

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION  
MONDAY, JANUARY 29, 1990  
IRRIGON, OREGON

Vice-Chairman Padberg called the meeting to order at 7:30 p.m.

MEMBERS PRESENT: Vice-Chairman Padberg, Mary Ellen Coleman, Dan Creamer, Don Russell, Mark Cutsforth, Jim Swanson, Joe Miller and John Grace

MEMBERS ABSENT: Kent Goodyear

OTHERS PRESENT: Deane Seeger, Sharon Timms, staff; Sandi Kellar, Artie M. Kellar, Jr., G. W. Peck, Gene Allen, Don Ball, Irv Rauch, Mark Kirsch, Ronald W. Leff, Robert A. Brown and John Newport

Introduction of new member of the Morrow County Planning Commission, John Grace, and the reappointment of Don Russell and Marv Padberg to another four year term.

MINUTES OF DECEMBER 12, 1989 MEETING - The minutes for the meeting of December 12, 1989, were approved as mailed.

ELECTION OF OFFICERS - Kent Goodyear was nominated for Chairman with no other nominations being made. The motion was made and seconded that Kent Goodyear remain as Chairman. Passed unanimously. Marv Padberg nominated for Vice-Chairman. Motion made and seconded that Marv Padberg remain as Vice-Chairman. Motion passed unanimously. The motion was made and seconded that Mary Ellen Coleman remain as Secretary. Motion passed unanimously. Officers for the 1990 year are:

Kent Goodyear, Chairman  
Marv Padberg, Vice-Chairman  
Mary Ellen Coleman, Secretary

PUBLIC HEARING - Morrow County Gravel Pit - The location of the site (ten acres) was pointed out on the map and then corrected by Don Ball as to the exact location of the gravel pit. The Staff Report was read. The reclamation plan and site plan has not been done yet. If approved, it will then be done. The Port of Morrow has also shown interest in purchasing fourteen acres of land in the same area so they can exchange the mineral rights on this land for mineral rights on land that the Port owns which will be used to build a new french fry plant.

Proponents: Don Ball on behalf of Morrow County stated that all precautions will be taken to operate the gravel pit in a manner which is safe and in the best interest of the people of the area. Reclamation plans will have to be submitted to the Department of Geology and Mineral Industries and will have to be approved by them and also will be under their restrictions.

Opponents: Mr. Ron Leff was upset that the gravel pit was going to be put in an area that was so close to so many homes. He wondered if there would not be a better area to locate it. Don Ball responded No, that there are very few sites available in the North end of the County. It is in an EFU Zone and is a Goal 5 resource. The County has looked for five years for a good site. The best site is next to the river, but within the Corps of Engineers land. There are no other areas in the North end that have this extensive source of material. Don also said that operations will be 7-4 with no night operation, water will be applied to keep the dust down and every attempt will be made to be compatible with the surrounding area. Mr. Leff wanted to know what the Port is going to do with their land. The Port will let the state use the mineral rights on the land. They most likely will apply for a conditional use permit for a gravel pit also. Don Ball stated that it is a noisy operation with a pit generally 35' deep, sides will be sloped. There were no other comments from the audience.

Planning Commission member Jim Swanson asked for an explanation of Page 3, A, regarding turn-around time. Don Ball explained that three months of crushing and then only on a need basis, probably once every two or three years. Jim Swanson felt that a compromise should be met to protect the citizens of the area. The area where this gravel pit is being located is a little more touchy than other areas of the county. Water will be supplied from Max Hellberg's well or from a water tank.

A motion was made by Jim Swanson to accept Morrow County's application for a Conditional Use Permit for a gravel pit with the County abiding by the conditions set forth in the Staff Report and that they abide by all the restrictions of the State Department of Geology and Mineral Industries regarding gravel pits. The motion was seconded by Mary Ellen Coleman and approved unanimously by all members of the Commission.

PUBLIC HEARING - CONDITIONAL USE PERMIT - Artie M. Kellar - Home Occupation -The notices were sent out to adjacent landowners and there was no response. Location of home occupation auto repair business was shown on the map. The Staff Report was read.

Proponents: Artie Kellar explained that the reason he wanted to work out of his home was to use his talent and to offer his services at better prices than the larger businesses. Artie explained how he intends to sound-proof his business. The number of cars waiting was discussed and Artie stated he would abide by the conditions in the Staff Report. The Planning Commission members explained that they did not want cars sitting around and they wanted to make sure it was strictly an engine repair shop and not a body and paint. Artie stated that it was strictly auto repair.

Opponents: No opponents to the Conditional Use Permit

Dan Creamer stated that Artie Kellar is a good neighbor and that the street is a deadend and that a business of this type would be suitable for this area.

Don Russell made a motion that the application for a Conditional Use Permit for a home occupation for Artie Kellar be approved. The motion was seconded by Joe Miller and unanimously approved.

REVIEW OF FREDERICKSON GRAVEL PIT CONDITIONAL USE PERMIT - Mr. Frederickson wants an extension of his Conditional Use Permit. Dan Creamer motioned that the Conditional Use Permit for the Frederickson Gravel Pit be renewed with all the conditions remaining the same as in the original issuance of the permit and with a yearly review. Don Russell seconded the motion, which was approved unanimously.

BOARDMAN URBAN GROWTH BOUNDARY JOINT AGREEMENT - It was explained that the UGB Agreement for Boardman which the Planning Commission had sent to the Morrow County Court was rewritten by the Court and resubmitted to the City of Boardman. They made some changes and this is the one brought to the Planning Commission tonight. Commissioner Jerry Peck recommended dropping the word "variance in III-B and adding it to III-C and omitting the word "and" in III-C and adding the word "or" in its place. Jim Swanson motioned that the Boardman Urban Growth Area Joint Management Agreement be approved with the changes noted and be submitted to the County Court and the City of Boardman for their approval. The motion was seconded by Joe Miller and approved unanimously.

HEPPNER FOREST SERVICE BUILDING - A discussion followed on where it might be sited. No decision has been made on the location yet. The land above the dam is not good. The area across from the Pettyjohn Building does not have enough room. At least seventy parking spots are needed. Deane will keep the Commission informed of the progress on the selection of a site.

WETLANDS - The wetlands issue started with the Federal Government and came into the County without our approval. State lands will be involved and then we will have to change our Comprehensive Plan, changing the wetlands section. Deane explained that it is mainly a taking issue. Any land with specific wildlife or vegetation on it can be declared a wetlands, if there is an accumulation of water. Oregonians in Action are getting involved in this debate of what constitutes wetlands. It must be handled through legislation. The Government does approve existing water areas.

GOAL 5 FOREST GOALS - Kent Goodyear asked that this topic be tabled until the next meeting. There are many proposed changes.

UMATILLA FISH HATCHERY - The new hatchery will be built in the area proposed by Dan Creamer. Bids will be let the first part of February. Discussion followed regarding which road will be used as their main entry into the hatchery. There are no impact funds for Eighth Street or any other road into the Fish Hatchery.

GENERAL - Jim Swanson suggested that it would be a good idea for the Commission to view several of the places in the County that have come before the Commission -- Fish Hatchery, Port of Morrow lands being rezoned, and Finley Buttes. Deane will try to arrange for a tour of the area sometime in the spring.

Letter from Brad Bales, Oregon Department of Fish and Wildlife, was read announcing his transfer from Heppner to Tillamook. Mark Kirsch will be his temporary replacement.

A letter from the Water Resources Department announcing meetings being held in the area regarding overpumping, using more irrigation water than allowed and the fines which will be imposed on violators. The watermaster is the judge and jury it appears. There will also be restrictive rules in constructing wells.

Gene Allen spoke for the City of Boardman on the fact that we are inviting people to settle outside the cities in the surrounding areas of the county instead of encouraging the growth within our cities. He stated that 50% of the people in the County live within the cities of the area. These people support those who live in the County.

An item from last month's minutes regarding the partitioning out of the Padberg farm a portion of land approximately 40 acres was discussed. Deane stated that this is now on hold. They are thinking about refurbishing the old farmhouse and renting it out.

There was some discussion on Smith's Bed and Breakfast. Someone thought they were operating. Deane stated that he did not believe that D.E.Q. had approved the operation. When the weather gets better, Deane will check it out.

A short discussion followed on changing the meeting day. It was decided to leave the Planning Commission meeting day the same -- the last Monday of each month. A schedule of meeting dates for the 1990 year was passed out to the Commissioners.

ADJOURNMENT - Vice-Chairman Padberg adjourned the meeting at 10 p.m. The next meeting of the Morrow County Planning Commission will be on Monday, February 26, 1990, at Lexington.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION  
MONDAY, FEBRUARY 26, 1990  
LEXINGTON, OREGON

Chairman Goodyear called the meeting to order at 7:30 p.m.

MEMBERS PRESENT: Kent Goodyear, Dan Creamer, Don Russell, Mark Cutsforth, Joe Miller, and John Grace

MEMBERS ABSENT: Marv Padberg, Mary Ellen Coleman and Jim Swanson

OTHERS PRESENT: Deane Seeger, Sharon Timms, staff; Mr. & Mrs. John Edwards

MINUTES OF JANUARY 29, 1990 MEETING - The minutes for the meeting of January 29, 1990, were approved as mailed on a motion by Don Russell and seconded by Mark Cutsforth. Unanimously approved.

LAND PARTITIONING - LOUIS J. KANYID - This is the first land partitioning to be done under the new laws regarding land partitioning. Deane explained that the preliminary plat plan is brought to the Planning Commission and if they want to add any conditions to the land partition, they so indicate at this time. The applicants will then be notified of the Planning Commission's decision and they will then have their surveyor prepare a final plat plan. This is then presented to the County Surveyor for his approval. It is expected that he will soon establish his fees, but at this time the County Court has not made any decision on fees. After the County Surveyor's approval, the plat will be returned to the County Planner for approval and submittal to the Clerk and Assessor's Office for recording. The cost to the applicant could run anywhere from \$500 to \$800 and the length of time for processing has increased also.

On the Kanyid land partitioning, Deane showed the location of the property on the vicinity map. He explained that access was a problem because the Hillings never deeded the right-of-way at the north end of the property to them. They will use the access on the east side of the property to gain entrance to the land. The plat map was submitted to the Boardman Planning Commission and the City of Boardman for their approval. They had no objection except to make sure the ingress/egress road easement is kept until the other easement into the area is opened. Don Russell made a motion to approve the Kanyid land partitioning as presented on the plat map. John Grace seconded the motion and the motion passed unanimously.

GOAL 4 FOREST LANDS - L.C.D.C.'s new administrative rules for Forest Lands was adopted on January 25, 1990. Deane explained that he had just attended a meeting in Pendleton on Goal 4, Forest Lands. Deane read a letter from Susan Brody, Director, D.L.C.D., on Forest Lands. The new rules must be applied by each county either at its next periodic review or within three years, whichever comes first.

A member of the audience inquired whether he could build a cabin on some land he owned up by Cutsforth, approximately 4 acres. It is surrounded by private land. He feels that if he cannot build on the land, then the value should be lowered by the County Tax Assessor's office. State law requires an 80 acre lot. Deane would like to use this piece of land as a sample to determine how the land is affected by the Forest lands rules. The landowner agreed to allow his land to be used as a sample for the county.

**WATER RESOURCES REGULATIONS REGARDING WATER AND WELLS** - Water Resources and D.E.Q. will monitor wells in the area and will also have trend wells to track the fluctuation of water in the area and also to determine which areas have pollution problems. The watermaster is judge, jury and executioner.

Deane will break all the information down and prepare an awareness memo on the water and well situation.

**FINLEY BUTTES** - A brief report on the progress was given. Work has started on the road into the site. Tidewater is also considering operating a transfer site outside of Heppner. The County will provide four acres and deed it to the operator with the provision that ownership reverts back to the County if it is ever closed.

**WETLANDS** - Wetlands are here to stay. Prior's land was discussed because the Comprehensive Plan does not indicate any wetlands there, but Fish and Wildlife and the Corps of Engineers have another idea about it. Oregonians in Action is taking on the issue of wetlands.

It was suggested that the Planning Commission should comment on some of these upcoming issues. They could write a monthly column and put it in the Gazette-Times and the Columbia Valley Chronicle.

**CORRESPONDENCE** - Letter from L.C.D.C. discussed regarding industrial expansion outside U.G.B. L.C.D.C. is restricting industrial growth and industrial growth will not be allowed outside U.G.B.'s. It was suggested that the cities be invited to be next Planning Commission meeting held in their area to discuss this industrial expansion problem with the towns and their planning commissions.

**ADJOURNMENT** - Chairman Goodyear adjourned the meeting at 9:15 p.m. The next meeting of the Morrow County Planning Commission will be on Monday, March 26, 1990, at Irrigon.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION  
MONDAY, MARCH 26, 1990  
IRRIGON, OREGON

Vice-Chairman Padberg called the meeting to order at 7:30 p.m.

MEMBERS PRESENT: Marv Padberg, Mary Ellen Coleman, Don Russell, Mark Cutsforth, and Joe Miller

MEMBERS ABSENT: Kent Goodyear, Dan Creamer, Jim Swanson and John Grace

OTHERS PRESENT: Deane Seeger, Sharon Timms, staff; Irv Rauch, Ex-Officio Member

MINUTES OF FEBRUARY 26, 1990 MEETING - The minutes for the meeting of February 26, 1990, were approved as mailed on a motion by Don Russell and seconded by Mark Cutsforth. Motion unanimously approved.

LAND PARTITIONING - GABBERT RANCH, PATRICIA CHILDERS - Deane showed the location of the land partitioning. He stated that the land was being divided so the caretaker could purchase a portion of the ranch. A double fee was paid by the applicants because of the land being in two tax lots. It does not disrupt the surrounding farm practices. Mary Ellen Coleman made a motion to approve the land partitioning and the motion was seconded by Joe Miller. The motion passed unanimously.

COMMISSIONERS TRAINING SEMINAR - SUNRIVER - Don Russell gave a brief summary of the training seminar at Sunriver on March 17, 1990. He said there was a lot of discussion of the problems occurring in the different counties. He stated that they did not have much time left to discuss the new laws affecting Planning Commissions. He was disappointed in this as he felt it would have helped him understand some of the new legislation.

A.O.C. MEETING - Deane discussed what went on at this meeting. The Eastern Oregon Counties were not in attendance except for Umatilla, Deschutes and Morrow; thus, domination by the Metro-counties. When it was brought up by L.C.D.C. that counties were going to have to restudy, remap and revise all their Forest Zoned land and amend our Zoning Ordinance and Comprehensive Plan, Deane spoke up and asked who was going to pay for this and why all the power was being taken from our Planning Commissions and counties. No answer was given by L.C.D.C. Deane felt that the Planning Commission should develop some guidelines and regulations on the issues. Forest Practices issue is still in limbo. L.C.D.C. is taking two or three counties and using them as sample counties.

WETLANDS - The Federal Government will come in and tell us soon what Wetlands are and will tell us which ones are for real. Bob Krein, Department of Fish and Wildlife is trying to get agricultural lands exempt from the Wetlands inclusion. Planning Commission will be involved if they are going to enforce the regulations connected with the Wetlands.

**NEW HEARING PROCEDURES** - An applicant is required to submit all evidence in support of an application at least twenty days before the evidentiary hearing, but LUBA also ruled that an applicant may submit additional evidence in support of the application after the twenty day deadline to respond to relevant issues raised at the hearing. It was also ruled that any party shall be entitled to a continuance of the hearing if additional documents or evidence is provided in support of the application.

**ZONING VIOLATIONS** - The zoning violations continue to plague us. It was recommended that the Planning Commission make an official recommendation in relation to zoning violations. The suggested procedure:

1. Pinpoint areas where violations exist.
2. Write an informative letter to everyone in the area, not just the violator.
3. Include a map and a copy of that portion of the Zoning Ordinance affecting the area and the section that lists the enforcement procedure.

Deane explained the ticketing procedure. Irv was concerned whether the penalties or fines were stated anywhere. Deane said they were in our zoning ordinance. Don Russell made a motion to send a follow-up letter to the County Court and the District Attorney's office stating the Planning Commission's desire to start enforcing the zoning violations. Joe Miller seconded the motion and it passed unanimously.

**WATER LEGISLATION** - Both Deane and Irv attended a Water Resources Department meeting. Deane talked extensively with Bill Young, Water Resources, regarding all the problems connected with water regulation and restriction. It is an economic impact on an area when the wells are shut down or when water use is restricted. Deane will be working, on a time available basis, with Bill Young.

**GENERAL** - Deane was asked about the progress on the storage shed at the Ione School. He said that they were told to get in touch with the architect and then Mr. Kennedy at L.C.D.C. since the location will be in a floodway.

The road work at Finley Buttes Landfill will be out for bid. Two local contractors have been questioning the office about the opening of a rock quarry in the area. A Conditional Use Permit will have to be obtained and the State says that it takes them approximately three to five weeks before they can grant permits for a quarry.

**ADJOURNMENT** - Vice-Chairman Padberg adjourned the meeting at 9:30 p.m. The next meeting of the Morrow County Planning Commission will be on Monday, April 30, 1990, at Lexington.



MINUTES OF THE MORROW COUNTY PLANNING COMMISSION  
MONDAY, APRIL 30, 1990  
LEXINGTON, OREGON

Chairman Goodyear called the meeting to order at 7:35 p.m.

MEMBERS PRESENT: Kent Goodyear, Mary Ellen Coleman, Dan Creamer, Don Russell, Mark Cutsforth, Jim Swanson, Joe Miller and John Grace

MEMBERS ABSENT: Marv Padberg

OTHERS PRESENT: Deane Seeger, Sharon Timms, staff; Rob Brown, Ed Glenn, Glenn McQuilken, Steve Short, George Horracc, Olive Horracc, Bob Krein, Irv Rauch, Cyde Estes, Don Ball, Gary Neal, Jeff Wallace and Sam Bloom

MINUTES OF MARCH 26, 1990 MEETING - The minutes for the meeting of March 26, 1990, were approved as mailed.

CERTIFICATE PRESENTATION - Certificates of completion to a Planning Commissioner Seminar held at Sunriver in March were presented to Don Russell, Joe Miller, John Grace and Irv Rauch.

PUBLIC HEARING - CONDITIONAL USE PERMIT - FINLEY BUTTES LANDFILL COMPANY GRAVEL PIT - The location of the site was pointed out on the map. The Staff Report was then read. It was explained that Finley Buttes Landfill had purchased some additional land to obtain more water rights for the water they will need on site. The gravel obtained from the pit would be for the exclusive use of the landfill.

Proponents: Don Ball could not see any problems since trucks would not be using County roads and the gravel would be used for the construction of the landfill roads.

Opponents: No one appeared opposing the gravel pit.

A motion was made by John Grace to approve the Conditional Use Permit, N-33, with the reminder that the gravel pit is for the private use of Finley Buttes Landfill Company and not be used as a commercial pit. The motion was seconded by Don Russell and passed unanimously by the Commission.

PUBLIC HEARING - CONDITIONAL USE PERMIT - RIVERCREST FARMS GRAVEL PIT - The location of the site was pointed out on the map. The Staff Report was read. The question of whether this site is going to be used for a special purpose or if it is going to be a Commercial pit was brought up. Deane stated that he thought it was going to be used by Guy Patterson for the road work for the landfill. Of course, the application was for a gravel pit and since the applicant was not present to answer questions, we can only believe it to be a commercial use pit.

Proponents: The applicant did not appear and no one else spoke in favor.

Opponents: Don Ball was concerned with the ingress and egress onto Bombing Range Road. He felt that if the permit was granted that conditions concerning the use of Bombing Range Road should be imposed.

The Planning Commission on a motion by Mary Ellen Coleman and seconded by Don Russell unanimously approved the application for a gravel pit with the following conditions:

1. Egress and Ingress onto Bombing Range Road shall be coordinated with the Public Works Department.
2. All traffic controls be decided upon by the Public Works Department.

PUBLIC HEARING - CONDITIONAL USE PERMIT - PACIFIC WESTERN TRANSPORT - TRUCKING OPERATION - The staff report was read and the location shown on a map. The Commission asked the applicant if he felt he could abide by the conditions of the permit. The applicant stated that he probably could not follow the hours of operation conditions since a trucking operation is a twenty-four (24) hour a day operation. The other conditions he felt he could meet.

Proponents: Sam Bloom appeared as the company agent. He stated that there will not be any dangerous chemicals sitting in trucks on the site. There will be no switching of rigs, drivers will change. They will hire eight to fourteen local drivers. It is an around-the-clock operation.

Opponents: Letters from the City of Irrigon and several neighbors were read. The neighbors letters were opposing the trucking operation in the present location. The City of Irrigon stated that if conditions were included in the Conditional Use Permit, it would be all right with the City. Mr. Horrace, a neighbor, stated that they were not against a new business, but would like hours of operation enforced and the other conditions complied with. In the past, the other conditions were never enforced. He felt the Planning Commission needed to consider the people living in the area.

John Grace made a motion that the Planning Commission reject the Conditional Use Permit application by Pacific Western Transport since the applicant stated that he could not abide by the hours of operation condition. Mary Ellen Coleman seconded the motion and it passed unanimously.

REVIEW OF SIMPLOT CONDITIONAL USE PERMIT FOR CONFINED FEEDLOT - The reason for the review was due to the fact that there have been several complaints regarding the odor from the feedlot. Mr. Glen McQuilken from Simplot explained that they are trying many new methods to reduce the odor. They tried using chemicals, but this did not work. They are currently working on an agreement with Taggares and area farms to haul the waste materials out to the farms. They hope that this will eliminate the lagoons. It will be a lengthy process, but one they hope will help with the odor and fly problems. As the lagoons dry up, Simplot

will clean them up. They have one tanker and are getting another one. The feedlot in Cauldwell has closed down because it was not working properly. Presently, Simplot is looking into building a methane generating plant. D.E.Q. closely monitors the feedlot operation at three mile. Water samples are taken every three months. Currently, Simplot has 42 employees working there with one-quarter of them living there. There are 30,000 head of cattle. The Planning Commission thanked the Simplot representatives and asked them to keep the Commission informed of the efforts being undertaken at the feedlot.

ZONING VIOLATIONS - ENFORCEMENT - Judge Carlson, Jeff Wallace and Deane discussed how to handle the zoning violations. They decided to handle a couple trial cases, letting someone from the Planning Department and the District Attorney's office work on these cases. Jeff Wallace explained that if someone other than himself were to do the leg work and get everything lined up, he could then prosecute the cases. We should start on a small basis first and then work our way up to the more difficult cases. The Planning Commission acts as a policy board. Publicity must be used as the cases are prosecuted so that the public is informed of the action of the County on Zoning violations.

REVIEW OF FREDRICKSON CONDITIONAL USE PERMIT - GRAVEL PIT - This Conditional Use Permit is up for review again because the land has been sold and the application is no longer valid. Don Russell moved and John Grace seconded that the permit is invalid and the file closed. The motion passed unanimously.

OREGON LAND USE PROGRAM AND MORROW COUNTY - Association of Oregon Counties has been reviewing the role they should play in land use. Deane feels that it is needed to return some home rule for the counties. Deane will start to prepare a position paper on this issue.

GENERAL - A new organization called the Eastern Oregon Alliance has been formed of all Eastern Oregon counties, except Deschutes. By all the counties binding together we might have more of an influence on some of the major issues. The group will be working with cities as well as the county planners.

Commissioner Rauch reported on a meeting he attended held by Water Resources Department regarding Water Conservation and Watershed and Riparian Management. Water Resources Department stated they have not had many comments regarding water policies. Basin by basin is how the water should be decided; every basin is different. The Planning Commission should develop a statement regarding the water problems in our area.

ADJOURNMENT - Chairman Goodyear adjourned the meeting at 10:30 p.m. The next meeting of the Morrow County Planning Commission will be on Monday, May 21, 1990, at the North Morrow Annex Building in Irrigon.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION  
MONDAY, MAY 21, 1990  
IRRIGON, OREGON

Chairman Goodyear called the meeting to order at 7:30 p.m.

MEMBERS PRESENT: Kent Goodyear, Mary Ellen Coleman, Dan Creamer, Don Russell, Joe Miller and John Grace

MEMBERS ABSENT: Marv Padberg, Mark Cutsforth and Jim Swanson

OTHERS PRESENT: Deane Seeger, Sharon Timms, staff; Dr. and Mrs. Huber, Judge and Mrs. Carlson, Morris LeFever and Irv Rauch

MINUTES OF APRIL 30, 1990 MEETING - The minutes for the meeting of April 30, 1990, were approved as mailed.

UMATILLA NATIONAL REFUGE COMPREHENSIVE PUBLIC USE PLAN - Morris LeFever, Umatilla Refuge Manager gave a presentation on the public use plan. LeFever reported that goose production in the Lake Umatilla area is going up on the islands, water sports activities has increased and the use of the area has greatly increased. The survey taken by the Wildlife Refuge had 200 responses. Many felt that the Refuge has high values, but were concerned with trends they were seeing. They have had an increase in applications for fishing tournaments, tour boats are another problem. A newsletter to interested parties is being planned by the Refuge as well as hosting workshops. They feel workshops are more productive than hearings as people have a tendency to get things off their chests at a hearing and nothing is accomplished. The Refuge hopes to have a Public Use Plan developed by next spring.

PUBLIC HEARING - CONDITIONAL USE PERMIT - FINLEY BUTTES LANDFILL COMPANY WASTE TRANSFER AND RECYCLING SITE - The location of the site was pointed out on the map. The conditions are all part of the rules set by the State of Oregon and the County requirements. This is one of two possible sites. The other site being up at the north end of the County. It was explained that Tidewater did not particularly want to undertake this project, but Cliff Green could not get liability insurance so Tidewater decided to help. The site will have an attendant, recycling bins and will be padlocked. The wind blowing debris was discussed. A motion was made by Mary Ellen Coleman to accept the Conditional Use Permit with the following conditions added: #9 - A windscreen will be built to stop blowing debris; and #10 - A review of the Conditional Use Permit every six months for the first two years. The motion was seconded by Joe Miller and passed unanimously by the Commission.

VARIANCE REVIEW - MURRAY FINDLEY - Mr. Findley has moved and he had 30 days in which to remove the mobile home from the area. They have requested an extension of time in which to remove the mobile home. Joe Miller made a motion to grant an extension of 90 days in which to remove the mobile home. The motion was seconded by Don Russell and was passed unanimously by the Commission.

VARIANCE REVIEW - PAT CUTSFORTH - GRAVEL PIT - This was a five year review of the variance. It was suggested that with each periodic review, the applicant should be notified of the review. Dan Creamer made a motion and Mary Ellen Coleman seconded the motion to keep the variance open. Motion passed unanimously.

LAND USE VIOLATIONS - A member of the Commission stressed the need to clean up the zoning violations in West Glenn. He felt the Planning Commission must react to the misuses -- it is the law. A general information letter will be prepared, in English and Spanish, stating the zoning ordinance and also enclosing a map. Once action is taken, the County must be willing to proceed with the enforcement.

EASTERN OREGON ALLIANCE - This organization will be meeting next in Ontario. The key issues of interest to Eastern Oregon will be discussed and the Alliance will build a legitimate case around these issues to present to the Legislature. Water will be one of the key legislative issues.

WATER RESOURCES REPORT - When Deane attended the Water Resources Meetings, he felt he could not comment on the importance of issues without first going back to the county to find out their main concerns. He stated that he would like a delay before any rules were adopted. Don Russell moved and John Grace seconded that a letter be written from the Planning Commission to Water Resources Department asking for a delay in their decision making process and for additional funds for Counties to help with all the new regulations. Motion approved.

GENERAL - The Port of Morrow is partitioning a portion of land to be used as a substation by Umatilla Electric Cooperative Association. An application will be filed soon.

JOURNMENT - Chairman Goodyear adjourned the meeting at 10:00 p.m. The next meeting of the Morrow County Planning Commission will be on Monday, June 25, 1990, at the Public Works Building in Lexington.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION  
MONDAY, JUNE 25, 1990 - 7:30 P.M.  
LEXINGTON, OREGON

Chairman Goodyear called the meeting to order at 7:45 p.m.

MEMBERS PRESENT: Kent Goodyear, Marv Padberg, Mary Ellen Coleman and Joe Miller

MEMBERS ABSENT: Dan Creamer, Don Russell, Mark Cutsforth, Jim Swanson and John Grace

OTHERS PRESENT: Deane Seeger, Sharon Timms, staff; John Preston, State Highway Department and Don Ball, Morrow County Public Works Department

MINUTES OF MAY 21, 1990 MEETING - The minutes for the meeting of May 21, 1990, were approved as mailed.

PUBLIC HEARING - CONDITIONAL USE PERMIT - STATE OF OREGON, TRANSPORTATION DEPARTMENT GRAVEL PIT - Mr. John Preston attended the hearing representing the State of Oregon, Transportation Department. The Staff Report was read and the location indicated on a map. Mr. Preston indicated that he did not have any problems with the Conditions of the Staff Report. It was stated that prior to opening the gravel pit that the State would have to submit an operational plan and the cost of building the road would be negotiated between the County and the State. No other comments were presented. A motion was made by Marv Padberg to grant the Conditional Use Permit to the State of Oregon for a gravel pit on the conditions that the State will submit an operational plan prior to opening and that the cost of building the road would be negotiated between the County and the State. The motion was seconded by Joe Miller and passed unanimously by the Commission.

LAND PARTITIONING - PORT OF MORROW (UMATILLA ELECTRIC COOPERATIVE ASSOCIATION) This land partitioning application is for a substation for Umatilla Electric Cooperative Association. The only problem seemed to be regarding the traffic pattern around Columbia Avenue for ingress/egress. Substations are an outright use in a Port Industrial Zone. There were no further discussions. Joe Miller made a motion to accept the Land Partitioning as submitted. The motion was seconded by Marv Padberg and passed unanimously by the Commission.

WATER RESOURCES MEETING - The upcoming Water Meeting was discussed. The panel includes Bill Young from Water Resources Department, Chuck Norris, State Representative, Cliff Reeder, State Water Quality Committee, Scott Duff, Oregon Wheat League and Judge Carlson as moderator. It should really give some insight into some of the water problems. It will be June 28, 1990 at 7 p.m. at the Lexington Grange.

LAND USE IN FISH HATCHERY AREA - The contractor has equipment on Tidewater land and they have stated they would remove it. There is a possibility that the wells might also be on County right-of-way. This will be checked and activities watched at the Hatchery.

L.C.D.C. MEMO ON TRANSPORTATION RULING & MINERAL & AGGREGATE RESOURCES - It was unclear in the memo whether they were referring to our Comp Plan or the State's. It was decided to discuss these issues at a later meeting.

GENERAL - The Wetlands maps have arrived for the South part of the County. For some reason the Planning Department did not receive any maps for the North part of the County. The maps for the north were to be ordered.

ADJOURNMENT - Chairman Goodyear adjourned the meeting at 9:45 p.m. It was decided not to hold a meeting in July because of busy schedules. The next meeting of the Morrow County Planning Commission will be on Monday, August 27, 1990, at the North Morrow Annex Building in Irrigon at 7:30 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION  
MONDAY, AUGUST 27, 1990 - 7:30 P.M.  
IRRIGON, OREGON

Chairman Goodyear called the meeting to order at 7:40 p.m.

MEMBERS PRESENT: Kent Goodyear, Marv Padberg, Mary Ellen Coleman, Dan Creamer and Joe Miller

MEMBERS ABSENT: Don Russell, Mark Cutsforth, Jim Swanson and John Grace

OTHERS PRESENT: Deane Seeger, Sharon Timms, staff; Jeff Wallace, District Attorney and Commission Irv Rauch

MINUTES OF JUNE 25, 1990 MEETING - The minutes for the meeting of June 26, 1990, were approved as mailed.

BRAAT SUBDIVISION - The problems with this subdivision started sixteen (16) years ago. The Staff Report was read. There was no request for a land partitioning. The subdivision was started as three fifteen acre lots then divided further by the new owners. The Commission recommended trying to figure out a way to handle this problem without a public hearing. If the agreement with Union Pacific Railroad is signed and there is ingress and egress, then everything will be fulfilled. The lots, as shown on the tax maps, can then be recognized as being grandfathered in as the old five (5) acre Farm Zone. Since we no longer have the five acre Farm Zone, the Commission will have to establish by motion that the criteria will be the same as that found in our Farm Residential Zone, FR-2, with the exception that no duplexes can be sited as a condition. The final item that needs to be done is to discuss with the attorney's involved (Jeff and Ann) the legal procedures we need to do and with whom to remove the Court Order barring the issuance of building and siting permits. The Commission asked that a report be given at next month's Planning Commission Meeting on the progress of this subdivision.

PROGRESS REPORT ON FINLEY BUTTES LANDFILL AND FINLEY BUTTES WASTE TRANSFER STATION - The liners are down and the buildings are in the construction stage. They say garbage will be coming in next month. Dust control as required in the Conditional Use Permit will be followed. The Transfer Station is in a holding pattern. The Conditional Use Permit granted to Finley Buttes; but progress has stopped on the Transfer Station. Tidewater is willing to contribute \$25,000 towards the construction of the Transfer Station and they will be making arrangements with someone else to operate it. The C.U.P. runs with the property. Insurance seems to be the main problem. Tidewater can transport the solid waste or they can subcontract out. The Planning Department would like to amend the Solid Waste Ordinance. The Commission requested that the Transfer Site be put on next month's agenda. Deane then read a letter from D.E.Q. regarding their intent to impose a surcharge on solid waste brought into Oregon from out-of-state. On a motion by Marv Padberg and seconded by Joe Miller the Morrow County Planning Commission unanimously approved a motion to go on record stating their opposition to the imposition by the Department of Environmental Quality of the proposed new surcharge on solid waste generated out-of-state and disposed in Oregon. Someone from the Planning Department will attend the hearing in Arlington on this matter on September 25, 1990, to state the Planning Commission's position.



MORROW COUNTY POLICY STATEMENT ON WATER - The Water Resources Committee formed this water statement and it was presented by the Judge to the Eastern Oregon Alliance and also at the Columbia River System Meeting in Pendleton. Land use and land use design will be one of the bottom lines for measuring the use and need for water. It may be that we zoned too much land one acre. It was suggested that the Planning Commission see what they can do as a group to aid in the water problem. The Planning Commission must amend the Comprehensive Plan because it says we do not have a water problem. A motion was made by Mary Ellen Coleman and seconded by Dan Creamer that the Planning Commission begin by first having an informational session on the Water Resources segment of the Comprehensive Plan. The motion was passed unanimously with a notation to cc the letter to Senator Timms and Representative Nelson regarding the informational session on the Water Resources revision of the Comp Plan.

REVISED OREGON STATEWIDE PLANNING GOALS - 1990 - L.C.D.C.'s new statewide planning goals pamphlet was received and the Planning Department has requested additional copies for the Commission members and as handouts to the public. These should be reviewed for the new changes made by L.C.D.C.

CROP DUSTING COMPLAINTS - It was reported that there have been several complaints of the crop dusters too close to populated areas. The State Aeronautical Department says that crop dusting is controlled by the Federal Aviation Agency. They suggested that the people try to talk to the farmers who are doing the spraying and see what can be done. Most of the chemicals used do not harm people. If some communication can be developed between the farmer and the people in the area, a solution should be able to be worked out.

LAND USE VIOLATIONS REVIEW (ZONING VIOLATIONS) - The draft letter was read and the Commission liked it. The Planning Department will work with the new Code Enforcement Officer (after the individual is hired) to handle the more severe violations.

CORRESPONDENCE - The letter from Conrad Tworek regarding his resignation from the Ione Planning Commission was read. Mark Tullis will replace him as Chairman. A letter from the State Highway Division about new signs along the Interstate was read. It was recommended by the Planning Commission to write a letter stating that the signs should be larger and more precise and that the Blue Mountain Scenic Byway should be substituted for Tour Route - Lexington.

GENERAL - A motion was made by Mary Ellen Coleman and seconded by Joe Miller that a letter be written to County Court endorsing the upgrading of Sharon Timms' position. The motion passed unanimously by the Commission.

ADJOURNMENT - Chairman Goodyear adjourned the meeting at 9:30 p.m. The next meeting of the Morrow County Planning Commission will be on Monday, September 24, 1990, at the Public Works Building in Lexington at 7:30 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION  
MONDAY, SEPTEMBER 24, 1990 - 7:30 P.M.  
LEXINGTON, OREGON

Vice-Chairman Padberg called the meeting to order at 7:35 p.m.

MEMBERS PRESENT: Marv Padberg, Don Russell, Mark Cutsforth, Jim Swanson and Joe Miller

MEMBERS ABSENT: Kent Goodyear, Mary Ellen Coleman, Dan Creamer and John Grace

OTHERS PRESENT: Deane Seeger, Sharon Timms, staff; Commissioner Irv Rauch, Jan Shoemake, Arthur Doubledee, Rob Brown, and Cara Costa

MINUTES OF AUGUST 27, 1990 MEETING - The minutes for the meeting of August 27, 1990, were approved as mailed.

PUBLIC HEARING - SHOEMAKE VARIANCE REQUEST - This variance is to allow a second dwelling (a manufactured home) to be placed on this three (3) acre lot. The staff report was read and the location of the lot shown on the map. The variance request was submitted to the Boardman Planning Commission and they had no objection to the additional manufactured home being placed on the lot. The city did not feel they could extend the sewer at this time. It was pointed out that at such time that the variance no longer is in effect that the second dwelling unit be removed within a thirty (30) day period or that the applicant will submit a development plan to the Commission and City and partition the lot for compliance to the Zoning and Subdivision Ordinance. Jan Shoemake and Arthur Doubledee, the applicants, were present and stated that health reasons were the reason for the additional dwelling. There was no opposition. Don Russell made the motion to grant the variance according to the staff report and the conditions within it. Joe Miller seconded the motion and it was approved unanimously.

PROGRESS REPORT ON BRAAT SUBDIVISION - This is a continuation from last month's meeting. The District Attorney could not be present tonight to explain the legal aspects of the case. The letter to Clarence Gandy read and it was explained that we no longer have a Small Farm - Five Acres Zone and the area will have to be treated like a Farm Residential - Two Acre Zone. This matter is tabled until next month's Planning Commission Meeting.

UPDATE ON FINLEY BUTTES WASTE TRANSFER STATION AND D.E.Q.'s Fee Imposition - The Transfer Station plans were shown. The only delay is the agreement between Finley Buttes Landfill Co. and the County. Finley Buttes has not signed the land transfer agreement yet. D.E.Q. requires this agreement. The letter from the Planning Commission to D.E.Q. regarding the surcharge was read. The meeting on the surcharge will be held September 25, 1990, 7 p.m. at Arlington High School. The Port of Morrow is presenting a document to be presented at the meeting. Irv Rauch presented a position paper that he prepared on behalf of the County Court to be presented at the hearing. All the support we can gather will be more effective at the hearing.

WATER RESOURCES DEPARTMENT NEW RULES AND AMENDMENTS ON GRANTING WATER USE PERMIT APPLICATIONS - A letter from Water Resources Department regarding the new rules required by this Department when applying for Water Use Permit Applications was read. Under these regulations, an applicant must get land use approval from the County Planning Department before being granted any permits, water right transfers and other water use approvals. If the Planning Department wanted to they could delay approval up to sixty days. It definitely means more delays for the public.

INFORMATIONAL SESSION ON AMENDING THE WATER SECTION OF COMPREHENSIVE PLAN - Sections of the Comprehensive Plan on Water Resources were given out. A general discussion followed on how to handle the review of the water section. If we do a good job on our Wetlands part of the Comp Plan, then no one will be able to decide for us where our wetlands are or are not. The Corps of Engineers determines the wetlands for the Federal Government and in the State it is the Division of State Lands. The County would like to manage their own resources and we make the determination if it is a man-made wetland or not. A field inspection of every gravel pit in the area to determine if it can become a wetland will have to be done. It was suggested that SCS be contacted to see if they can offer any help in determining the wetlands in the County. L.C.D.C. may be giving up some of its control with the next Legislative session. On each section of the Comp Plan two hearings will be required and then a third is held by the County Court. Deane will draw up guidelines and this will give us a starting point.

GENERAL - The letter to County Court as directed by the Planning Commission at last month's meeting regarding the salary increase for Sharon Timms was read.

ADJOURNMENT - Vice-Chairman Padberg adjourned the meeting at 9:10 p.m. The next meeting of the Morrow County Planning Commission will be on Monday, October 29, 1990, at the North Morrow Annex Building in Irrigon at 7:30 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION  
MONDAY, OCTOBER 29, 1990 - 7:30 P.M.  
IRRIGON, OREGON

Secretary Coleman called the meeting to order at 7:30 p.m.

MEMBERS PRESENT: Mary Ellen Coleman, Mark Cutsforth, Jim Swanson, Joe Miller and John Grace

MEMBERS ABSENT: Kent Goodyear, Marv Padberg, Dan Creamer and Don Russell

OTHERS PRESENT: Deane Seeger, Sharon Timms, staff; Jeff Wallace, Ed Glenn and Mr. & Mrs. John Edwards

MINUTES OF SEPTEMBER 24, 1990 MEETING - The minutes for the meeting of September 24, 1990, were approved as mailed.

PUBLIC HEARING - CONDITIONAL USE PERMIT - WEST COAST GEMSTONES, INC. - AGGREGATE MINING OPERATION - The Staff Report and the Department of Geology and Mineral Industries report were read as to the inspection, restrictions and conditions that were established. The Planning Department felt this was a good application and the only reason they now needed to apply for a Conditional Use Permit was because they had increased the acreage being mined. Joe Miller motioned to accept the application. It was seconded by John Grace and approved unanimously by the Commission.

DRAAT SUBDIVISION PROGRESS REPORT - Morrow County District Attorney Jeff Wallace presented a letter to the Planning Commission with proposals on what should be done with this subdivision now that ingress/egress has been obtained. Deane explained that the zoning requirement is that one dwelling will be allowed on each tax lot. If there are more than one dwelling on a tax lot, they will be asked to remove the other. The land will not be allowed to be divided smaller than the five (5) acre lot. Jeff felt that there was no need to give notice to any adjacent property owners. The subdivision will be placed under the Farm Residential Two Acre Zoning designation since the County no longer has a Five Acre Farm Zone. The condition that no duplexes can be sited will also be enforced. John Grace motioned that we adopt the recommendations of the District Attorney along with the conditions of the Planning Director regarding one dwelling per tax lot, no division of the land smaller than five acres, and the restrictions of a Farm Residential Two Acre Zone apply with the exception that no duplexes be sited. The motion was seconded by Joe Miller and unanimously approved.

BRIEF ON LOCUST MOBILE HOME PARK - This issue was tabled until the next meeting when the Commissioner concerned with the problem could be in attendance.

CORRESPONDENCE - A letter from D.E.Q. was read regarding a violation on the Gunderson property. Deane explained all the problems relating to this property and will ask the Commission to include a statement in the Ordinance regarding allowing for a definite road when land is partitioned so we do not have the problems of right-of-way easements which has popped up throughout the County.

AUDIENCE PARTICIPATION - Mr. & Mrs. John Edwards wanted to know about the process to build in a Forest Use Zone. Deane said he has done some checking and read the letter we received from the Forest Service regarding what restrictions they have regarding building. A copy of the Forest Practice Rules will be sent to the Edwards and the Planning Department will continue to research the situation.

ADJOURNMENT - Secretary Mary Ellen Coleman adjourned the meeting at 8:50 p.m. The next meeting of the Morrow County Planning Commission will be Monday, November 26, 1990, at the Public Works Building in Lexington at 7:30 p.m.

MINUTES OF THE MORROW COUNTY PLANNING COMMISSION  
MONDAY, NOVEMBER 26, 1990 - 7:30 P.M.  
LEXINGTON, OREGON

Chairman Goodyear called the meeting to order at 7:30 p.m.

MEMBERS PRESENT: Kent Goodyear, Marv Padberg, Don Russell, Mark Cutsforth, Joe Miller and John Grace

MEMBERS ABSENT: Mary Ellen Coleman, Dan Creamer and Jim Swanson

OTHERS PRESENT: Bob Krein, Russ Morgan and Commissioner Irv Rauch

MINUTES OF OCTOBER 29, 1990 MEETING - The minutes for the meeting of October 29, 1990, were approved as mailed.

PUBLIC HEARING - AMENDMENT OF ZONING ORDINANCE TO INCLUDE LANGUAGE MANDATED BY OREGON LEGISLATURE REGARDING ALTERNATE USES IN E.F.U. ZONES - It was explained that even though the changes were mandated by the Oregon Legislature, it was required to have a public hearing. We were proceeding with amending the zoning ordinance now instead of waiting for the time of periodic review because of the progress of the Paterson Ferry Interchange. The new changes were read and there was no other discussion. Don Russell moved that we make the mandated changes as read by the Planning Director. John Grace seconded the motion and it was unanimously approved by the members of the Planning Commission.

UPDATE ON FINLEY BUTTES LANDFILL AND TRANSFER RECYCLING STATION - There was no current update on this as the County was still working on an operational plan for the Transfer Station.

BRIEF ON LOCUST MOBILE HOME PARK - Commissioner Creamer had asked that this subject be brought up; but since Commissioner Creamer was not in attendance, the matter was tabled until the next meeting.

AUDIENCE PARTICIPATION - Bob Krein, Department of Fish and Wildlife introduced Russ Morgan. They wanted to discuss the Wetlands issue with the Planning Commission. It was stated that they would like to work with the County on this. He felt that we should designate our own Wetlands class and do it before the Federal and State Offices do it for us. Fish and Wildlife Department is willing to get involved with this and hope to develop something that everyone can live with. All interested parties should get together and assess locally what wetlands we have. It was suggested that the wetlands maps should be reviewed and then bring in the Planning Commission to look over some of the questionable wetlands. More on the wetlands issue will be upcoming.

ADJOURNMENT - Chairman Kent Goodyear adjourned the meeting at 8:40 p.m. Because of the Christmas holidays, the December meeting will be cancelled.