

MALHEUR COUNTY COURT MINUTES

May 6, 2020

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:02 a.m. in the County Court Office of the Malheur County Courthouse with Commissioner Don Hodge and Commissioner Larry Wilson present. 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 #[2020-1633](#)

HEALTH DEPARTMENT - COST ANALYSIS; COVID-19 UPDATE

Health Department Director Sarah Poe explained that the department is currently going through its Triennial Review with the State and presented the department's cost analysis report. The report breaks down the cost of public health for Malheur County - cost of staff and services and what the reimbursement rate is of different entities versus the actual cost. See instrument #[2020-1640](#)

A drive-up COVID-19 testing site was held last week in Ontario; 39 symptomatic individuals were tested and all test results were negative. Additional testing sites will be held in Nyssa and Vale next week. The County did experience a significant increase in positive tests last week; however even with the increase there has been the capacity to do the case investigations (working with health care providers and making sure the positive cases have been contacted and are following the guidelines). One positive case requires approximately 20 hours of follow-up and contact by a case investigator. The County's reopening plan follows State and CDC (Center for Disease Control) guidelines and is a cautious safe approach and it is hoped that the Governor will approve the plan. Partners are doing everything they can to both protect the health of the public and try to reopen as quickly as possible.

Additionally, yesterday the Oregon Health Authority (OHA) released the COVID-19 data by zip code. Malheur County has 15 zip codes but zip codes that have a population less than 1,000 are combined and the aggregate case count is reported. Zip codes that have less than 10 cases will be reported as "1-9" cases.

The Court expressed their appreciation to Ms. Poe for her work during this COVID-19 pandemic; Ms. Poe expressed appreciation to the COVID-19 taskforce team.

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of April 29, 2020 as written. Commissioner Wilson seconded and the motion passed unanimously.

BUDGET TRANSFER RESOLUTION

Commissioner Hodge moved to approve Resolution R20-17: In the Matter of Fund Transfers Under Local Budget Law ORS 294.463. Commissioner Wilson seconded and the motion passed unanimously. \$5,000 is transferred from Contingency to Predatory Animal Control; and funds are transferred in the Healthy Start Fund. See instrument #[2020-1637](#)

UPDATED PLAN FOR REOPENING

Commissioner Wilson moved to approve updated Plan for Reopening Malheur County, dated May 4, 2020 and prepared based on Governor Kate Brown's *Reopening Oregon: A Public Health Framework for Restarting Public Life and Business* and *Prerequisites for Phased Reopening of Oregon*. Commissioner Hodge seconded and the motion passed unanimously. Malheur County is requesting a reopen date for Phase One effective May 15, 2020. The plan will be submitted to the Governor's Office. See instrument #[2020-1638](#)

CROSSING PERMIT

Commissioner Wilson moved to approve Crossing Permit #20-20 to Track Utilities LLC to replace a damaged repeater on King Avenue #866. Commissioner Hodge seconded and the motion passed unanimously. The original permit will be kept on file at the Road Department.

QUITCLAIM DEED - KUMM

Commissioner Hodge moved to approve Quitclaim Deed to Michael Kumm for Ref. #3875; purchase price is \$7,890. Commissioner Wilson seconded and the motion passed unanimously. The property was previously offered for sale at a County Land Sale and did not sell. See instrument #[2020-1632](#)

RESOLUTION - APPROVING LOAN FROM BANK OF EASTERN OREGON

Commissioner Hodge moved to approve Resolution No. R20-18 - In the Matter of: Resolution Approving Loan/Borrowing Monies from Bank of Eastern Oregon for the Purpose of Financing the Purchase of a 2012 John Deere 772GP Motor Grader for the Malheur County Road Department. Commissioner Wilson seconded and the motion passed unanimously. See instrument #[2020-1636](#)

PUBLIC HEARING - SUPPLEMENTAL BUDGET

Judge Joyce opened the public hearing for consideration of supplemental budget Resolution R20-15. 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. Judge Joyce closed the hearing. Commissioner Hodge moved to approve Resolution R20-15: In the Matter of Fiscal Year 2019/2020 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Wilson seconded and the motion passed unanimously. The purpose of the supplemental budget is to allocate insurance proceeds that were received but not anticipated when the adopted budget was prepared; these funds were for snow damage done to Horse Barn A and C and are in the County Fair Fund budget. See instrument #[2020-1634](#)

PUBLIC HEARING - SUPPLEMENTAL BUDGET

Judge Joyce opened the public hearing for consideration of supplemental budget Resolution R20-16. 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. Judge Joyce closed the hearing. Commissioner Wilson moved to approve Resolution R20-16: In the Matter of Fiscal Year 2019/2020 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 State Opioid Response funds that were received but not anticipated when the adopted budget was prepared; these funds are to be used to implement the HB (House Bill) 4143 expansion project and are in the Health Department budget. See instrument #[2020-1635](#)

POVERTY TO PROSPERITY (P2P) REQUEST

The Court noted that they had received correspondence from City of Ontario Manager Adam Brown answering questions that they had regarding the Poverty to Prosperity request to contributed \$40,000 to support a county-wide COVID-19 recovery response development program/position. Mr. Brown was present electronically and offered to answer any further questions the Court might have. Commissioner Hodge moved to table the matter until next week in order to have time to review Mr. Brown's correspondence; Commissioner Wilson indicated he would follow-up with the Malheur County Recovery Team members if needed; Commissioner Hodge stated the Court would decide on the request next week. See instrument #[2020-1641](#) for the Poverty to Prosperity request; questions from the Court; letter from Bill Johnson, and response from Adam Brown.

COMMENTS

Ms. DuBois noted the courthouse would be disinfected Friday. Commissioner Wilson inquired if individuals would be required to wear masks as part of the reopening process and suggested that the Court make a statement that they highly recommend wearing a mask when in a public setting and thank the stores that have employees wearing masks; Commissioner Wilson also expressed appreciation to Senator Findley and Representative Owens for the efforts to reopen the County; Commissioner Hodge requested that persons cooking/preparing food wear gloves and a mask; these thoughts were relayed to the Argus Observer and Malheur Enterprise staff that were present electronically.

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.