

MALHEUR COUNTY COURT MINUTES
April 28, 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. County staff present was Administrative Officer Lorinda DuBois. Members of the media, public, and staff were present electronically. Notice of the meeting was posted on the County website and emailed to the Argus Observer, Malheur Enterprise, and those persons who have requested notice. The meeting was audio recorded. The agenda is recorded as instrument # 2021-1883

PROCLAMATION - BUILDING SAFETY MONTH

Building Official Adele Schaffeld met with the Court and presented a proclamation declaring the month of May as Building Safety Month; also present were ICC (International Code Council) Board of Directors Mike Boso, Mike Savage, and David Spencer; Kraig Stevenson, ICC Government Relations Department; Amy Williams, Oregon Building Officials Association President; Ontario Fire Chief Terry Leighton; Rickie Johnson with Viking Automatic Sprinkler Company; and Richard Smith.

Ms. Schaffeld read the proclamation:

PROCLAMATION
BUILDING SAFETY MONTH - MAY 2021

WHEREAS, our County is committed to recognizing that our growth and strength depends on the safety and economic value of the homes, buildings and infrastructure that serve our citizens, both in everyday life and in times of natural disaster, and;

WHEREAS, our confidence in the resilience of these buildings that make up our community is achieved through the devotion of vigilant guardians—building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers, plumbers and others in the construction industry—who work year-round to ensure the safe construction of buildings, and;

WHEREAS, these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state and federal officials that are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work, play, and;

WHEREAS, our nation benefits economically and technologically from using the International Codes that are developed by a national, voluntary consensus codes and standards developing organization, our government is able to avoid the high cost and complexity of developing and maintaining these codes, which are the most widely adopted building safety and fire prevention codes in the world;

WHEREAS, these modern building codes include safeguards to protect the public from hazards such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquake, and;

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety—our local code officials—who assure us of safe, sustainable, energy efficient and livable buildings that are essential to America's prosperity, and;

WHEREAS, "Prevent, Prepare, Protect. Building Codes Save," the theme for Building Safety Month 2021, encourages all Americans to raise awareness about the importance of safe and resilient construction; fire prevention; disaster mitigation, energy conservation; water safety; training the next generation; and new technologies in the construction industry.

WHEREAS, each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety, resilience and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property.

NOW, THEREFORE, We, the County Court of Malheur County do hereby proclaim the month of May 2021 as Building Safety Month. Accordingly, we encourage our citizens to join with their communities in participation in Building Safety Month activities.

Commissioner Hodge moved to proclaim May 2021 as Building Safety Month and sign the proclamation. Commissioner Jacobs seconded and the motion passed unanimously.

Ms. Schaffeld explained that local code officials not only protect their citizens and communities but also the first responders. Our local rural fire districts depend on volunteers, and are in need of volunteers. Ms. Schaffeld recognized two local projects for their excellence in fire safety that not only protects the community but also protects the first responders: Viking Automatic Sprinkler Co. installed the fire pump system and the fire sprinkler system at the Huntington travel plaza; the life safety system was installed properly and to code, along with three fire hydrants in the parking lot for truck fires. And, a commercial project of Dirk DeBoer's outside of Nyssa, constructed by Bob Fehlman; the commercial building meets all the commercial requirements including illuminated exit signs and emergency lighting which stay on for 90 minutes and provides lighting and additional resources to the first responders that enter those structures in an emergency, and the project also has a 10,000-gallon fire water supply tank onsite. Mr. DeBoer has also told the Nyssa rural fire department that if they need water for a fire in that area they can use that supply tank.

Ms. Schaffeld provided an update of activities within the department including training opportunities for contractors and opportunities for high school interns within the Building Department. An Eastern Oregon Building Officials group was also formed and meets quarterly.

Ms. Schaffeld also recognized Richard Smith; Mr. Smith started in fire service in 1967 and was the regional state fire marshal for over 20 years. After his retirement from fire service he started doing plan review and permitting for City/County Inspections Services (third-party inspections program in Malheur County), and then for the County building program.

The Court members extended their appreciation to Ms. Schaffeld, Chief Leighton, and others.

PUBLIC HEARING - SUPPLEMENTAL BUDGET

Judge Joyce opened the public hearing for consideration of supplemental budget Resolution R21-13. Notice of the hearing was published in the Argus Observer. A public hearing was required as the supplemental budget will adjust the current budget fund by 10% or more of the expenditures of that fund. No public comments were received. The hearing was closed. Commissioner Jacobs moved to approve Resolution R21-13: In the Matter of Fiscal Year 2020/2021 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 to allocate Oregon Health Authority State Opioid Response funds in the Health Department budget that were not anticipated when the adopted budget was prepared - the funds are to be used as outlined by the Program Element; and to allocate additional State Mental Health Allotment funds in the Mental Health Fund that were not anticipated when the adopted budget was prepared - these are State Allotment and Special Payment funds for Mental Health, Alcohol and Drug Services. See instrument # 2021-1886

CROSSING PERMIT

Commissioner Hodge moved to approve Crossing Permit #15-21 for Idaho Power Company to replace a pole and install an overhead transformer on Heritage Drive #555. Commissioner Jacobs seconded and the motion passed unanimously. The original permit will be kept on file at the Road Department.

COURT MINUTES

Commissioner Hodge move to approve Court Minutes of April 14, 2021 as written. Commissioner Jacobs seconded and the motion passed unanimously.

PROVIDER CONTRACT - ALTRUISTIC RECOVERY

Juvenile Department Director Susan Gregory presented a Provider Contract for Juvenile Crime Prevention Services 2019-2021 with Altruistic Recovery LLC (Limited Liability Corporation). Altruistic Recovery will provide the MRT (Moral Recognition Therapy) class; the contract expires June 30, 2021. Commissioner Jacobs moved to approve the provider contract. Commissioner Hodge seconded and the motion passed unanimously. See instrument # 2021-1887
County Counsel Stephanie Williams joined the meeting.

RESOLUTION - OPPOSING FEDERAL GOVERNMENT'S 30X30 LAND PRESERVATION GOAL

The Court reviewed the resolution; Commissioner Jacobs thanked County Counsel for preparing the resolution and requested that mining and timber be added to the resolution. The Court agreed that the resolution should be passed. Commissioner Jacobs moved to approve Resolution No. R21-15: Resolution Opposing the Federal Government's "30 X 30" Land Preservation Goal; Opposing Section 216 of Executive Order 14008 "Tackling the Climate Crisis at Home and Abroad". Commissioner Hodge seconded and the motion passed unanimously.

The Court opposes the 30 x 30 program, including its objective of permanently preserving 30% of the Nation's lands in its natural state by 2030, or any similar program that will set aside and prevent the productive use of millions of acres of our lands. See instrument # 2021-1884

WILDLIFE SERVICES WORK AND FINANCIAL PLAN

Commissioner Jacobs moved to approve USDA APHIS (United States Department of Agriculture – Animal and Plant Health Inspection Services) Wildlife Services Work and Financial Plan, Cooperative Agreement No.: 21-7341-5124-RA. Commissioner Hodge seconded and the motion passed unanimously. The Work and Financial Plan define the objectives, plan of action, resources and budget for the cooperative wildlife services program in Malheur County for fiscal year 2021/2022. A copy will be returned for recording. See Instrument # 2021-1947

TELEWORKING POLICY

Commissioner Jacobs moved to approve the updated Malheur County Teleworking Policy. Commissioner Hodge seconded and the motion passed unanimously. This is a temporary policy to allow employees to telework when related to a quarantine or isolation order due to COVID-19; or at the discretion of the employee's supervisor when related to COVID-19, such as unable to accommodate 6' of workspace distance. See instrument # 2021-1885

ROAD IMPROVEMENT AGREEMENT WITH FROERER FAMILY LIMITED PARTNERSHIP

Ms. Williams explained a draft amendment to the Road Improvement Agreement with the Froerer Family Limited Partnership was sent to the Froerer Family and Malheur County Development Corporation (MCDC). The proposed amendment would remove the language in the agreement limiting Froerer's from making statements in opposition to the project. MCDC has not yet acted on the amended agreement. Consensus of the Court was that they were agreeable to the proposed amendment.

QUITCLAIM DEEDS

Commissioner Jacobs moved to approve Quitclaim Deeds to Vineto Andre for Ref. #11674; Scott Livestock Co. for Ref. #5842; and Michael Kincade Revocable Trust of 2014 for Ref. #11975. Commissioner Hodge seconded and the motion passed unanimously. The properties were sold at the recent County Land Sale. See instrument's 2021-1881 2021-1882 2021-1880

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.

*Note: The Sheriff's Return of Sale for the April 27, 2021 County Land Sale was recorded as instrument #2021-1982