

MALHEUR COUNTY COURT MINUTES

August 5, 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 and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois. Various members of the public, media 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 # [2020-2762](#)

UNCOLLECTIBLE PERSONAL PROPERTY TAXES; ORDER DESIGNATING NEWSPAPER - 2020 TAX FORECLOSURE LIST

Treasurer/Tax Collector Jennifer Forsyth met with the Court and presented information on uncollectible personal property tax accounts. Commissioner Wilson moved to approve Order GO-08-20: In the Matter of Uncollectible Taxes on Personal Property Situated within Malheur County and the Cancellation Thereof. Commissioner Hodge seconded and the motion passed unanimously. Two accounts were cancelled; total charge off is \$113.33. See instrument# [2020-2763](#)

Ms. Forsyth requested the Argus Observer be designated as the newspaper for publication of the 2020 tax foreclosure list. Commissioner Wilson moved to authorize the publication of the 2020 tax foreclosure list in the Argus Observer as requested by Ms. Forsyth. Commissioner Hodge seconded and the motion passed unanimously. The Court signed Order No. GO-09-20: In the Matter of the Designation of a Newspaper for the Publication of the 2020 Malheur County Tax Foreclosure List. See instrument # [2020-2764](#)

COURT MINUTES

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

JOINT LEGAL DEFENSE

County Counsel Stephanie Williams explained that the County was served in a statewide class-action lawsuit filed in Deschutes County Circuit Court; Hutchinson and Waterman vs Baker County et al (Deschutes County Circuit Court Case No. 20CV21480). ORS requires that counties foreclose for delinquent property taxes; proceeds from the sale of the property are distributed to the taxing districts and the County is allowed to retain any remaining funds from the sale. The suit alleges that the Oregon foreclosure statutes that apply result in a taking that is in violation of state and federal constitution. The lawsuit seeks to prevent counties from retaining more than what is owed in delinquent taxes and rather disburse any remaining proceeds to the former property owner. The counties are asking that each county agree to contribute \$10,000 for joint legal defense for the matter (an agreement would be drafted at a later date). After discussion, Commissioner Hodge moved to agree to contribute \$10,000 for joint legal defense in Hutchinson and Waterman vs. Baker County et al. Commissioner Wilson seconded and the motion passed unanimously.

MAP AGREEMENT

Commissioner Hodge moved to approve Malheur County Allocation Certification Agreement Maintenance Assistance Program (MAP) FY21 with Oregon State Marine Board, nunc pro tunc to July 30, 2020. Commissioner Wilson seconded and the motion passed unanimously. Funding is in the amount of \$8,812.50 for fiscal year 2020/2021 and is to be used to maintain the facilities at Beulah Reservoir, Bully Creek Reservoir, and Malheur Reservoir. A copy will be returned for recording.

TEMPORARY EMPLOYMENT AGREEMENTS - HEALTH DEPARTMENT

Commissioner Wilson moved to the following employment agreements: Temporary Employment Agreement for Office Assistant II (OA II) - Malheur County Health Department (COVID-19 funding) with Kyle Sorensen; Temporary Employment Agreement for Office Assistant II (OA II) - Malheur County Health Department (COVID-19 funding) with Megan Rice; and Temporary Employment Agreement for Registered Nurse - Malheur County Health Department (COVID-19 funding) with Danette Reitz. Commissioner Hodge seconded and the motion passed unanimously. The agreements expire June 30, 2021. See instrument # [2020-2767](#) - Sorensen; [2020-2768](#) - Rice; [2020-2766](#) - Reitz

MOU - EOCCO

Commissioner Hodge moved to approve Baker, Gilliam, Grant, Harney, Lake, Malheur, Morrow, Umatilla, Union, Sherman, Wallowa, and Wheeler Counties and Eastern Oregon Coordinated Care Organization (EOCCO) Memorandum of Understanding (MOU). Commissioner Wilson seconded and the motion passed unanimously. The purpose of the MOU is to establish a collaborative network of behavioral and public health services for the residents that will jointly serve the healthcare needs of residents. ORS (Oregon Revised Statutes) directs that there be a written agreement between the coordinated care organization and the local health authorities in the area served by the coordinated care organization. The MOU is effective January 1, 2020 through December 31, 2025. A copy will be returned for recording.

RESOLUTION - EXTENDING RESTRICTIONS TO THE SIZE OF LOCAL SOCIAL GATHERINGS (COVID-19)

Commissioner Wilson moved to approve Resolution R20-32 - In the Matter of: Resolution to Extend Resolution R20-27 Through August 26, 2020 - Restricting the Size of Local Social Gatherings. Commissioner Hodge seconded and the motion passed unanimously. The social gathering measures restricting the size of local social gatherings set forth in Resolution R20-27 are extended through August 26, 2020. See instrument # [2020-2765](#)

COURT ADJOURNMENT

The meeting was adjourned.

** First Amendment to Temporary Policy Expanding the Requirement for Face Coverings in or at County Buildings is recorded as instrument #[2020-2797](#)