

MALHEUR COUNTY COURT MINUTES

March 6, 2019

County Court met with Judge Dan Joyce presiding with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois and County Counsel Stephanie Williams.

ENVIRONMENTAL HEALTH

Environmental Health Director Craig Geddes met with the Court. Mr. Geddes proposed contracting with Melissa Ney for temporary services to perform up to 100 restaurant inspections to include Baker County and Malheur County. Ms. Ney has requested mileage be included in the contract; the Court agreed to a mileage provision in the contract to be determined between Mr. Geddes and Ms. Ney. A contract will be drafted.

Planner Eric Evans joined the meeting.

Mr. Geddes also discussed an abatement issue at 1361 SW 30th Street, Ontario. Mr. Geddes has been working on the matter for some time now. The property owner was cited into Justice Court and a fine was levied. The property owner is making progress on cleaning the property up, however it is not complete. Bids were obtained to remove the debris from the property (front of the property only as seen from the public road). (There is not a budget line for the abatement cost in the County budget.) County Code allows eight vehicles and there are now 12 vehicles remaining on the front of the property. (Treasure Valley Metal will not accept the vehicles without having a title surrendered with them.) After discussion, the Court authorized staff to proceed with the abatement process if necessary; staff will continue to work with the property owner on the matter.

ROGER FINDLEY - FAIRGROUNDS SOLAR PROJECT; B2H PROJECT

Roger Findley met with the Court. Mr. Findley expressed appreciation to the County Court for their consistency and guidance in the County. Mr. Findley discussed the solar project at the fairgrounds and the loss of revenue/electrical production during fiscal year 2017/18. Findley Land and Livestock estimates the loss to be approximately \$6,636. Findley Land and Livestock proposed splitting the loss 50/50 and proposed reducing the monthly payment of the contract payment to Findley Land and Livestock; the new monthly payment from the County to Findley would be \$769.98 starting March 2019. The Court was agreeable to the proposal. An amendment to the contract will be drafted.

Mr. Findley also updated the Court on the Boardman to Hemingway (B2H) transmission line project. The project is still in the planning and permitting stage. It is expected to have a Draft Proposed Order from Department of Energy in Spring 2019. Stop Idaho Power remains active in the B2H process. Stop Idaho Power is currently working on an agreement with Idaho Power and landowners Jim and Kaye Foss to move a proposed tower out of Foss's center pivot field and change the location of the line. Originally, the line was to go west of the Foss property. BLM (Bureau of Land Management) did its study regarding the proposed transmission line route and extended the boundary of the Wild and Scenic Owyhee River to the east; as a result this moved

the line to the east going across EFU (Exclusive Farm Use) land. Idaho Power has moved the tower location but the line is still proposed to go across the EFU land. Once Department of Energy issues its Draft Proposed Order a public hearing will be held; Mr. Findley suggested the County may choose to oppose the line going on EFU land and strive to have it moved back to the east.

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of February 27, 2019 as written. Commissioner Wilson seconded and the motion passed unanimously.

STIF BY-LAWS

Commissioner Wilson moved to approved amended State Transportation Improvement Fund (STIF) Advisory Committee of Malheur County By-Laws. Commissioner Hodge seconded and the motion passed unanimously. (This is the same amendment that was done in January 2019; the entire by-laws document was amendment rather than having a one page amendment document as was done in January.) See instrument #[2019-0729](#)

CHECK REGISTER

The Court signed the January 2019 Accounts Payable book.

AMENDMENT - IGA #154122

Commissioner Hodge moved to approve Twelfth Amendment to Oregon Health Authority 2017-2019 Intergovernmental Agreement for the Financing of Public Health Services, Agreement #154122. Commissioner Wilson seconded and the motion passed unanimously. Exhibit B Program Element #03 Tuberculosis Services and Program Element #40 Special Supplemental Nutrition Program for Women, Infants and Children (WIC) Services is replaced in their entirety; and the Financial Assistance Award was amended to add \$5,475 to Public Health Emergency Preparedness and Response for the purpose of sending staff to trainings. A copy will be returned for recording.

CHILDREN IN THE WORKPLACE - PROPOSED POLICY

Staff discussed a proposed policy with the Court members concerning children in the workplace. Issues regarding children in offices have been raised and the Court was asked for guidance regarding the matter. The Court reviewed the proposed policy and requested the policy be forwarded to the union for their review.

Mr. Evans, Ms. Williams and Ms. DuBois left the meeting.

EMPLOYMENT AGREEMENT - CLARK

Commissioner Wilson moved to approve Employment Agreement with George W. (GW) Clark for Malheur County Fairgrounds Caretaker. Commissioner Hodge seconded and the motion passed unanimously. Mr. Clark will perform the functions and duties of the Fairgrounds Caretaker. The agreement will be returned for recording. See Instrument #2019-0809.

OWYHEE LAKE STATE PARK - OHV USE

Oregon State Parks Management Unit Manager Jim Hutton, Park Ranger Supervisor Aaron Raines and Undersheriff Travis Johnson met with the Court to follow-up on discussion from January regarding OHV (Off-Highway Vehicle) use at Lake Owyhee State Park. It was explained that the Sheriff's Office will work with County Counsel to draft an OHV use on roadways ordinance. State Parks is considering that for the upcoming season ingress/egress only may be allowed at Indian Creek Campground; and possibly at the end of the season (Sept., Oct., Nov.) ingress/egress only may be allowed at McCormack Campground. The goal is to provide the public a consistent message between the County and State Parks as well as providing available alternative options.

BLM (Bureau of Land Management) Public Affairs Officer Larisa Bogardus joined the meeting.

Additionally, the ATV program for Oregon falls under State Parks and there is a staff person who can act as a liaison with the federal partners if the County ever determined that it wanted to pursue developing an ATV recreational area.

Succor Creek State Natural Area was also discussed; the area's usage has greatly increase over the past few years. It may be beneficial to consider possible OHV roadway use in this area also. State Parks suggested evaluating the OHV use at Lake Owyhee State Park after two years before considering starting the permanent rule making process.

COURT ADJOURNMENT

The meeting was adjourned.