

MALHEUR COUNTY COURT MINUTES

April 29, 2020

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 present; Commissioner Larry Wilson was present initially by telephone and then in person. Staff present was Administrative Officer Lorinda DuBois. Various members of the public, media, and staff were present at various times of the meeting 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 # [2020-1502](#)

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. Present for the proclamation signing electronically were David Spencer, ICC Board of Directors, Washington Liaison; Kraig Stevenson, Government Relations Department of the International Code Council (ICC); Jim Sayers, ICC Board of Directors, Clackamas County; Casey Kump, Regional State Fire Marshal; Glenn Geiger, Deputy State Fire Marshal; Mark Redmond, Malheur County ESD (Education Service District) Superintendent; Bob Phillips, Vale High School Construction Instructor; and Laurie Hays from the County Building Department.

Ms. Schaffeld read the proclamation:

PROCLAMATION

BUILDING SAFETY MONTH - MAY 2020

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 structural integrity 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 natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquake; which, according to a FEMA-commissioned study by the National Institute of Building Sciences, provide \$11 in future mitigation benefits for every dollar invested, 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, efficient and livable buildings that are essential to America's prosperity, and;

Whereas, “Safer Buildings, Safer Communities, Safer World,” the theme for Building Safety Month 2020, encourages all Americans to raise awareness about the importance of safe and resilient construction; fire prevention; disaster mitigation, and new technologies in the construction industry. Building Safety Month 2020 encourages appropriate steps everyone can take to ensure the safety of our built environment, and recognizes that the implementation of safety codes by local and state agencies has saved lives and protected homes and businesses, and;

Whereas, each year, in observance of Building Safety Month, Americans are asked to consider the commitment to improve building safety 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 2020 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 the month of May 2020 as Building Safety Month. Commissioner Wilson seconded and the motion passed unanimously.

The County Building Department has issued 128 permits for the month of April; valuation for investment in the communities is tracked on manufactured homes, residential structures, and commercial structures and in the month of April \$5.3 million of valuation (added investment into Malheur county, not including the City of Ontario) was permitted.

This school year there has been a Nyssa High School CTE (Career Technical Education) Construction Program student intern working with the Building Department; this student will be taking her residential building inspector certification exam when the COVID-19 restrictions lift.

Ms. Schaffeld presented copies of the 2018 International Building Code, 2018 International Residential Code, and the 2018 International Fire Code to the Vale and Nyssa High School construction programs. The Building Department recently hired an electrical inspector; he is a master electrician in Idaho, a signing supervisor in Oregon, and he will be available to present in the school construction programs.

Mr. Redmond expressed appreciation for the work Ms. Schaffeld has done for the high school student and the construction program.

Mr. Phillips expressed his appreciation and his excitement to have the building department staff speak in the classroom and for possible future student opportunities; and expressed thanks for the code books.

Electrical inspections are now available five (5) days a week; the electrical inspector will offer the local electrical apprentices a question and answer session one afternoon each month; and the Building Department plans to have a booth at the County Fair.

LIQUOR LICENSE APPLICATION

Commissioner Hodge moved to recommend that the Oregon Liquor Control Commission (OLCC) Liquor License Application for A4 Quality Property LLC (Applicant)/TA Huntington (Business Name/Address: 5945 Hwy 30, Huntington) for Off-Premises with Fuel Pumps be granted. Commissioner Wilson seconded and the motion passed unanimously.

BYLAWS - EXTENSION SERVICE DISTRICT

Commissioner Hodge moved to approve the Malheur County Agricultural Educational Extension Service District Advisory Board bylaws. Commissioner Wilson seconded and the motion passed unanimously. See instrument # [2020-1497](#)

AMENDMENT - IGA #159822

Commissioner Wilson moved to approve Eighth Amendment to Oregon Health Authority 2019-2021 Intergovernmental Agreement (IGA) # 159822 for the Financing of Public Health Services. Commissioner Hodge seconded and the motion passed unanimously. (Original IGA is recorded as instrument #[2019-3374](#)) The amendment adds \$65,617 to Program Element (PE) 12-02 COVID-19 Response. A copy of the amendment will be returned for recording.

COST SHARE PROGRAM

Ms. DuBois explained that a request was received to add an additional \$5,000 to the current fiscal year's budget for the County's cost share program for predator control. Commissioner Hodge moved to authorize the allocation of an additional \$5,000 to the program. Commissioner Wilson seconded and the motion passed unanimously.

POVERTY TO PROSPERITY REQUEST

The Court received a request at budget meetings last week to contribute \$40,000 to support a county-wide COVID-19 recovery response development program/position. The Court had several questions concerning the project and asked Greg Smith to seek answers to their questions. The Court requested the matter be tabled today as they are still waiting on a response to their questions.

COURT MINUTES

Commissioner Wilson moved to approve Court Minutes of April 15, 2020 as written. Commissioner Hodge seconded and the motion passed unanimously.

IGA - EASTERN OREGON BORDER FUND

Commissioner Hodge moved to approve Intergovernmental Agreement, Eastern Oregon Border Fund, between State of Oregon, by and through its Eastern Oregon Border Economic Development Board and Malheur County, cities of Ontario, Nyssa, Vale and Adrian, and numerous special taxing districts. Commissioner Wilson seconded and the motion passed unanimously. The programs referenced within the IGA are the Competitive Housing Incentive Program (CHIP) and

the Property Improvement Rebate Program (PIRP) A copy of the IGA will be returned for recording.

IGA - EASTERN OREGON BORDER FUND/EXTENSION SERVICE DISTRICT

Acting as the Governing Body of the Malheur County Agricultural Educational Extension Service District, Commissioner Hodge moved to approve Intergovernmental Agreement, Eastern Oregon Border Fund, between State of Oregon, by and through its Eastern Oregon Border Economic Development Board and Malheur County, cities of Ontario, Nyssa, Vale and Adrian, and numerous special taxing districts. Commissioner Wilson seconded and the motion passed unanimously. The programs referenced within the IGA are the Competitive Housing Incentive Program (CHIP) and the Property Improvement Rebate Program (PIRP) A copy of the IGA will be returned for recording.

CROSSING PERMIT

Commissioner Wilson moved to approve Crossing Permit #19-20 to Track Utilities LLC for work on Outlook Drive #1507. Commissioner Hodge seconded and the motion passed unanimously. The original permit will be kept on file at the Road Department.

PLAN FOR REOPENING

Commissioner Wilson moved to approve the Plan for Reopening Malheur County, dated April 28, 2020, and prepared based on Governor Kate Brown's *Reopening Oregon: A Public Health Framework for Restarting Public Life and Business*. Commissioner Hodge seconded and the motion passed unanimously. The plan was drafted by Health Department Director Sarah Poe with assistance from the local COVID-19 Taskforce members and others. Malheur County is requesting a reopen date for Phase One effective May 8, 2020. The plan will be submitted to the Governor's Office. See instrument #[2020-1498](#)

COMMENTS FROM THE COURT MEMBERS

Commissioner Wilson noted he and Greg Smith were working with a prospective purchaser for a business in Nyssa and noted that Mr. Smith had been a tremendous help with the financing piece of the project.

Commissioner Hodge noted he has a Community in Action board meeting on Thursday.

Commissioner Wilson noted he would participate in a phone call Friday morning with Representative Owens and Senator Findley.

COURT ADJOURNMENT

The meeting was adjourned.