

## **MALHEUR COUNTY COURT MINUTES**

**July 24, 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.

### **ROAD VACATION PETITION**

Surveyor/Engineer Tom Edwards met with the Court and presented information on a proposed vacation of a portion of 2nd Street and an Alley in Juntura. Mr. Edwards reviewed his Engineer's Report with the Court members. The petition was signed by all adjoining landowners - Tammy Lyon, Joe McKay and Verdean Clark. A hearing date was set for August 28, 2019 at 10:00 a.m. See instrument #[2019-2726](#) for the Engineer's Report.

### **COURT MINUTES**

Commissioner Wilson moved to approve Court Minutes of July 17, 2019 as written. Commissioner Hodge seconded and the motion passed unanimously.

### **CHECK REGISTER**

The Court signed the Accounts Payable (AP) Register for April and May 2019.

Sheriff Brian Wolfe Wolfe joined the meeting.

### **MAP AGREEMENT**

Commissioner Hodge moved to approve Malheur County Allocation Certification Agreement Maintenance Assistance Program (MAP) FY20 with Oregon State Marine Board. Commissioner Wilson seconded and the motion passed unanimously. Funding is in the amount of \$8,812.50 for fiscal year 2019/2020 and is to be used to maintain the facilities at Beulah Reservoir, Bully Creek Reservoir, and Malheur Reservoir. A copy will be returned for recording.

### **LEASE AMENDMENT - BULLY CREEK**

Commissioner Hodge moved to approve Supplement No. 2 to Lease Agreement between the United States of America, Bureau of Reclamation and Malheur County, Oregon; Contract No. 14-06-100-6597. Commissioner Wilson seconded and the motion passed unanimously. The lease agreement expiration date is extended to September 30, 2020 in order to prevent a gap in administration, and to provide a period of time for the development of a new management agreement. A copy will be returned for recording.

### **ODFW - UPDATE**

Philip Milburn from Oregon Department of Fish and Wildlife (ODFW) and Oregon State University (OSU) PhD student Lindsey Perry met with the Court and gave an update on wildlife activities in the County. Mr. Milburn explained that most of the big game herds are still suffering the effects of the 2016/2017 winter; the spring fawn mule deer ratio is 22 fawns per 100 does (maintenance level is 35 per 100). Tags have been cut significantly and the buck ratio has been maintained near the district's management objective; tag cuts are proposed again for the Owyhee and Beulah areas. Antelope also has a low recruitment number of kids but the buck

ratio is 23 per 100. Elk is about the only species that continues to do well in the district - mostly in the Beulah area but Whitehorse and Owyhee both have increasing herds; no changes are proposed for the coming year. The Mule Deer Initiative continues; work is mainly on federal lands, juniper was cut in the national forest, and more winter range treatments are being done with BLM (Bureau of Land Management) locally. ODFW assisted with the Currey Canyon annual grass spraying project; 68 pounds of bitterbrush seed was collected off the Shumway Road, it will be grown out and planted in the Currey Canyon area in two years. Additionally, ODFW is working to address the deer/vehicle collisions on Hwy 20 between Harper and Juntura. There have been several cougar reports locally. ODFW continues to try and monitor wolves in the county; it has been unable to document established wolves but know that wolves pass through the area. There have been three reports through ODFW's reporting site submitted in 2019 and no requests to investigate mortalities. Last summer more public submitted game camera photos were received than in the past - most were outside of the county boundaries. The sage grouse population looks to be down approximately 17% for the Vale district.

Ms. Perry explained about the OSU Sage-Grouse, Raven & Songbird Research project she is a part of; Ms. Perry is working on ravens and raven ecology. The study areas are focused on the Sage Grouse Priority Areas of Conservation (PAC); the project started due to the sharp decline in sage grouse in the Baker PAC. There is documentation that an increase in raven abundance is associated with a decrease in sage grouse lek attendance. A lethal raven removal in the Baker PAC was implemented. The OSU research project has been collecting data on sage grouse and raven in five study areas (Baker, Cow Lakes, Bully Creek, Crowley, and Soldier Creek) for the past three years. The study is attempting to identify the most cost effective and sustainable way of diverting ravens out of sensitive areas. Ms. Perry has been capturing ravens and putting on satellite GPS backpacks for data collection.

Mr. Milburn also noted that the Riverside Wildlife Area Management Plan is being updated; the first plan was written ten years ago.

### **EARLY LEARNING HUB BOARD APPOINTMENTS**

Eastern Oregon Early Learning Hub Director Kelly Poe met with the Court. Ms. Poe explained that the name of the Hub was previously the Eastern Oregon Community Based Services Hub and it was changed last fall to the Eastern Oregon Early Learning Hub; cradle to career partnerships still exist in each of the three counties (Wallowa, Baker, Malheur). The Eastern Oregon Early Learning Hub bylaws ask that board appointments be made by each county's Board of Commissioners/County Court. Malheur County has 4 board members, one alternate, and one at large member representing the Hispanic population. The cradle to career partnerships have made the board membership recommendations for the biennium as follows: Suzanne Bolyard (TVCC); Sara Bryne (Ontario School District); Wendy Hill (DHS); Mark Redmond (ESD); Becky Padilla - alternate (MCCDC); and Angelica Fuentes - at large member representing the Hispanic population (OCDC Head Start). Commissioner Hodge moved to appoint those members as presented above. Commissioner Wilson seconded and the motion passed unanimously.

Ms. Poe also showed a YouTube video that is a trailer to the No Small Matter documentary that was presented at summer institute.

### **ORDER TO ABATE ROAD HAZARD**

County Counsel Stephanie Williams met with the Court. Ms. Williams explained that there is a cyclone fence in the right-of-way on SE 14th Avenue, Ontario. The placement of the fence will prevent the City of Ontario and County from improving/paving the right-of-way. Notification to the property owner, Marlene Tinoco, to remove the fence was made in June and the fence was not removed. Commissioner Wilson moved to sign Order No. GO-07-19: Order of Malheur County Court to Abate Road Hazard and Remove Encroachment/Fence in Right-of-Way of SE 14th Avenue, Ontario; and Notice of Hearing. Commissioner Hodge seconded and the motion passed unanimously. The fence is to be removed out of the right-of-way by 5:00 p.m. on July 31, 2019. If the fence is not removed a hearing will be held on August 7, 2019 at 9:00 a.m. in which the Court can determine the person responsible for violation of ORS 368.256. If the County abates the road hazard the costs for performing the abatement will be sought against the owner. See instrument #[2019-2725](#)

### **COURT ADJOURNMENT**

Judge Joyce adjourned the meeting.