

## **MALHEUR COUNTY COURT MINUTES**

**OCTOBER 19, 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 John Braese of the Malheur Enterprise.

### **DISTRICT ATTORNEY'S OFFICE**

Management Assistant Marilee Aldred met with the Court and introduced interim District Attorney Colin Benson. Mr. Benson is an attorney with the Oregon Department of Justice and is currently serving as Malheur County's District Attorney.

County Counsel Stephanie Williams joined the meeting.

### **CHECK REGISTER**

Accounting Specialist Judy Bond met with the Court. The Court signed the Accounts Payable register for September 2016.

### **COURT MINUTES**

Commissioner Wilson moved to approve Court Minutes of October 12, 2016 as written. Commissioner Hodge seconded and the motion passed unanimously.

### **MOU - JUNTURA CUT-OFF ROAD**

Commissioner Wilson moved to approve Memorandum of Understanding (MOU) between EP Minerals, LLC, Harney County and Malheur County for the Juntura Cut-Off Road project. Commissioner Hodge seconded and the motion passed unanimously. Special Public Works Funds, Strategic Reserve Funds and Immediate Opportunity Funds have been awarded to rebuild Juntura Cut-Off Road. A copy of the MOU will be returned for recording. See instrument [#2016-4071](#)

### **ELEVATOR PROJECT - CONTRACT WITH HOLCOMB CONSTRUCTION**

Commissioner Wilson moved to approve Notice of Award and Personal Service Contract with Holcomb Construction Inc. for the Malheur County Courthouse New Elevator and Lift Project. Commissioner Hodge seconded and the motion passed unanimously. See instrument # [2016-3870](#)

### **AMENDMENT TO IGA 148021**

Commissioner Hodge moved to approve Ninth Amendment to Oregon Health Authority 2015-2017 Intergovernmental Agreement for the Financing of Public Health Services. Commissioner Wilson seconded and the motion passed unanimously. The amendment adds funding for the Teen Prevention Personal Responsibility Education Project (PREP), Program Element #48. \$83,451 for the period of September 1, 2016 through December 31, 2017 is awarded. A copy will be returned electronically for recording. See instrument # [2016-3973](#)

## **ONDA**

Corie Harlan from Oregon Natural Desert Association (ONDA) stopped in and visited with the Court about the Owyhee Canyonlands. Commissioner Hodge noted that the Malheur County voters overwhelmingly voted that they did not want the Owyhee Canyonlands designated as a National Monument in the March Special Election County's Owyhee Canyonlands Advisory Ballot Measure (90% voted No). Ms. Harlan said she hears the concerns of access, way of life and continued grazing, fire management, and managing invasives. Ms. Harlan indicated that despite the differences in opinions there are shared core values and goals in finding what is best for the Owyhee. Commissioner Wilson noted the ongoing amount of lawsuits filed by environmental groups. Ms. Harlan said it is important to keep communicating and keep trying to find a path forward.

Commissioner Wilson expressed to Ms. Harlan that her group has no plan for the area if it is designated nor do they have the research that the BLM (Bureau of Land Management), county, and extension service has; rather they are just asking for something they want and trying to make us feel like we need to be compatible and work towards the same thing. The local citizens have been taking care of the area; and the more the special interest groups protect the area the worse it gets. Additionally, Commissioner Wilson asked Ms. Harlan what can't be done in the area now that needs a monument designation in order to be able to do?

Ms. Harlan explained that the proposal she has shared with the Court members previously is for a wilderness and national conservation area; and another tool that can achieve protection is a national monument. And, that the intent of coming forward with their proposal was to see something back from the County - to see and understand what the County's vision is for the Owyhee. Ms. Harlan explained that ONDA's proposal stacks a lot of different values on top of each other; they looked at sage grouse, they looked at the biological resources and water resources and various different pieces to establish the proposed designation's boundary; and the proposal is built upon compelling science.

The Court members expressed that the Owyhee area already has several layers of protection; and the ranchers using the land take care of the land. Commissioner Wilson expressed that this country was founded on mining, timber, fishing, ranching, and agriculture. Commissioner Hodge questioned how it was decided that such a large area (2.5 million acres) needed to be designated; and noted that a large area is already designated as wild and scenic. Judge Joyce noted there is a major litigation concern and that a monument designation has never been written that states there will be no litigation; and that his family has been in litigation with ONDA for 13 years. The Court members explained the area's remoteness will not promote tourism; it is not an area that encourages people to bring families to recreate. However, a designation will negatively impact the ranching community.

Mr. Braese left the meeting and Judge Joyce adjourned the session.

## **COURT ADJOURNMENT**

Court was adjourned.