

MALHEUR COUNTY COURT MINUTES

JUNE 22, 2016

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

Also present was Larry Meyer of the Argus Observer.

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of June 8, 2016 as written.

Commissioner Wilson seconded and the motion passed unanimously.

WILDLIFE SERVICES WORK & FINANCIAL PLAN

Commissioner Hodge moved to approve USDA APHIS (United State Department of Agriculture Animal and Plant Health Inspection Services) Wildlife Services Work and Financial Plan for July 1, 2016 - June 30, 2017, Agreement NO. 16-73-41-5124. Commissioner Wilson seconded and the motion passed unanimously. The Work Plan sets forth the objectives, activities and budget for the cooperative wildlife services program. Funding from the County to support wildlife services is not to exceed \$49,134.53. A copy will be returned for recording.

RECREATIONAL VEHICLE REVENUE DISTRIBUTION CERTIFICATION

Commissioner Hodge moved to sign the Oregon Parks and Recreation Department County Parks Assistance Program Certification Statement for July 1, 2016- June 30, 2017. Commissioner Wilson seconded and the motion passed unanimously. See instrument # [2016-2086](#)

AMENDMENT - IGA #147797

Commissioner Hodge moved to approve Eleventh Amendment to Oregon Health Authority 2015-2017 Intergovernmental Agreement (IGA) for the Financing of Community Addictions and Mental Health Services Agreement #147797. Commissioner Wilson seconded and the motion passed unanimously. Exhibit B-1, "Service Descriptions" is amendment to add as an Exhibit to MHS 37 Special Projects, "Exhibit MHS 37 - Aid and Assist Client Services". A copy will be returned for recording.

ENGAGEMENT LETTER

Commissioner Wilson moved to sign the Engagement Letter with Bullard Law to provide legal services for general labor and employment issues and union negotiations. Commissioner Hodge seconded and the motion passed unanimously.

MALHEUR WATERSHED COUNCIL

Kelly Weideman, Ken Diebel and Jerry Erstrom from Malheur Watershed Council met with the Court. A video presentation entitled Willow Creek Oregon, A Watershed Restoration was shown to the Court. The presentation was about restoration efforts of the Lower Willowcreek Drainage. Accomplishments of the restoration project from 2003-2015 include: 100+ miles of laterals piped; 17.86 miles of mainlines and delivery systems piped; 15 pumpback systems serving 1,175 acres; installation of 20 off-stream water troughs; 15.26 miles of riparian and

wetland protection fencing; 30,000 acres served by piped laterals; and 12,000 acres converted from flood to sprinklers.

As a result of the Willow Creek project, on a normal water year, more than the minimum 3,000 acre feet established for overwintering bull trout in Beulah Reservoir will be achieved.

Energy conservation realized as a result of the project includes: 4.86 million kilowatt hours of electricity saved annually and 36,000 gallons of diesel fuel per year conserved.

Environmental benefits achieved include: 800,000 lbs. CO-2 (Carbon Dioxide) emissions annually eliminated; 124,320 lbs. of phosphorus annually prevented from leaving the fields; 240,000 tons of soil loss annually ceased; 183.5 billion colonies of *E. coli* bacteria per acre prevented from leaving the fields as runoff; and virtually all evaporation and seepage eliminated.

Economic impacts of the project include: \$20,000,000+ into local economies of Vale and Ontario; 35+ potential jobs created; \$162,000 per year in fuel costs saved; \$229,000 in electrical pumping costs saved annually; at least 23 Oregon businesses involved; and production increases up to 35% on crop ground converted from flood to sprinklers.

Due to time restraints of the meeting, a handout detailing Malheur Watershed Council Accomplishments for 2015-2016 was also left with the Court for their review. That document can be found on instrument # [2016-2085](#)

TREASURE VALLEY PARAMEDICS (TVP) - PUBLIC HEARING RATE INCREASE

Present for the public hearing to consider the request of TVP to increase the fees for various services was Steve Patterson from TVP. Notice of the hearing was published in the Argus Observer and Malheur Enterprise. Judge Joyce opened the hearing. No proponent or opponent comments were received. Mr. Patterson had previously reviewed the request with the Court on May 11, 2016. Judge Joyce closed the hearing. Commissioner Wilson moved to approve the rate increase as requested by TVP. Commissioner Hodge seconded and the motion passed unanimously. Effective date of the new fee schedule will be September 1, 2016. See instrument # [2016-2083](#)

ROAD DEPARTMENT

Road Supervisor Richard Moulton met with the Court. Mr. Moulton presented three crossing permits for the Courts consideration. Commissioner Hodge moved to approve Crossing Permit #16-16 to Wasatch Electric to replace power poles on Locust Avenue #3032 and Gem Avenue #956; Crossing Permit # 18-16 to Century Link/Track Utilities for plowing, trenching, and boring to place new fiber line on Power Road #907/Jacobsen Gulch Road #771; and Crossing Permit #17-16 to Century Link/Track Utilities to place innerduct and pull fiber from end to end on Hyline Road #911. Commissioner Wilson seconded and the motion passed unanimously. Original permits will be kept on file at the Road Department.

Mr. Moulton also presented the 2016 fund exchange agreement with ODOT (Oregon Department of Transportation). Commissioner Wilson moved to approve 2016 Fund Exchange Agreement,

Various County Roads, Malheur County, Agreement No. 31399. Commissioner Hodge seconded and the motion passed unanimously. Funding is in the amount of \$411,103.36 which is distributed between the County and all the rural road districts. A copy of the agreement will be returned for recording.

Pat Caldwell of the Malheur Enterprise joined the meeting.

Mr. Moulton also mentioned that the Road Department will partner with BLM (Bureau of Land Management) on a crushing project at Westfall.

DISTRICT ATTORNEY'S OFFICE

Management Assistant Marilee Aldred and Victims Advocate Director Cindy White met with the Court regarding staffing vacancies. Ms. Aldred requested authorization to advertise and hire for an entry level Deputy DA (District Attorney) as there will be a vacancy the end of June. Consensus of the Court was to proceed with the hiring process for an entry level DA position.

Additionally, it is anticipated that one of the Assistant DA's may be leaving employment with the office. Ms. Aldred explained that staff is exploring options for replacing this position to include possibly contracting with Mr. Dugan again as well as proceeding with the hiring process for an experienced attorney. Ms. Aldred requested authorization to advertise and hire for an attorney with up to 14 years experience to fill the potential vacancy. Consensus of the Court was for Ms. Aldred to work with Ms. DuBois to advertise for the vacancy, if needed, to include a salary range of up to 14 years experience.

Ms. White explained to the Court that grant funds will be received for a Volunteer Coordinator/ Victims Advocate position. The position will be mostly funded from VOCA (Victims of Crime Act) grant funds; funds will allow for salary and employee only health insurance. Sick leave will be provided as is required by law. No vacation leave will be funded. The position will terminate in the event grant funds cease. Consensus of the Court was to proceed with advertising for the position.

BURN BAN

Ontario Fire Chief Al Higinbotham met with the Court and explained that the Fire Chiefs that have protection areas in Malheur County agreed to implement a Burn Ban starting June 27, 2016. The districts will respond to burn complaints and illegal burning during the ban. It was requested that the ban also include the unincorporated areas of Malheur County located outside of a fire district. Agricultural burns, with restrictions, will be allowed during the ban.

Commissioner Hodge moved to approve Order GO-04-16: Order Prohibiting Outdoor Open Burning in Unincorporated Areas of Malheur County Located Outside of a Fire District.

Commissioner Wilson seconded and the motion passed unanimously. See instrument # [2016-2084](#)

HEALTH DEPARTMENT - OUTREACH GRANT

Ms. DuBois explained that the Health Department had received a Notice of Award for the Oregon Health Plan Outreach and Enrollment Grant Program. Funding will be used primarily for salaries. The Health Department is requesting authorization to proceed with advertising and

hiring for one full time health specialist, with employee only health benefits, to be funded by the Outreach Grant funds. The position will terminate in the event grant funds cease. By consensus, the Court authorized the request.

SUPPLEMENTAL BUDGET

Commissioner Wilson moved to approve Supplemental Budget Resolution R16-19: In the Matter of Fiscal Year 2015/2016 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Hodge seconded and the motion passed unanimously. The purpose of the supplemental budget is allocate the spending of One-Time VOCA grant funds, in the amount of \$500, which were received but not anticipated when the adopted budget was prepared. See instrument # [2016-2082](#)

ADMINISTRATIVE OFFICE - VACANCY

Ms. DuBois requested authorization to advertise and hire for a part-time OA (Office Assistant) II position (as the current person in the position is leaving). Ms. DuBois explained that the new hire will be eligible for benefits at a prorated rate. Ms. DuBois explained that the current staff member in the position received full benefits; the County policy was later changed and benefits are now prorated for eligible newly hired part-time employees. As such, a significant savings will be realized in the payroll costs for the position. Ms. DuBois requested the position be changed from 18.75 hours per week to 22.5 hours per week; and noted that there will still be an approximate \$8000 savings, mostly in insurance and PERS (Public Employees Retirement System). By consensus, the Court authorized the requested change in hours for the position along with the filling of the vacancy.

TAX OFFICE - VACANCY

Treasurer/Tax Collector Jennifer Forsyth met with the Court regarding a vacancy in her office. The part-time staff person has accepted employment elsewhere and Ms. Forsyth would like to proceed with filling the vacancy. Ms. Forsyth explained that the part-time position helps to cover the office when staff is on leave and works full time for approximately 5 weeks during the tax season (there are two full time staff in the tax office). Ms. Forsyth expressed concerns that the budgeted amount for the part-time help (\$7800) may not be sufficient to meet the needs of the office. The total amount budgeted for that position for fiscal year 2016-17 is \$13,555. The entry level costs for a new employee will be \$11,669. The new hire will need to be fully trained by tax season (October). Ms. DuBois said the position is budgeted for 2 days per week (.4) with no benefits. Ms. DuBois suggested that a person be cross trained between the Assessor's Office and Tax Office. Ms. Forsyth explained she needs the person to work 2 days per week, in addition to the full time hours for approximately 5 weeks during the tax season. The Court expressed understanding of Ms. Forsyth's concerns. The Court authorized Ms. Forsyth to proceed with the hiring of a part-time OA II, and acknowledged that the matter may need to be revisited later in the fiscal year.

COMPARISON OF CALENDARS

Commissioner Hodge noted that he had attended the recent Southeast Oregon Resource Advisory Committee (RAC) meeting; the members spent time touring Lake County's wilderness areas.

Commissioner Wilson mentioned that he was recently approached by a citizen who stated concerns that the County's road inventory project was not completed. Commissioner Wilson said he will be meeting with Bureau of Reclamation, Owyhee Irrigation Manager Jay Chamberlin, and others regarding the closure of the County boat ramp at Owyhee Reservoir.

Additionally, meetings will be held June 28 regarding transportation. A meeting is scheduled at 8:00 a.m. at TVCC (Treasure Valley Community College) to discuss the possibility of establishing a Regional Intermodal Transportation "Hub" in the Ontario/Nyssa/Vale area; and members of the Joint Committee on Transportation Preservation & Modernization will meet at 5:00 p.m. at the Cultural Center to hear concerns about Eastern Oregon's transportation systems.

COURT ADJOURNMENT

Court was adjourned.

******Clerks Note:** Received from Assessor David J. Ingram on June 21, 2016 Assessor's Certified Ratio Study Malheur County 2016. See instrument #[2016-2069](#) for pages 1-3 see image; for complete document see file.***