

MALHEUR COUNTY COURT MINUTES
May 19, 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. Members of the media, public, and staff were present electronically. Notice of the meeting was posted on the County website, Courthouse bulletin board, 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 # 2021-2341

PUBLIC HEARING - SUPPLEMENTAL BUDGET

Judge Joyce opened the public hearing for consideration of supplemental budget Resolution R21-19. 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 Hodge moved to approve Resolution R21-19: In the Matter of Fiscal Year 2020/2021 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Jacobs seconded and the motion passed unanimously. The purpose of the supplemental budget is to allocate additional ODVA (Oregon Department of Veterans Affairs) funds in the CVSO (County Veterans Service Officer) Expansion Fund that were not anticipated when the adopted budget was prepared; these are State Veterans' funds for services for Malheur County's veterans to assist with their benefits. See instrument # 2021-2342

DROUGHT DECLARATION

Lieutenant Rich Harriman met with the Court and presented a resolution declaring a state of emergency within Malheur County due to severe drought conditions. Nine other Oregon counties have filed drought declarations. Commissioner Jacobs moved to sign Resolution R21-21: In the Matter of Declaring a State of Emergency within Malheur County. Commissioner Hodge seconded and the motion passed unanimously. See instrument # 2021-2340

COURT MINUTES

Commissioner Jacobs moved to approve Court Minutes of May 12, 2021 as written. Commissioner Hodge seconded and the motion passed unanimously.

CROSSING PERMITS

Commissioner Jacobs moved to approve Crossing Permit #17-21 to Idaho Power Company to install overhead bank of transformer on Owyhee Avenue #1036; Permit #18-21 to Track Utilities for a road bore on Clark Boulevard #857; Permit #19-21 to Idaho Power Company to perform power line maintenance on SW 18th Avenue #887; and Permit #20-21 to Idaho Power Company for power line maintenance on N Verde Drive #899. Commissioner Hodge seconded and the motion passed unanimously. Original permits will be kept on file at the Road Department.

MCDC BOARD

Randi Svaty resigned from the Malheur County Development Corporation (MCDC) Board. Ms. Svaty represented the financial sector on the Board and the Court will need to fill the vacancy.

EXECUTIVE SESSION

Executive Session was called in accordance with ORS 192.660(2)(h) with Judge Joyce presiding and Commissioner Hodge and Commissioner Jacobs present. Also present was County Counsel Stephanie Williams and Administrative Officer Lorinda DuBois. No decisions were made during the session.

OPIOIDS LITIGATION

Commissioner Jacobs moved the Malheur County Court delegate to County Counsel authority to negotiate an agreement with the entities that have already filed opioid litigation on behalf of Oregon local entities (Clackamas County, Clatsop County, Columbia County, Curry County, Jackson County, Josephine County, Lane County, Multnomah County, Washington County, Yamhill County and the City of Portland) that will require settlement funds from that litigation intended for local entities be paid directly to the local entities and not pass through the State of Oregon. County Counsel will bring any proposed agreement to this body for final approval. Commissioner Hodge seconded and the motion passed unanimously.

FACE COVERINGS

Oregon Health Authority (OHA) recently released new Statewide Reopening Guidance regarding face coverings and Interim Guidance for Fully Vaccinated Individuals. Under the Guidance document, businesses and employers that have a policy for requesting and checking for proof of vaccination and requests and reviews proof of vaccination may permit fully vaccinated individuals with proof of vaccination to go without a face covering and does not need to enforce physical distancing requirements for such individuals. However, Oregon OSHA (Oregon Safety Health Association) has not yet released any updates to its COVID-19 workplace rules. County Counsel is reviewing the matter and possible vaccination/face covering/physical distancing policy for employees and visitors. Consensus of the Court was that Judge Joyce could sign and disseminate an updated policy when available. At this time the County's face covering requirements for all County offices, buildings and workplaces are still in effect.

ANNUAL JAIL INSPECTION

The Court performed the annual jail inspection with Lieutenant Reyna. See instrument #2021-2347 and 2021-2373