

## **MALHEUR COUNTY COURT MINUTES**

**July 7, 2021**

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 and Commissioner Ron Jacobs present. Staff present was Administrative Officer Lorinda DuBois, County Counsel Stephanie Williams and Planner Eric Evans. Members of the media, public and staff were present electronically. Notice of the meeting was emailed to the Argus Observer, Malheur Enterprise, and those persons who have requested notice and posted on the Courthouse bulletin board. The meeting was audio recorded. The agenda is recorded as instrument # 2021-3525

### **SMALL BUSINESS UTILITY ADVOCATES**

Diane Henkels, Attorney with Small Business Utility Advocates (SBUA) met with the Court. Ms. Henkels provided information to the Court asking them to consider using some of the County's COVID-19 funding to assist Malheur county small business commercial customers of Idaho Power who are in arrears due to impacts of the COVID-19 pandemic. In January 2020 there were 16 Idaho Power commercial customers in arrears of 91+ days; in May 2021 that number was 41 commercial customers (an increase of 156.25%). There may be future rate impacts of the arrearages and bad debt. Washington County recently approached their utility Public Gas and Electric (PGE) and partnered to assist their small commercial customers in arrears. The Court thanked Ms. Henkels for her presentation; staff and Judge Joyce will follow up on the request with Idaho Power. See instrument # 2021-3590 for slide presentation.

### **PLANNING DEPARTMENT**

Planner Eric Evans met with the Court and provided an update on recent legislation. Senate Bill 16 (SB 16), proposed by the Eastern Oregon Border Economic Development Board allows for up to 200 acres in the Border Board Region to be used for home sites on lots no smaller than two acres. Mr. Evans will work with the Border Board to implement the provisions of the bill, possibly with the assistance of a land use consultant. (An ordinance will need to be adopted.)

Senate Bill 391 (SB 391) allows counties to approve one Accessory Dwelling Unit (ADU) in rural residential zoned areas, subject to certain conditions, such as the ADU must be sited on a two acre or larger lot/parcel with an existing single-family dwelling and is limited to 900 square feet of useable floor space. The bill includes numerous provisions relating to wildfire hazard mitigation and the adoption of statewide wildfire hazard maps; it is estimated that the adoption of the maps will not occur until mid-2022. The bill also allows for the development and adoption of additional local standards. If the Court chooses to allow ADUs in rural residential zoned areas an ordinance must be adopted. The Court expressed support for allowance of the rural ADU's with the adoption of additional local standards. See instrument #2021-3591 for memo.

Ms. Williams left the meeting.

## **GRASSHOPPERS**

Bob Skinner, Diana Fillmore and Robin Eiguren met with the Court and requested the Court work with state and federal agencies (ODA (Oregon Department of Agriculture), USDA (United States Department of Agriculture) APHIS (Animal and Plant Health Inspection Services), BLM (Bureau of Land Management)) to spray to control grasshoppers. It was explained that the grasshoppers are destroying crops, pastures, and grazing allotments in the Arock/Jordan Valley area. The damage has been extensive and there is concern that cattle may have to be sold due to the lack of available feed. Mr. Skinner said that spraying is taking place in Cambridge, Idaho and Harney County. The grasshoppers are killing the perennial grasses, alfalfa plants, and more. Landowners are spraying their lands but the federal lands are infested. APHIS has indicated that spraying through their program cannot be done until hatch in 2022. The Court members agreed to contact state and federal agencies. Written comments were also submitted by Terry Fretwell, see instrument # 2021-3592

Mr. Skinner also expressed dissatisfaction with the Vector Control District and spraying of mosquitos in the Jordan Valley area.

## **COURT MINUTES**

Commissioner Hodge moved to approve Court Minutes of June 30, 2021. Judge Joyce seconded and the motion passed. Commissioner Jacobs was not present on June 30, 2021.

## **CERTIFICATION STATEMENT**

Commissioner Hodge moved to sign the Oregon Parks and Recreation Department County Parks Assistance Program Certification Statement for July 1, 2021 - June 30, 2022. Commissioner Jacobs seconded and the motion passed unanimously. The estimated RV fee revenue distribution for Malheur County is \$58,101.00 which will be budgeted in the Marine and Parks budget. See instrument # 2021-3526

## **EMPLOYMENT AGREEMENT - RICE**

Commissioner Hodge moved to approve Temporary Part-Time Employment Agreement for Office Assistant II (OA II) - Malheur County Health Department (COVID-19 funding) with Megan Rice. Commissioner Jacobs seconded and the motion passed unanimously. The agreement terminates June 30, 2022. See instrument # 2021-3528

## **EMPLOYMENT AGREEMENT - COOPER**

Commissioner Jacobs moved to approve Extension of Temporary Employment Agreement COVID-19 Case Investigation - Malheur County Health Department with Kristie Cooper. Commissioner Hodge seconded and the motion passed unanimously. The agreement terminates June 30, 2022. See instrument # 2021-3527

No executive session was held

## **COURT ADJOURNMENT**

The meeting was adjourned.