project. A copy of that information has been submitted to the Commissioners for the record. There is also a resolution and letter that the City of Union Council has adopted this past Monday in a special meeting. The request is for the Union County Commissioners to take opposition to this project. There are many concerns from the folks who live in Union, as well as outside of Union.

Susan Hawkins, 1601 Main Street, Union, addressed the Commissioners in regards to the Buffalo Flats Project. She thanked the Commissioners for allowing time for public comment on this topic. The topic is huge because they have been dealing with this for 4-6 years. There was a public meeting talking about moving Catherine Creek onto the property, with a lot of opposition from Union residents. Some time had passed, and they requested Jim Webster to come and speak about Catherine Creek at their meeting. The residents became confused when it was announced that the project was being moved from Catherine Creek to Little Creek. As far as Little Creek goes, there has never been a public meeting. This project is on private land, and it was said they didn't have to hold a public meeting. The problem with that is, they are using state and federal funds to do a project on private land that impacts our city and people of Union, and outside. There is not enough information being shared with the public about this project and that is not right. The maps are not detailed enough and flood plain impacts are not clear. The owner has leased out water rights. There is no fish connection and the project puts the city and farmers in peril. Ms. Hawkins is requesting the Union County Commissioners take a position in opposition to this project.

Commissioner Anderes reminded guests to limit their public comments to 2-minutes.

Anita Boyer-Davis, 277 W. Bryan Street, Union, addressed the Commissioners in regards to the Buffalo Flats Project. Ms. Davis is a City of Union council member and believes that mother nature should remain in control and let the river flow as it has. She is in opposition of the project and asks that the Commissioners do as well. The meeting held recently was a last-minute meeting, if there were more notice she believes there would have been more in attendance.

Dick Middleton, Union, addressed the Commissioners in regards to the Buffalo Flats Project. Mr. Middleton is also a City of Union council member and is in opposition to the project. He also requests that the Commissioners be in opposition as well. He has been working on this project for quite some time, and knows quite a bit about it.

Ernie Bettencourt, 1598 N. Cove Street, Union, addressed the Commissioners in regards to the Buffalo Flats Project. Mr. Bettencourt owns land below where the project is supposed to be. During the meeting on Saturday, a lot of people had a lot of questions, but not one person representing the project was in attendance. They showed up on Wednesday, but when they laid everything out all of their maps were from the 1920's. Nothing was up to date to show how it would affect all of those in Union. Mr. Bettencourt is also requesting that the Commissioners be in opposition to the project.

Jim Webster, District Manager for the Union SWCD, 10507 N. McAlister Road, Island City, addressed the Commissioners in regards to the Buffalo Flats project. Mr. Webster indicated that this is simply a fish mitigation project. The funding is mitigation money through Bureau of Reclamation, Bonneville Power Administration, US Army Corp, and National Oceanic and Atmospheric Administration (NOAA). The project really is about restoring what the historic conditions were of the floodplain. They had always been looking at Catherine Creek through the section that is owned by the Buffalo Peak Livestock Company and Little Creek. Little Creek moved faster in the designs because Catherine Creek has a couple of complex situations around it, one being the highway, another is the old water line that is in the middle of the meadow that would need to be dealt with beforehand, and power lines. All of those things add complexity for the project. There are fish in Little Creek. ODFW from 2013 to 2016 did some electro fishing all through Little Creek, and did come across some Steelhead. Spring Chinook make it up to Godley, where there is a diversion making a block. The planning we are doing with this has been done with a Consultant Engineering firm with a lot of experience, along with several other engineers on our team. SWCD is only the liaison with the landowner for this project and as a team believe this is a good project and will improve situations for the City of Union.

John Coote, 10305 South A Street, Island City, addressed the Commissioners in regards to the Buffalo Flats Project. Mr. Coote owns property on Cove Road and had no idea that this project was where its at until about a week and a half ago. He was notified by Celeste Tate and soon after attended the Saturday meeting, and was happy with the turnout. He was disappointed that there was no one there from the entities that created this project to answer questions. The public was bouncing things off of the city council and asked what they knew, there was not a lot of detailed information available. He does not like the project document and feels the thesis is not accurate. He feels there should have been more community involvement from the beginning. He wants the Commissioners to oppose the project.

Fred Hawkins, 1601 Main Street, Union, addressed the Commissioners in regards to the Buffalo Flats Project. Mr. Hawkins owns farmland down the stream from the project. There have been a couple of things that he would like to talk about. He flood irrigated about 160 acres down the road from the Weaver Road diversion that Mr. Webster talked about. Mr. Hawkins keeps hearing that the water from the project will go in the ground in the spring, and will be sucked up like a sponge and is going to reappear. He has read the 400-page report on it, and has not seen hydrology reporting in it. He is afraid downstream the water will be gone if it is sucked up in the spring. He estimated 40 users of 6 to 8 ditched may be impacted. He wants the Commissioner to oppose

Donna Beverage, Union, addressed the Commissioners regarding the Buffalo Flats Project. Mrs. Beverage has attended many Union Solid Water Conservation District meetings over the years and opposes the project. They were asked to do a community meeting in 2020, 120 people showed up all in opposition of the project as well. She feels the project is harmful and any funds spent on it are wasted. Flood plain resets are not always good projects. She opposes the project.

ELECTED OFFICIAL, DEPARTMENT HEAD & EMPLOYEE COMMENTS

Justice Reinvestment Initiative (JRI) Grant Letter of Support

Valerie Schlichting, Victim Assistance Program Director, presented the Justice Reinvestment Initiative (JRI) Grant letter of support to the Commissioners for their consideration.

The JRI grant is applied for annually to allow the District Attorney's office to continue collaboration in pursuit of a safer and more accountable justice system.

Commissioner Scarfo made a motion to approve the Justice Reinvestment Initiative Grant letter of support. Commissioner Seavert seconded.

Commissioner Seavert thanked Valerie Schlichting for her work on the grant.

Motion carried unanimously.

Energy Resilience Plan Grant

Nick Vora, Emergency Manager, presented the Energy Resilience Plan Grant to the Commissioners for their consideration.

The Oregon Legislature passed HB3630, which directed the Oregon Department of Energy to create a grant program to support Oregon counties with energy resilience planning. The plans focus is intended to be local resilience to disruptions in electrical service caused by natural or other disasters.

Union County applied for the funding, and were approved in February 2025 for \$50,000.

Mr. Vora is requesting the Commissioners approval of a grant agreement with the Oregon Department of Energy for the development of a county energy resilience plan and authorization to sign the grant agreement.

Commissioner Seavert made a motion to approve Union County Emergency Services, contingent on final approval of Union County Administrator signing a grant agreement for the total of \$50,000 with the Oregon Department of Energy for the development of a County Energy Resilience Plan. Commissioner Scarfo seconded. Motion carried unanimously.

Energy Resilience Plan RFP Results

Nick Vora, Emergency Manager, presented the Energy Resilience Plan RFP Results to the Commissioners for their consideration.

Union County applied for an Energy Resilience Plan grant from the Oregon Department of Energy (ODOE) in February 2025 and were approved for a total of \$50,000.

Union County posted a request for proposals (RFP) for the development of the Energy Resilience Plan. The RFP was posted on the county website from February 12 through February 26 with one proposal received from Oregon Trail Electric Cooperative (OTEC).

The proposal was reviewed by Emergency Services and determined to be suitable for the need. He also consulted with ODOE to be sure there would not be any objection to OTEC being Union County's contractor. ODOE staff were very supportive of the concept.

Based on the submission from Oregon Trail Electric, he would like to request approval from the Commission to award the RFP to OTEC and to also enter into contract negotiations and eventually a contract with OTEC contingent on the approval of the County Administrator.

Commissioner Seavert made a motion to approve Union County Emergency Services contingent on the final approval of the Union County Administrator, accept the RFP submitted by OTEC and enter into a contractual agreement in the amount of \$50,000 in grant funds for the development of a Union County Energy Resilience Plan. Commissioner Scarfo seconded. Motion carried unanimously.

Energy Resilience Plan – Contract for Services

This item was included in the above motion.

Buffalo Flats Project

Shelley Burgess, Administrative Officer, provided a brief staff report to the Commissioners for their information.

Commissioner Seavert had received an inquiry from Congressman Bentz' office wondering if Union County had taken a position on this particular project. The county has previously not taken a position, and she does not know that the Commissioners have had a lot of information about the project, which is why it was placed on the agenda for the opportunity to discuss it.

Commissioner Seavert stated that prior to him being elected into office, he signed the petition that has been discussed opposing the Buffalo Flat Project. He has been attending a lot of the meetings and has seen the concern of all the citizens around Union and within. He does see some heavy concerns with reassurance of the floodplain zone work to be done. There is concern on how that may impact the citizens downstream from Little Creek, because he knows they have frequent flood issues every year. With the FEMA BiOp that is being gone over at the state level,

the concern there would be acquiring insurance and maintaining it. Foremost he does not think the impact has been studied to water rights holders below the project has been submitted. That is also a concern with him and the other citizens around Union.

Commissioner Scarfo thanked Commissioner Seavert for his comments. He did not know a lot about this project and also thanked those who came to provide more information. He was not aware that the project was moved to Little Creek from Catherine Creek, and would like to attend the next meeting held on this matter. He suggested a work session with those who are involved.

Commissioner Anderes would like more time to review the resolution and petition provided by the City of Union before another discussion is held. He would also like to hold a work session where we can hear from the Union County Weed Supervisor, Brian Clapp, County Watermaster, Shad Hatten and Union County Soil and Water Conservation District to go over the design plans. First and foremost, the county should be talking with legal counsel to find out what jurisdiction the County has and what course of action the County can or shouldn't take. At a later time, perhaps hold a work session to include the Public Works Director, Doug Wright to discuss the roads in that area, and Union County Planning Director, Inga Williams, about what planning process this might need to have gone.

Commissioner Scarfo asked what the timeline for the project is and invited Mr. Webster up to respond. Mr. Webster indicated at this point they have an 80 percent design and working towards the final design by next week. There are a series of permits they will be working to get through the Division of State Lands. The plan is to begin and do most of the excavation in the summer of 2026.

Celeste Tate, City of Union Administrator, indicated in order to apply for the permits they need from the joint planning application, OWEB and DEQ, they need a floodplain permit approved through the City of Union because some of the work is done within city limits and lastly, Union County. Mrs. Tate has been directed not to sign the floodplain permit and that is the stance the City of Union is taking. Union County would also need to sign a floodplain permit through Planning, which would need to be done before everything Mr. Webster stated.

Commissioner Scarfo suggested an April work session to hopefully get everyone in the room to ask questions.

Commissioner Anderes asked that Administrative Officer Burgess send an invitation to those who should be in attendance at the work session, including the City of Union.

Administrative Officer Burgess indicated it would be helpful to give county staff a bit of information so they know what they should bring to the work session.

Commissioner Scarfo reiterated having information from legal counsel on what the Commissioners can actually do on this matter. Administrative Officer Burgess will reach out to legal counsel.

Commissioner Seavert asked if that could be done without holding a work session. Administrative Officer Burgess indicated that was correct and she would pursue the opinion.

CONSENT AGENDA

Commissioner Scarfo moved approval of the consent agenda which included February 19, 26 & March 5, 6 & 12, 2025 claims journals and the January 22, February 5 & 12, 2025 meeting minutes as presented. Commissioner Seavert seconded. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Resolution 2025-06: In the Matter of Participation in Funding Activities for the Oregon Office for Community Dispute Resolution

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

Union County has received their biennial invitation from the University of Oregon School of Law to participate in the Community Dispute Resolution program grant. We have available to Union County approximately \$56,960 for the period of July 1, 2025 through June 30, 2027 for a Community Dispute Resolution Program. If the county adopts the proposed resolution, the next step would then be to publish a request for applications for provision of those services within Union County.

The Eastern Oregon Mediation Center is the current provider of these services and have been for a number of years. They would respond to our request for applications and once received, then the sponsor reviews them to be sure they are qualified and provides a recommendation to the Commissioners.

Commissioner Scarfo made a motion to approve Resolution 2025-06; In the Matter of Participation in Funding Activities for the Oregon Office of Community Dispute Resolution as presented. Commissioner Seavert seconded. Motion carried unanimously.

Elgin Stampede Community Hall Project Letter of Support

Shelley Burgess, Administrative Officer, presented the letter of support for the Elgin Stampede Community Hall project to the Commissioners for their consideration.

During a meeting in February, representatives from the Elgin Stampede Building Committee asked for the Commissioners support in their attempt to secure funding to assist in the construction of a new Elgin Stampede Community Hall. They provided information on their project and asked for a letter of support from the Board of Commissioners. A copy of the letter was provided to the Commissioners for their review.

Commissioner Seavert made a motion to approve the Letter of Support for the Elgin Stampede Community Hall Project as presented. Commissioner Scarfo seconded.

Commissioner Scarfo hopes that they get the funding they need to complete the project.

Commissioner Anderes is in full support of this project because it is a need in the community.
Motion carried unanimously.

Qapqapa Wildlife Area Letter of Support

Shelley Burgess, Administrative Officer, presented the Qapqapa Wildfire Area Letter of Support to the Commissioners for their consideration.

During the last work session, there were presentations from representatives of the Oregon Department of Fish & Wildlife and the Confederated Tribes of the Umatilla Indian Reservation on a project called Qapqapa Wildlife Area. The project is being done under the Forest Legacy Program. The Commissioners had the discussion during the work session, and the request at that time was for a letter of support.

A copy of the letter was provided to the Commissioners for their review and consideration.

Commissioner Scarfo made a motion to approve the Letter of Support for the Qapqapa Wildlife Area. Commissioner Seavert seconded.

Commissioner Seavert commented that the project checked off all three boxes of public access, timber management and maintaining grazing. He would like to add for consideration that when the group is formed for the planning and management, a member of Union County Commissioners be included.

Commissioner Scarfo agrees with Commissioner Seavert and his comments related to public access, timber management and grazing. He hopes that those items will continue as principals for the project.

Commissioner Anderes does have some minor concerns, but the provision of public access is a big one for him, which will be included. If all things go according to plan, it will take some pressure off private ground with elk numbers.

Motion carried unanimously.

GOOD OF THE ORDER

Commissioner Scarfo announced that there will be a work session on HB2527 regarding the Waste Water Project at the Union County Fairgrounds. He hopes this will finally be the year it is funded. He is headed back to Salem to attend the work session in case there are any questions. He has four of the Representatives on the committee to sponsor the bill.

Commissioner Seavert reported there is good news for the Ag community. SB777 which is the wolf compensation program bill that is in the House, passed work session yesterday and will now go to the floor for discussion. He mentioned that they are going to take advantage of the momentum of HB2527 during the Joint Ways and Means Roadshow and give them a tour of the fairgrounds firsthand. He also reported that he had a great testimony this morning on HB3116, to seek appropriation of money out of General Funds for Place Based Water Planning to ensure work can continue on water storage in the Upper Grande Ronde Watershed. Over the weekend, the Dan Johnson benefit was a really great success and he thanked Sheriff Bowen for continuing to show support for him.

Sheriff Bowen asked to provide a couple of updates.

Friends of the Children has hired an Executive Director, and they are now in the process of taking applications for a Program Director and an Operations Director. Once those positions are filled then they will begin finding mentors. There are donors that are coming to the area next month to look at possibly purchasing a clubhouse of some sort where activities can be held.

Secondly, he has a meeting at 11:30 with the SWAT team, a couple other deputies and Malheur County who had reached out with interest in joining the Northeast Oregon Regional SWAT team. They have had some situations down near Ontario that need better attention. They do have a good working relationship with Oregon State Police, however, the time frame for arrival to a scene is an issue.

He is also looking at hiring a full-time position to fill a recent vacancy and establish a hiring list due to Deputy Johnson being temporarily out of the office and potential retirements coming next year. He has a meeting tomorrow with LGSD, IMESD, Union, North Powder and Imbler who would like to be a part of the SRO Program.

Commissioner Seavert asked about the addition of Imbler for an SRO and the funding for that. He asked if it would involve another position or maintain who they currently have. Sheriff Bowen indicated that they would hire someone but the SRO could be assigned from within creating a shift.

Commissioner Anderes received a call from a Commissioner in Harney County who would like to put together the DEQ services Intergovernmental Agreement in April or early May. Sounds like they are going to try and bundle all the counties together at the same time. They already put out an employment opportunity that will be based in La Grande and really look forward to having their services take care of DEQ permitting. As mentioned before, Joint Ways and Means will be in La Grande the evening of April 11 at Loso Hall in Eastern Oregon University from 5-7 pm.

NEXT MEETING DATE

The next regular Commission meeting is scheduled for April 2, 2025 at 9 AM.

ADJOURNMENT

Commissioner Anderes adjourned the meeting at 10:21 AM.

Respectfully submitted,



Allison Moore
Senior Department Specialist