

MALHEUR COUNTY COURT MINUTES
February 2, 2022

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:00 a.m. in the County Court Office of the Malheur County Courthouse with Commissioner Don Hodge present. Commissioner Ron Jacobs was absent. Staff present was Administrative Officer Lorinda DuBois. Members of the media, public, and staff could also join the meeting electronically. Notice of the meeting was posted on the County website, Courthouse 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 # 2022-467

PUBLIC HEARING - SUPPLEMENTAL BUDGET

Judge Joyce opened the public hearing for consideration of Resolution R22-03: In the Matter of Fiscal Year 2021/2022 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. The purpose of the supplemental budget is to allocate additional OEMPG (Oregon Emergency Management Performance Grant) funds in the Emergency Management fund that were not anticipated when the adopted budget was prepared – these funds will be used to purchase small equipment; allocation of General Fund Transfer funds in the Reload/Industrial Park Project fund that were not anticipated when the adopted budget was prepared – the funds will be used to pay down the loan on the Reload Facility property in order to release acreage to the Farmers per agreement; and allocation of DOC (Department of Corrections) and State funds in the Community Correction fund that were not anticipated when the adopted budget was prepared – the funds will be used per the Correction plan approved by the State. No public comments were received. The hearing was closed. Commissioner Hodge moved to approve Resolution R22-03. Judge Joyce seconded and the motion passed. See instrument # 2022-468

CROSSING PERMITS

Commissioner Hodge moved to approve Crossing Permit #01-22 to Idaho Power Company for a single-phase line extension to feed new pivots on Desert Glen Road #1056; and Crossing Permit #02-22 to Idaho Power Company for work on Russell Road #675. Judge Joyce seconded and the motion passed. Original permits will be kept on file at the Road Department.

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of January 19, 2022 as written. Judge Joyce seconded and the motion passed.

LABOR AGREEMENT - AFSCME

Commissioner Hodge moved to approve General Employees Labor Agreement with Malheur County Employees Local 3831, an affiliate of Oregon AFSCME Council 75 of the American Federation of State, County and Municipal Employees, AFL-CIO. Judge Joyce seconded and the motion passed. The agreement expires December 31, 2024. See instrument # 2022-471

MALHEUR WATERSHED COUNCIL - ANNUAL REPORT

The Court received Malheur Watershed Council's written annual report:

- **Mission Statement:** To lead and coordinate the effort to conserve, protect, and enhance all watershed resources for optimum economic and environmental benefits within the Malheur watershed.
- **Local Impact:** During the 2020-2021 period the council wrapped up 27 separate projects aimed at watershed improvement. More than \$2,677,000 in outside funding was received and landowners contributed an additional \$665,162. The funds were used to purchase local supplies, contract with local labor, utilize local businesses, and improved local aspects of the watershed. The projects have directly contributed to the local economy and brought about positive change.
- **Partners:** Along with landowners and local businesses, the council joins with BLM (Bureau of Land Management), NRCS (National Resources Conservation Service), SWCD (Soil & Water Conservation District), BOR (Bureau of Reclamation), OWRD (Oregon Water Resources Department), DEQ (Department of Environmental Quality), ODFW (Oregon Department of Fish and Wildlife), Irrigation Districts, local contractors, Trout Unlimited, and Malheur County.
- **Accomplishments:** 289 acres of flood irrigation converted to sprinklers; 9,528 feet of streambank restoration; 5,313 feet of fencing for controlling livestock; 520 acres of wetland restoration; 428 acres of juniper removal; 38,180 feet of laterals piped; and 4.2 miles of fuel breaks created.
- **The Malheur Small Grant Team:** Each biennium, the Team received \$100,000 in OWEB (Owyhee Watershed Enhancement Board) funds to subsidize projects with \$10,000 or less per project. The majority of the projects funded addressed water quality and quantity concerns through irrigation efficiency, one of the Team's High Priorities. The Team recommended projects affecting 1,210 acres that accomplished: 12,280 feet of buried pipe; 4 irrigation pumps; 5 troughs for livestock water; and 8,737 feet of bank restoration on Willow Creek. Small Grant funds were matched with \$416,880 in landowner in-kind contributions.

See instrument # 2022-469 for the written report.

QUITCLAIM DEED - SCOTT

Judge Joyce moved to execute Quitclaim Deed to Paul and Carrie Scott for Ref. #4812. Commissioner Hodge seconded and the motion passed. Purchase price was \$35,000. Proceeds of the sale will be forwarded to Business Oregon per the terms of Amendment Number 1 to Strategic Reserve Fund Agreement Number 15-17-661 recorded as instrument # 2017-3431 See instrument # 2022-470

AOC DUES

Commissioner Hodge moved to approve payment of AOC (Association of Oregon Counties) 2022 membership dues in the amount of \$19,750.03. Judge Joyce seconded and the motion passed.

PETITIONS TO WITHDRAW PROPERTY FROM THE BOUNDARIES OF ONTARIO RECREATION DISTRICT AND ONTARIO LIBRARY DISTRICT

Petitions from 16 landowners to withdraw their property from the boundaries of the Ontario Recreation District and Ontario Library District were received. Both Districts have approved the withdrawal. The properties are within the Nyssa School District boundary and are a contiguous block of land (17 total landowners). The Assessor has certified that the landowners signing the petitions are landowners pursuant to records within the Assessor's Office. Commissioner Hodge moved to accept the two petitions and to file them with the County Clerk and to waive the requirement of \$100 cash deposit or bond. Judge Joyce seconded and the motion passed. The bond requirement is in the case of opposition requiring an election be held; in this matter both Districts have approved the withdrawal as have the landowners. Two hearings to consider the withdrawal will be scheduled. See instrument # 2022-472 and 2022-473 for the petitions.

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.