

## **MALHEUR COUNTY COURT MINUTES**

**January 22, 2020**

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:05 a.m. in the County Court Office of the Malheur County Courthouse with Commissioner Larry Wilson present. Commissioner Don Hodge was absent. Staff present was Administrative Officer Lorinda DuBois. Notice of the meeting was posted on the County website, and Courthouse public bulletin board; and emailed to the Argus Observer, Malheur Enterprise, and those persons who have requested notice. The meeting was audio recorded. The agenda is recorded as instrument #2020-0323

Public present were members of the Ontario Area Chamber Networking & Leadership Program: Claudia Weathermon, Tabitha Kennington, Jennifer White, Taryn Smith, Ben Murray, Monica Landaverde, Opey Penaloga, Ashley Hook, William King, Peter Hall, Roberto Trinidad, Melissa Gonzalez, Jesse Sandoval, Renee Copple, Veronica Pantaleon, Sabra Wright, Trina Goade, and Executive Director John Breidenbach.

### **MALHEUR WATERSHED COUNCIL**

Meeting with the Court from Malheur Watershed Council were Office Manager/Assistant Kelly Weideman, Executive Director Ken Diebel, and Chairman Andy Bentz. An annual written report was provided to the Court members. Mr. Diebel explained that the Watershed Council's purpose is to protect and improve the natural resources of the Malheur Basin and to help improve the economic situation in our rural county. Malheur Watershed Council activities are responsible for approximately \$5 million worth of economic activities in the county in the last year. Roughly \$1 million worth of grant dollars was brought in last year and approximately 89% went to on-the-ground projects. Most of the work of the Watershed Council is with private landowners, helping with stream restoration, irrigation efficiency, and range ground work to benefit the sage grouse. Partners include the Extension Service, Natural Resources Conservation Service (NRCS), Soil and Water Conservation District (SWCD) and others. Outreach efforts included holding Grant 101 classes to help the community learn about the grant funding process.

Chairman Bentz explained the Watershed Council also works with Grant County, Harney County, and Baker County. Currently, there are more interested landowners and participants that want to do grants than there is available grant money. The Malheur Watershed Council is well positioned to provide opportunities and technical assistance to landowners who encounter concerns with regulatory agencies.

Mr. Diebel commented that both the Vale and Burns BLM Offices have been great to work with the last few years.

Mr. Diebel and Mr. Bentz answered questions from the Court members.

It was explained that there is a vacant office at the Extension Office and the Watershed Council would like to utilize that office (Malheur Watershed Council is currently located in the Extension Office). The Court requested staff work with Malheur Watershed Council and Oregon State University regarding the vacant office space.

See instrument #2020-0324 for Malheur Watershed Council's written annual report.

### **LEADERSHIP GROUP**

The Ontario Area Chamber Networking & Leadership Program participants were welcomed and introductions were made. The Court members briefly gave an overview of their positions and answered questions from the leadership group participants.

The leadership group participants left the meeting.

Public member John Messick joined the meeting.

### **PLANNING DEPARTMENT**

Planner Eric Evans met with the Court. Mr. Evans shared correspondence from Department of Land Conservation and Development (DLCD) regarding the County's Community Assistance Visit (CAV). The close-out letter and final report with DLCD's findings was received. The overall finding is that Malheur County's floodplain management program and regulations are in compliance with the National Flood Insurance Program (NFIP); and DLCD encourages the County to pursue application to the NFIP Community Rating System program. Mr. Evans inquired if the Court was agreeable to him pursuing an application to the NFIP Community Rating System program. It is a voluntary program which provides benefits to communities including potential savings on flood insurance rates. Malheur County residents currently pay roughly \$64,000 annually for the NFIP; the average premium is approximately \$715 per year. There have been 15 total claims since the 1980's and the total paid in claims is approximately \$30,000. After discussion, consensus of the Court was for Mr. Evans to pursue application to the NFIP Community Rating System program. See instrument #2020-0325 for the correspondence from DLCD and written report.

Mr. Evans also presented the Order upholding the Planning Commission's decision in the Bruning matter. (The Court held a hearing on the matter last week, January 15, 2020). Judge Joyce moved to approve Order GO-04-20, In the Matter of: Appeal of Planning Commission's Decision Approving a Conditional Use Permit for 2 Non-farm Partitions and 2 Non-farm Dwellings in Exclusive Farm Use Zone for Harold and Deborah Bruning. Commissioner Wilson seconded and the motion passed. See instrument #2020-0313

Mr. Evans answered questions from Mr. Messick.

### **COURT MINUTES**

Commissioner Wilson moved to approve Court Minutes of January 8, 2020 as written. Judge Joyce seconded and the motion passed. Mr. Messick briefly visited with Commissioner Wilson about meeting minutes.

### **CHECK REGISTER**

Commissioner Wilson moved to approve the Accounts Payable Register for October, November, and December 2019. Judge Joyce seconded and the motion passed.

### **MODIFICATIONS TO AGENDA**

The Court requested that agenda business item number three (authorization to contract with PERs retiree) be moved to the January 29, 2020 agenda; staff requested that business item number four ASD (Ambulance Service District) bylaws and board member appointment be moved to the January 29, 2020 agenda. Additionally, two Crossing Permits were added as business item number five.

### **CROSSING PERMITS**

Commissioner Wilson moved to approve Crossing Permit #03-20 to Vale Oregon Irrigation District (VOID) for installation of irrigation pipe across 9th Avenue W #511; and Permit #04-20 to Harold Bruning for work on Stateline Road #1526 in connection with installation of an Idaho Power meter. Judge Joyce seconded and the motion passed. Original permits will be kept on file at the Road Department.

### **COURT ADJOURNMENT**

Judge Joyce adjourned the meeting.