

Local

County Commissioners uphold Planning Commission decision on Halfway land use issue

• SHERIFF'S DEPARTMENT BUYS NEW JET SKI

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The Baker County Board of Commissioners held a special session on Wednesday, July 8, 2015, at 9 a.m., in the Commission Chambers of the Baker County Courthouse.

The focus of the session was a public hearing regarding AP-15-001, an appeal of the County Planning Commission's approval of conditional use permit CU-13-011, remanded by LUBA (Land Use Board of Appeals) Case No. 2014-02.

Present from the Board were Chair Bill Harvey, Commissioners Mark Bennett and Tim Kerns, and Executive Assistant Heidi Martin.

Attendees included County Planning Director Holly Kerns, County Planner Kelly Howsley-Glover, County legal counsel Dan Van Thiel, Baker County Sheriff Travis Ash, Kerry Gulick, Linda McEwan, and Patrick Dion.

The agenda was adopted, with a motion from Bennett, and a second from Kerns. No one present voiced any concerns or comments during the Citizen Participation of the session.

Amy Addison, an intern for Elkhorn Media Group, was introduced by Harvey, and she made some brief comments.

Ash spoke to the Board about a jet ski purchase for

the Sheriff's Department, with funds provided by the Oregon State Marine Board. He said that he attempted to acquire the jet ski, which would be the second one for the department, from a local source, but ended up going with a bid from Ed's Performance in Ontario, which is where any maintenance on the jet ski would also need to be performed when necessary. He explained that using the jet skis would result in more efficiency and fuel savings, and he wanted to let the Board know about the purchase.

During the public hearing segment, Harvey read statements concerning hearing procedures, appeals, etc. He asked if there were any challenges to the jurisdiction of the Board to hear the matter, and none were stated. He asked if there were any conflicts of interest or personal biases to be declared by a Board member, and none were stated.

He asked if there were any ex-parte contacts to be declared by a Board member, and Bennett mentioned that he received a brief phone call from the Mayor of Halfway, Sheila Farwell.

According to County Planning Department documents, in November of 2013, Gulick and McEwan requested a modification on their existing Conditional Use Permit for a 15-acre aggregate rock pit, called the Gulick Pit, located two miles northeast of Halfway, near the intersection of Buchanan Loop and Estes Hill Lane, both Baker County roads.

The pit is located in

the Exclusive Farm Use (EFU) Zone. The request included temporary modifications to accommodate providing gravel to repave Forest Service 39 road, and permanent modifications allowing more flexibility in the normal aggregate operation.

The Gulick Pit was approved for a Post Acknowledgement Plan Amendment, PA-97-02, in August 6, 1997, and then a Conditional Use Permit, CU-97-08, was applied for and approved on September 25, 1997. This Conditional Use Permit was revoked on March 19, 1998, for failure to comply with all Conditions of Approval. A new Conditional Use Permit, CU-98-02, was applied for and approved on May 21, 1998, amended later by Conditional Use Permit CU-00-05, on May 25, 2000.

On December 19, 2013, the Baker County Planning Commission held a public hearing, and after hearing testimony and deliberating, modified and approved the request. An appeal of the decision of CU-13-011 was submitted on behalf of Barbara J. Dion on January 6, 2014 to the Board of Commissioners, and the Board sustained the Planning Commission decision. Dion then appealed to LUBA, and LUBA remanded the decision in December of 2014 for additional findings.

A Planning Commission hearing was held on May 28, 2015, and the record was held open for additional testimony until June 4, 2015, at 5 p.m. A special public session was then



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Planning Director Holly Kerns addresses the Commissioners regarding the LUBA-remanded Halfway case recently ruled upon by the Planning Commission.

held on June 10, 2015, and the Commission approved the proposed modified Conditional Use Permit.

An appeal of the Planning Commission's June 10 decision of the remanded (LUBA No. 2014-021) portions of CU-13-011 was submitted on behalf of Dion on June 19, 2015, with three broad arguments as the basis for the appeal. The Planning Commission's staff report and recommendation, prepared on July 1, 2015, to the Board of Commissioners, contains discussion of all points.

The Board discussed the issues associated with AP-15-001, with Kerns and Van Thiel, including some language in a 6-page document received from Dion

early Wednesday morning.

At about 9:50 a.m., Bennett moved for a recess until 10:30 a.m., so the Planning Department could have an opportunity to review the document from Dion. Kerns seconded the motion, and the motion carried.

After returning back to session at around 10:32 a.m., Kerns and Van Thiel again discussed the appeal with the Board.

Bennett highlighted several major points in the Planning Commission's report, and the document received from Dion Wednesday morning. Bennett said that criteria were met regarding sections 1104.01-1104.03 of the Baker County Zoning and Subdivision Ordinance

(BCZSO) #83-3, and that the Planning Commission's findings and decisions were proper.

Dion's document, with redactions noted from the Planning Department, was accepted as Exhibit G, with a motion from Bennett, and a second from Kerns.

With a motion from Bennett, and a second from Kerns, the Board upheld the decision of the Planning Commission of the remand (LUBA No. 2014-021) hearing of CU-011 regarding modifications to an existing conditional use permit allowing a 15-acre aggregate rock pit known as the Gulick Pit.

The next session, a regular, bi-monthly session, is scheduled for Wednesday, July 15, 2015, at 9 a.m.

Sumpter's 4th of July



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John Young manned the Hotdogs for History booth on Sunday. All profits will be donated to the Cracker Creek Museum of Mining. Young estimated that gross sales the previous day had been about \$800 and that total profits over the weekend would be about \$600.



Meghan Andersch / The Baker County Press

Vendor Mary Jane Mulrooney took time while in the area to peruse local real estate. She put her home in North Idaho up for sale the previous Monday and sold it that Wednesday. She was debating whether to invest in a business in Sumpter or spend time traveling around in an RV.

City seeks volunteer water curtailment

In a proactive measure to ensure availability of the City's drinking water for the upcoming summer months the Public Works Department is asking that citizens enact water conservation measures related to irrigation.

If the voluntary curtailment does not result in a reduced demand the City may begin enforcement of the Water Curtailment Ordinance (Ord. No. 3287, Municipal Code Chapter 53.25).

Irrigation restrictions have already been implemented at City parks, Mt. Hope Cemetery, Quail Ridge Golf Course, the Sports Complex and other ball fields.

Staff is now asking that residential, commercial and industrial users move

to an alternating (odd/even) irrigation schedule.

This means that if your address is an odd number (ends in 1, 3, 5, 7 or 9) you should irrigate on the odd days of the month (1st, 3rd, 5th etc.) and if your address ends in an even number (0,2,4,6,8) you should irrigate on even days of the month (2nd, 4th, 6th etc.). Addresses ending in ½ or Apartment # or letter should irrigate based on the primary address (ie: 123 ½ Main Street would be on an ODD day irrigation schedule and 124 Main Street, Apartment 1 would be on an EVEN day irrigation schedule).

The Baker City Watershed is currently providing approximately 4.5 million gallons of water each day to the water treatment

facility which is more typical of late August quantity rather than early July quantity.

In addition, the ASR well is being utilized to meet peak daily demands. In an effort to even out the water distribution with the availability of water from the Watershed it is in the best interest of the water system to reduce irrigation use. Typical winter daily usage is approximately 2 million gallons of water per day.

The daily usage increases to over seven million gallons per day in the summer months. The City believes that with minor changes to the irrigation of our green spaces it will see a significant impact to the water supply.

Durkee crash fatal

On July 4, 2015 at about 1:30 a.m., OSP Troopers and emergency crews responded to the report of a rollover crash on Interstate 84 near milepost 327 (Durkee).

According to Trooper Andrew McClay, a 2002 Hyundai Accent operated by Enrique Jimenez, age 64, of Boise, ID, was traveling westbound on I-84 when it began to pass a 2010 Ford Ranger pickup

operated by Taylor D. Grove, age 24, of Phoenix, AZ.

For unknown reasons, Jimenez's vehicle swerved into Grove's vehicle which caused both vehicles to lose control and exit the interstate. Jimenez was ejected from his vehicle as it rolled over several times. Emergency crews arrived on scene and declared Jimenez deceased. Grove was not injured. Preliminary

investigation indicates Jimenez was not wearing his safety belt. Alcohol consumption by Jimenez is suspected as the contributing factor of the crash. OSP was assisted by the Baker County Sheriff's Office and the Oregon Department of Transportation.

The investigation is ongoing and more information will be released when it is available.