

Board of Commissioners Meeting
June 15, 2011

Present: Commissioner Steve McClure
Commissioner Mark D. Davidson
Commissioner William D. Rosholt

Call To Order

Chairman McClure called the meeting to order at 9:00 a.m. with all three Commission members present.

Public Comments

Grazing Plan Development by NRCS

Shelley Burgess, Administrative Officer, brought the grazing plan development by NRCS to the Commissioners for consideration. Shelley explained that the Natural Resource Conservation Service has offered to develop a draft grazing management plan at no charge for MERA. This has been discussed with the advisory committees but before Sean began working with NRCS he wanted to have the Commissioners approval. It would be a draft that would be approved by both the advisory committees and the Commissioners. **Commissioner Rosholt moved approval to enter into an agreement with NRCS to develop a grazing plan for MERA. Commissioner Davidson seconded. Motion carried unanimously.**

Sign Management Plan

Shelley brought the MERA Sign Management Plan to the Commissioners for approval. She explained that this is a final plan that has been developed through both committees. At the May advisory committee meetings they did recommend approval and adoption by the Board of Commissioners. **Commissioner Davidson moved approval of the MERA Sign Management Plan as presented. Commissioner Rosholt seconded. Motion carried unanimously.**

Commissioner McClure stated that both Committees have been meeting every month and have been doing great work. The cooperation has been good and most of the participants are anxious to get on the ground and start doing work. He also commended Sean Chambers, MERA Coordinator, on his cooperation and work for MERA.

Commissioner Rosholt stated that the plan is very impressive. Commissioner McClure explained that the committees spent a lot of serious time on considering the plan.

Consent Agenda

The May 26 and June 2 and 9 claims journals; the June 1 and 8 Public Works claims journals; were approved as presented on the consent agenda.

Airport Runway 12-30 Project Bid Award

Shelley brought the airport runway 12-30 project bid award to the Commissioners for consideration. There is a memo from Terry Kessler, consulting engineer/project manager, which gave the results of the bids that were opened on June 12th. Four bids were received. They have been reviewed and it has been verified that they are all valid bids. The low bidder is Kerr Contractors in the amount of \$2,465,557.25. She is asking that the Commissioners consider approving the low bid contingent upon a grant offer from the FAA. **Commissioner Davidson moved award of the bid to the low bidder contingent on approval and grant award from the FAA.**

Commissioner Rosholt seconded. Motion carried unanimously.

Appointment to Motorized Advisory Committee

Court Order 2011-36, In the Matter of Appointment to the Mt. Emily Recreation Area Motorized Advisory Committee, was presented for consideration. Shelley explained that this Court Order would re-appoint Dick Weller, appoint Matt and Katie Martin as the livestock grazing representatives, appoint Milo Hibbert as an adjacent land owner representative, and appoint Justin Rock to serve as the Class I ATV representative.

Commissioner Davidson moved approval of Court Order 2011-36 as presented. Commissioner Rosholt seconded. Motion carried unanimously.

Appointment to Non-Motorized Advisory Committee

Court Order 2011-35, In the Matter of Appointment to the Mt. Emily Recreation Area Non-Motorized Advisory Committee, was presented for consideration. This Court Order would re-appoint Bart Barlow and Gene Erwin, and would appoint Matt and Katie Martin as the livestock grazing representatives. **Commissioner Davidson moved approval of Court Order 2011-35 as presented. Commissioner Rosholt seconded. Motion carried unanimously.**

Fingerprint Fee Court Order

Resolution 2011-07, In the Matter of a Resolution Amending Fees for Services Provided by the Sheriff's Office, was presented for consideration. Shelley explained that during the initial budget hearing the Sheriff had made a request for the purchase of a new finger printing unit that they will purchase in the new fiscal year. As part of that proposal they had discussed increasing the fee for finger printing services. The fee of \$5 a card was established on April 7, 1999. This Resolution would increase the fee to \$10 per card which would be in effect on July 1, 2011. **Commissioner Davidson moved approval of Resolution 2011-07 as presented. Commissioner Rosholt seconded. Motion carried unanimously.**

Public Hearing – CDBG Grant – Micro-Enterprise Development

Resolution 2011-08, In the Matter of Union County Applying for a Regional Microenterprise Assistance Program with Union County as Lead Applicant, was presented for consideration. Lisa Dawson, Northeast Oregon Economic Development District, explained to the Commissioners that there are two purposes for the public hearing. The first purpose is to take comments and have discussions around the

community development and housing needs of the citizens of Union County. The second is to consider the Resolution and sub-recipient agreement for approval. She requested comments from the Northeast Oregon Housing Authority, Community Connections of Northeast Oregon and New Day Enterprises for the hearing. There were no comments received. She explained that on Northeast Oregon Housing Authority's website they say they have a 1 ½ to 2 year waiting list for vouchers for the low income housing program. She knows from previous conversations with the operator of Third Street Station, which provides temporary housing, that they have been full most of this year. She found that 51% of the renters in Union County can't afford the rent of homes within Union County. It would take 46 hours of work to pay the rent for a median rental in Union County. There are definitely some gaps in what is affordable on the housing side. On the economic development side the unemployment rates have been high and it would be nice to have more family wage paying jobs. The bright spot on the employment side is that Union County has the second highest growth rate in manufacturing jobs in the State.

One thing that the Economic Development District has been trying to do is to improve the likelihood of success for people that are self employed or are starting businesses that may have employees in the future. That is what they would be requesting support for from Union County through the Community Development Block Grant program. So far in 2011 there have been 10 separate series of classes that have been offered in Baker, Union and Wallowa counties. The classes have been a series of business planning classes which is 21 hours of class time to work on a business plan. Those are useful to people who are considering the feasibility of opening a business or someone who is trying to improve their operations. They have branched out into social media and Quicken home and business classes to address some of the bookkeeping needs of businesses. There has been good response in Union County for the Quicken class. It has primarily been taken by people that have been in business for a while and that were not low and moderate income. For the Microenterprise Development program at least 51% of the clients served have to be low and moderate income. This year they will have to take off at least one of the classes that were offered because they are currently at a 45% low and moderate income rate of class members. In Union County there was 23% that were low and moderate incomes. The other counties have helped keep the percentage near what it needs to be. Having a regional program allows them to reach more people. The grant is also targeted towards class room activities.

There is expected to be \$15.6 million Statewide in the CDBG program this year. The categories the funding can be spent in include economic development, microenterprise assistance, public works, community and public facilities and regional housing centers. The proposed activity of microenterprise development would not result in any displacement of individuals in housing.

She is hoping to have the current grant drawn down by the end of June. They have expended the money and they have to conduct a 504 handicap self-assessment for

Union County. She thought it was solved by using an individual who has a wife who is handicapped help with the assessment. The State did not accept it because he is not handicapped himself and doesn't officially represent the handicapped. She has a new individual who is now going to help with the assessment that should qualify under the State rules.

Commissioner McClure asked if this grant has a housing component. Lisa stated that it does not. Commissioner McClure asked why there was discussion on housing. Lisa stated that it is required to be a part of the public hearing. The public hearing has to cover all types of needs.

Commissioner McClure opened the public hearing for testimony. There was no testimony received. The hearing was then closed.

Commissioner Davidson moved approval of Resolution 2011-08 as presented. Commissioner Rosholt seconded. Motion carried unanimously.

Commissioner Davidson moved approval of the Sub-recipient agreement for activities authorized by the Oregon Economic and Community Development Department 2011 CDBG Microenterprise Assistance grant. Commissioner Rosholt seconded. Motion carried unanimously.

Public Hearing – Ordinance Establishing Regulation of Bison in Union County
Ordinance 2011-04, In the Matter of an Ordinance Establishing Regulation of Bison in Union County and Declaring an Emergency, was presented for consideration. Commissioner McClure asked Shelley to read the Ordinance into the record.

Commissioner McClure opened the hearing for testimony. He asked that the proponents of the Ordinance testify first.

Rodney Terry, 71871 Palmer Junction Road, Elgin, stated that the Ordinance looks good to him. He explained that they have had trouble with buffalo for years. He stated that on the East side of the Fruitts property there are parts of the fence that are missing and are not adequate for the buffalo. He is in favor of the Ordinance. He would like to know why the adjoining land owners if threatened by a buffalo don't also have a right to shoot the animal.

Denny Lawson, 71203 Palmer Junction Road, Elgin, explained that buffalo have destroyed approximately 20-30 of his trees that he has worked 5 years to get going. The fences are not adequate to keep the buffalo in their own property. Since he has no animals of his own he doesn't feel he should have to maintain adequate fences for the buffalo. He is in agreement with the Ordinance.

Jill Parsons, 67337 Parsons Lane, Elgin, thanked the Commissioners for their prompt action regarding the buffalo. She would like to see that there be a fine per head as

opposed to per incident. The danger and damage increases significantly with each additional buffalo. Under the summary of abatement she would like to see it include a clause to protect livestock from imminent danger as well as human life.

Commissioner McClure stated that any changes that are proposed would have to be taken to the County attorney which would delay the process. There is an emergency clause in this Ordinance so if the Commissioners pass it, it would be in effect immediately. He believes that there is a difference in the law that makes it a harder case to destroy the animal if it is endangering livestock rather than a human life. That would be something he would have to get a legal opinion on.

Jill stated that she would not want the Ordinance delayed to put those items in it.

Commissioner Davidson explained that this Ordinance declares the animals as a danger and requires them to be contained properly. Those are important first steps.

Chase Williamson, 71254 Palmer Junction Rd. Elgin, agrees with the Ordinance. He asked if this Ordinance makes the owner of the buffalo responsible for the fence on his entire property. Commissioner McClure stated that yes the owner of the bison is responsible for maintaining adequate fencing on his entire property. On most properties both neighbors are responsible to maintain the fence. Chase asked what type of fence would be considered adequate. Commissioner McClure stated that they did not put specific guidelines in the Ordinance. The definition is to have adequate fencing to keep the bison in their property. There are bison in the County that there is never any problem with. That person has a high fence and a hot wire all the way around it. It is maintained at all times. It is in a residential neighborhood and there has never been a complaint about those buffalo. The County's intent was to say that the owner has to build a fence that keeps the buffalo in without telling the land owner exact guidelines on how to do that. There are different ways to accomplish that. The Commissioners reserve the right to look at the fence and if they believe it is not adequate they can take action to make it adequate.

Commissioner Davidson explained that if the County establishes a standard and that standard isn't sufficient then they would have to go back and re-establish another standard.

Shelley stated that the County did receive on written letter of testimony from Dick and Laura Parsons at 70792 Hwy. 82 and is in support of the Ordinance.

Commissioner McClure stated that he received an email from Ron and Janice Parsons in favor of the Ordinance. He read the email into the record.

There was no opposition testimony given.

The hearing was then closed.

Commissioner Davidson stated that any changes would have to be reviewed by the County attorney and he doesn't feel there is any wisdom in delaying the enactment of this Ordinance. If it proves to be insufficient then it can be modified then. Commissioner McClure agreed. Commissioner Rosholt stated that this Ordinance gives the Sheriff the authority to do the proper things that need to be done with the buffalo.

Commissioner Davidson moved approval of Ordinance 2011-04 as presented. Commissioner Rosholt seconded. Motion carried unanimously.

Commissioner Davidson moved approval of Ordinance 2011-04 as presented. Commissioner Rosholt seconded. Motion carried unanimously.

Executive Session

There was an executive session held under ORS 192.660(1)(d) labor negotiations.

Adjournment

The meeting was adjourned at 11:00 a.m.

Respectfully Submitted,

Ashley Wilhelm
Sr. Dept. Specialist