

MALHEUR COUNTY COURT MINUTES
April 26, 2017

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

Public present was Roger Findley.

PUBLIC HEARING - SUPPLEMENTAL BUDGET

Judge Joyce opened the public hearing for consideration of Supplemental Budget Resolution R17-15. Notice of the hearing was published in the Argus Observer. Ms. DuBois explained the purpose of the supplemental budget is to allocate the spending of additional funds which were received but not anticipated when the adopted budget was prepared. These are State of Oregon Strategic Reserve grant funds to be used for structural assessments of commercial or industrial buildings that sustained or may have sustained damage due to heavy snowfall during the winter of 2016-17. No public comments were received. Judge Joyce closed the public hearing. Commissioner Wilson moved to approve Resolution R17-15: In the Matter of Fiscal Year 2016/2017 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Hodge seconded and the motion passed unanimously. See instrument [#2017-1442](#)

Shelly Dennis joined the meeting.

UPDATES ON BOARDMAN TO HEMINGWAY (B2H) POWER LINE PROJECT;
FAIRGROUNDS SOLAR PROJECT

Roger Findley met with the Court and provided an update on the Idaho Power Boardman to Hemingway power line project (B2H). BLM (Bureau of Land Management) published the final EIS (Environmental Impact Statement) in December 2016, with the agency preferred route going between Vale and Willowcreek. It is anticipated that BLM will enter a Record of Decision in the Federal Register in June 2017, which will then start the Energy Facility Siting Council (EFSC) process again.

County Counsel Stephanie Williams joined the meeting.

The BLM agency preferred route is not Stop Idaho Power's preferred route; however, Stop Idaho Power's preferred route encountered some sage grouse issues. Stop Idaho Power is still active and will be engaged in the EFSC process. A group in Union County formed in late Fall 2016 called Stop B2H; it is a coalition of farmers, private property owners, and environmental groups that believe they can stop the power line from going in period, based on "need" which is EFSC criteria. Mr. Findley explained that "need" was previously determined in 2011 by the Oregon PUC (Public Utilities Commission), which has been confirmed by Idaho Power. Stop B2H wanted Stop Idaho Power to join their efforts, but Stop Idaho Power declined the offer.

Mr. Findley also updated the Court on the solar project at the Fairgrounds. It has been determined that the solar project is not producing as it should be. Five solar panels were vandalized and damaged; the vandalism was not found until late November 2016 but it had probably happened approximately 6-8 months before it was detected. The damage done to one

of the panels caused the panel to short-out internally and fried one of the three inverters. (This all happened during the transition period between new fair managers.) Once Mr. Findley became aware of the damage he proceeded with filing an insurance claim and replacing the damaged panels. The damaged panels were no longer manufactured and an alternative panel had to be found. The damaged panels were replaced along with the damaged inverter.

One of the inverters sends electricity quite a distance to the meters at the loafing shed outside of the office. The initial design was to have a location west of the Red Barn so it was close to the meters to minimize line loss; however the Fair Board wanted all the panels located together by the rodeo grounds. As a result, there is line loss and it was expected that there would be line loss; however, now that the buildings were destroyed during the winter storm events there is no voltage or current use; it has decreased the amount of electricity being used which has increased the voltage enough so that six more volts are getting over to the inverters than what used to. The inverters are very sensitive; and what's happening now is in order to get the electricity to flow from the solar panels all the way over to the meter to put it on the grid, it has to produce a voltage higher than what the voltage at the meters are. Idaho Power measured 123 volts on each leg - for a total of 246 volts. So the ray has to produce enough higher voltage than that to work on the resistance and overcome the 246 volts at the meter in order to put electricity back on the grid. The inverters are set internally with a maximum voltage and as the voltage starts going up, when the sun is out and starts producing a lot of electricity and shoving more electricity over to the grid, there is more resistance. The more electricity you are trying to send the greater the resistance, which means you have to have a higher voltage. The inverter internally can increase the voltage but when it hits its maximum internal setting it shuts off. By law, the inverter must remain off five minutes before it can turn back on. During the wait time the voltage goes back down to 123 on each leg; when the inverter came back on it tried to send the electricity to the grid which raises the voltage back up until it hits its limit (approximately 2-3 minutes) and then shuts off again. Mr. Findley has been working with Idaho Power on a fix for the issue. With the buildings being damaged this winter and no longer using electricity there is too much voltage and is causing the inverter to shut off. Mr. Findley contacted Sunny Boy Inverter about possibly changing the inverter's internal setting; the necessary code, communications card, and interface were ordered and sent to Mr. Findley. Mr. Findley has hired Hit Industries to assist him with the necessary process to raise the inverter's internal setting volt (probably 5 volts is all that will be necessary to correct the problem). Additionally, the remote monitoring system was never completed and Mr. Findley is working with Hit Industries to get the remote monitoring system up and running.

Ms. Dennis left the meeting.

Mr. Findley explained that he believes there has been an approximate \$8800 loss of income/loss of production so far. Once the system is corrected and a total loss value is determined Mr. Findley said that Findley Land and Livestock would be willing to split the loss with the Fair/County. The insurance company has denied compensation of the loss of production. (Insurance did cover the cost of replacing the panels due to the vandalism and the deductible was \$1,000.)

Mr. Findley answered questions and discussed the project with the Court members. Commissioner Wilson suggested perhaps netting could be placed over the fenced solar panel area to alleviate vandalism damage to the panels. Mr. Findley also explained how the monthly Idaho Power bill depicts the monthly electricity generation. Ms. Williams requested to be included in the training on the remote monitoring system when it is completed.

Mr. Findley presented the Court with a \$1,000 donation from Findley Land and Livestock for the Fairgrounds winter storm damaged/rebuilding project. The Court thanked Mr. Findley for the donation.

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of April 19, 2017 as written. Judge Joyce seconded and the motion passed. (Commissioner Wilson was not present on April 19, 2017.)

LETTER OF SUPPORT - CITY OF VALE GRANT APPLICATION

Commissioner Hodge moved to submit a letter of support for the City of Vale's application for an Oregon Parks and Recreation Department, Local Government Grant for improvements at Cottonwood Park. Commissioner Wilson seconded and the motion passed. See instrument [#2017-1443](#)

COLLECTIVE BARGAINING AGREEMENT - SHERIFF'S ASSOCIATION

Commissioner Wilson moved to approve Integrated Collective Bargaining Agreement between Malheur County Sheriff's Office and Malheur County Sheriff's Association. Commissioner Hodge seconded and the motion passed unanimously. The agreement expires December 31, 2017. See instrument [#2017-1444](#)

CROSSING PERMITS

Commissioner Wilson moved to approve Crossing Permit #16-17 to Idaho Power Company to install an overhead transformer bank on an existing pole for an irrigation pump on Clark Blvd. #857; Permit #17-17 to Idaho Power Company to remove Span over the road and install a transformer bank on an existing pole for an irrigation pump on Cedar Road #945; Permit #18-17 to Agri-Lines Irrigation Inc. to cross S Rd. K #7311 for a waterline for an irrigation system; Permit #19-17 to Idaho Power Company to install a transformer and service for a customer on Hwy 52 #922 and Permit #20-17 to Idaho Power Company to replace a recloser on Annex Road #952. Commissioner Hodge seconded and the motion passed unanimously. Original permits will be kept on file at the Road Department.

SUB-AGREEMENT WITH MCOA&CS FOR ODOT AGREEMENT #32013

Commissioner Wilson moved to approve Sub-Agreement with Malheur Council on Aging and Community Services (MCOA&CS) for Allocation of Special Transportation Funds for Special Transportation Services Benefiting Seniors and Individuals with Disabilities Pursuant to State Agreement Number 32013. Commissioner Hodge seconded and the motion passed unanimously. See instrument [#2017-1445](#)

DOJ DEPENDENCY CONTRACT

Consensus of the Court was to continue to allocate the quarterly payment to the current District Attorney from the Department of Justice (DOJ) Dependency contract for supervision of the dependency program in the DA's Office. Mr. Goldthorpe was appointed District Attorney by the Governor in December 2016. The Dependency contract expires June 2017. The payments are disbursed when the County receives the funds from the State; the amount of the Dependency payment is \$2,000 inclusive of payroll taxes and PERS. Mr. Goldthorpe is currently working with the State to renew the contract in order for his office to continue to provide the dependency services.

WIC COORDINATOR DUTIES - HEALTH DEPARTMENT

The Court authorized Ms. DuBois to work with Health Department Director Angela Gerrard to offer the current Registered Dietician one additional day (7.5 hrs.) to fulfill the WIC Coordinator duties at the hourly rate of \$26.01, effective July 1, 2017.

ANNUAL JAIL INSPECTION

The Court conducted the annual jail inspection. See instrument #[2017-1446](#)

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.