

MALHEUR COUNTY COURT MINUTES

September 22, 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 emailed to the Argus Observer, Malheur Enterprise, and those persons who have requested notice and posted on the Courthouse bulletin board. The meeting was audio recorded. The agenda is recorded as instrument # 2021-4816

PUBLIC HEARING - SUPPLEMENTAL BUDGET

Judge Joyce opened the public hearing for consideration of supplemental budget Resolution R21-31. 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 Jacobs moved to approve Resolution R21-31: In the Matter of Fiscal Year 2021/2022 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 additional Cash on Hand, an amendment to the Boat License Grant, and the sale of equipment in the Boat License Fund that was not anticipated when the budget was adopted; the funds are to be used to purchase a new Forward Helm Patrol Boat. See instrument # 2021-4817

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of September 8, 2021 as written. Commissioner Jacobs seconded and the motion passed unanimously.

SPECIAL MEETING MINUTES

Commissioner Jacobs moved to approve meeting Minutes of the Special Meeting held on September 13, 2021. Commissioner Hodge seconded and the motion passed unanimously.

CROSSING PERMITS

Commissioner Jacobs moved to approve Crossing Permit #27-21 for Idaho Power Company to install two poles on the east side of Desert Glen Road #1058; and Crossing Permit #28-21 for Cascade Natural Gas's contractor crew to perform work at the entrance of Fisher Mobile Home Court on Park Avenue #768. Commissioner Hodge seconded and the motion passed unanimously. Original permits will be kept on file at the Road Department.

CHECK REGISTER

Commissioner Hodge moved to approve the Accounts Payable Book for July and August 2021. Commissioner Jacobs seconded and the motion passed unanimously.

ROAD ACCEPTANCE- NAGAKI

Commissioner Jacobs moved to accept road dedication of a portion of Cherry Road and Holly Road on Scythe & Space Partition Plat #21-18 (property owner is Nagaki Farms, Inc.) nunc pro tunc to September 8, 2021. Commissioner Hodge seconded and the motion passed unanimously. (This plat replaces Plat #21-15 signed on September 1, 2021; recorded as instrument # 2021-4424) See instrument # 2021-4631

RESOLUTION - DECLARING LOCAL STATE OF EMERGENCY

Judge Joyce read by title only Resolution No. R21-32: Resolution Declaring a Local State of Emergency Within Malheur County Due to Foreseeable Inadequate Staffing Necessary to Provide for Basic Needs of Health, Public Safety, and Critical Infrastructure. Commissioner Jacobs expressed support for the resolution due to the potential effects the vaccine mandate may have in the county. Commissioner Hodge noted conversation with others about elective surgeries not being performed, nursing staff shortages, and substitute teacher shortages. Judge Joyce noted concerns of losing volunteer staff for Jordan Valley Ambulance, as well as concerns of insufficient staffing for the jail and dispatch center. Commissioner Jacobs moved to approve the Resolution. Commissioner Hodge seconded and the motion passed unanimously. See instrument #2021-4818 Paula Olvera explained she lives in Idaho but works in Oregon and is under the October 18th vaccination deadline and inquired as to what the process is after signing of the resolution.

ARCADIA INDUSTRIAL PARK SUBDIVISION

Commissioner Hodge moved to execute the Arcadia Industrial Park Subdivision Plat; Declaration of Restrictive Covenants Governing Industrial Park, Specifically Lots 1,3,4 and 5, Located within the Arcadia Industrial Park Subdivision Plat; and Road Maintenance Agreement for Lots Located within the Arcadia Industrial Park Subdivision. Commissioner Jacobs seconded and the motion passed unanimously. Lot 2 of the subdivision plat will be sold to the Malheur County Development Corporation for the Treasure Valley Reload Center; Lot 3 is subject to negotiated terms with the Farmers; Lot 6 is not part of the Industrial Park and is zoned Exclusive Farm Use and will continue to be farmed. The State of Oregon Infrastructure Finance Authority of the Business Department has consented to the subdivision plat and that affidavit will be included in the recording of the subdivision plat. See instrument 2021-4832; 2021-4833; and 2021-4834

SHERIFF WOLFE

Sheriff Wolfe inquired as to the status of hearings for an ordinance declaring a second amendment sanctuary. Staff is working on scheduling the hearings in the next few weeks.

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.