

MALHEUR COUNTY COURT MINUTES

August 7, 2019

County Court met with Commissioner Larry Wilson presiding with Commissioner Don Hodge present. Staff present was Administrative Officer Lorinda DuBois, County Counsel Stephanie Williams, and Surveyor/Engineer Tom Edwards.

Also present from the Argus Observer were Stephanie Spiess and Dan Shearer.

HEARING - ABATEMENT OF ROAD HAZARD AND REMOVAL OF ENCROACHMENT - SE 14TH AVENUE

Commissioner Wilson opened the hearing regarding abatement of a road hazard and removal of an encroachment in the right-of-way of SE 14th Avenue, Ontario. Notice of the violation of ORS 368.256(b) was sent to the landowner of 1501 SE 2nd Street (Tax lot 1400, Map 18S4710C, Ref. #8364) (Marlene Tinoco) notifying them of the matter and ordering them to abate the road hazard by removing the fence out of the right-of-way of SE 14th Avenue by July 31, 2019 (Order GO-07-19, recorded as instrument [#2019-2725](#)). The placement of the fence in the right-of-way interferes with the SE 2nd Street improvement/paving project commencing early Fall 2019. Mr. Edwards said the fence has been removed on SE 2nd Street but not on the SE 14th Avenue section (the intersection of 2nd and 14th is part of the improvement project). The right-of-way boundaries were staked and flagged in April 2019. Commissioner Wilson asked for public testimony; there was none. Commissioner Wilson closed the hearing. Ms. Williams will draft an Order for the Court's consideration; the County will remove the fence and costs of performing the abatement will be sought against the landowner.

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of July 31, 2019 as written. Commissioner Wilson seconded and the motion passed.

AMENDMENT - IGA#154639

Commissioner Hodge moved to approve Second Amendment to Oregon Health Authority Intergovernmental for Environmental Health Services, Agreement #154639; First Amendment recorded as [2018-1053](#); Original IGA recorded as [2017-2827](#) Commissioner Wilson seconded and the motion passed. The amendment revises the state remittance factor. A copy of the second amendment will be returned for recording. See Instrument #2019-3081.

BOPTA

Clerk Gayle Trotter met with the Court regarding the need to provide her with names of persons to serve on the Board of Property Tax Appeals (BOPTA) board. A board must be appointed annually by the County Court no later than October 15th; a minimum of four persons must be appointed; board training is required every two years. The Court advised they would contact those who served last year and inquire if they were willing to serve again.

SUPPLEMENTAL BUDGET

Commissioner Hodge moved to approve Resolution No. R19-20: 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. The supplemental budget resolution allocates additional State Mental Health funds that were received but not anticipated when the adopted budget was prepared; these funds are passed through to Lifeways who the County sub-contracts with for mental health services. See instrument #[2019-2894](#)

CROSSING PERMIT

Commissioner Hodge moved to approve Crossing Permit #22-19 to AT&T Corp for maintenance work on Stanton Blvd #762, near Oak Road. Commissioner Wilson seconded and the motion passed.

ORDER DESIGNATING NEWSPAPER - 2019 TAX FORECLOSURE LIST

Treasurer/Tax Collector Jennifer Forsyth met with the Court regarding designating a newspaper for publication of the 2019 tax foreclosure list; Ms. Forsyth requested the Argus Observer be designated. Commissioner Hodge moved to authorize the publication of the 2019 tax foreclosure list in the Argus Observer as requested by Ms. Forsyth. Commissioner Wilson seconded and the motion passed. The Court signed Order No. GO-08-19: In the Matter of the Designation of a Newspaper for the Publication of the 2019 Malheur County Tax Foreclosure List. See instrument #[2019-2893](#)

MOA - ADA COUNTY

Commissioner Hodge moved to approve Memorandum of Agreement between County of Malheur, State of Oregon and County of Ada, State of Idaho FY 2020. Commissioner Wilson seconded and the motion passed. The agreement is for juvenile offenders under the jurisdiction of Malheur County to be temporarily housed at the Ada County Detention Center. A copy will be returned for recording.

GOODFELLOW BUILDING

Commissioner Hodge mentioned that Greg Smith may be interested in leasing a portion of the Goodfellow building for use by persons working on the reload facility project. Further details will be gathered.

COURT ADJOURNMENT

The meeting was adjourned.