

MALHEUR COUNTY COURT MINUTES

September 23, 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 and Juvenile Counselor Sara Runnels. 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 # 2020-3457

BOPTA

Clerk Gayle Trotter met with the Court regarding 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; and board training is required every two years. One individual from last year is willing to serve again this year (Terry Geddes). Staff advertised in the newspapers seeking interested persons and one individual contacted Ms. Trotter expressing interest. Judge Joyce has given Ms. Trotter names of two individuals who may be interested in serving. Ms. Trotter will meet with the Court again next week.

COURT MINUTES

Commissioner Wilson moved to approve Court Minutes of September 9, 2020 as written. Commissioner Hodge seconded and the motion passed unanimously.

VECTOR CONTROL DISTRICT

Vector Control Board Trustee Carl Hill's term expires October 31, 2020 and Mr. Hill has expressed that he does not wish to continue to serve on the Board. Commissioner Wilson moved to appoint Jimmy Simpson to the Vector Control Board of Trustees to fill Mr. Hill's position beginning November 1, 2020. Commissioner Hodge seconded and the motion passed unanimously.

CROSSING PERMITS

Commissioner Hodge moved to approve Crossing Permit #31-20 to Idaho Power Company to upgrade an overhead bank of transformers on Alberta Avenue #768; Permit #34-20 to Idaho Power to relocate a pole on Pioneer Road #917; and Permit #35-20 to Oregon Idaho Utilities Inc. to place new cable along Big Bend Road #1104 and Rockefeller Road #837. Commissioner Wilson seconded and the motion passed unanimously. Original permits will be kept on file at the Road Department.

MOA - ADA COUNTY

Commissioner Hodge moved to approve Memorandum of Agreement (MOA) between County of Malheur, State of Oregon and County of Ada, State of Idaho FY 2021. Commissioner Wilson seconded and the motion passed unanimously. 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.

CHECK REGISTER

Commissioner Wilson moved to approve the Accounts Payable Register for June 2020. Commissioner Hodge seconded and the motion passed unanimously.

WILDLIFE SERVICES

Scott Phillips, Wildlife Specialist with USDA (United States Department of Agriculture) Animal and Plant Health Inspection Service (APHIS) Wildlife Services met with the Court (also present was Mr. Phillips new supervisor) regarding the bird management program. There is a continual increase in interest in the bird management program and the cost for the DRC product is heavily impacting the budget. Mr. Phillips inquired if the County would be agreeable to contributing additional funding to support the cost of the DRC; or, if the Court would support charging the producer for the cost of the DRC used on their property (the producer would only be charged the cost of the product - not personnel costs). Beef Northwest is currently the largest user for control of starlings; approximately 2,000 grams of DRC was used at Beef Northwest last season. Due to the increased interest in the program it is likely that the DRC use may double this year. The cost of the DRC is \$2.00 per gram. The Court requested Mr. Phillips further discuss the matter with Ms. DuBois.

VOCA GRANT – TCATT

Juvenile Counselor Sara Runnels explained that the Tri-County Anti-Trafficking Taskforce (TCATT) had received the Victims of Crime Act (VOCA) grant in the amount of \$250,000 to fund a full-time coordinator for the taskforce from October 2020 to September 2022. The grant will be managed through the District Attorney's Office and the coordinator will be located in office space at the Justice Court facility. Commissioner Wilson moved to approve Oregon Department of Justice VOCA Intergovernmental Grant Award Agreement, 2020-2022 VOCA Competitive Grant Agreement VOCA-FI-2020-MalheurCo.DAVAP-00075. Commissioner Hodge seconded and the motion passed unanimously. See instrument # 2020-3472

COUNTY POLICIES

Commissioner Hodge moved to approve updated County Policy 117 - Separation from Employment; the policy was updated to include additional information under the returning County property paragraph; and moved to approve Departing and New Employee Computer Policy - this policy sets forth the exceptions of supervisory employees upon the departure of former employees and upon the arrival of new employees. Commissioner Wilson seconded and the motion passed unanimously. See instrument # 2020-3460 and # 2020-3461

BYLAWS - COMMUNITY MENTAL HEALTH COMMITTEE

Commissioner Hodge moved to approve the Bylaws of the Malheur County Community Mental Health, Local Alcohol and Drug and Development Disabilities Advisory Committee. Commissioner Wilson seconded and the motion passed unanimously. See instrument #2020-3458

MOU - SHERIFF'S ASSOCIATION

Commissioner Hodge moved to approve Memorandum of Understanding (MOU) between Malheur County and Malheur County Sheriff's Association. Commissioner Wilson seconded and the motion passed unanimously. The MOU extends the current collective bargaining agreement to December 31, 2021. See instrument # 2020-3462

VETERANS TRANSPORTATION GRANT

Commissioner Wilson moved to approve State of Oregon, Oregon Department of Veterans' Affairs 2020-21 Transportation of Veterans in Highly Rural Areas Grant Agreement - Malheur County. Commissioner Hodge seconded and the motion passed unanimously. Grant funding is not to exceed \$40,500 for the period of September 15, 2020 through September 14, 2021. Malheur Council on Aging and Community Services (MCOA&CS) will provide the transportation services. A copy will be returned for recording.

MCOA&CS - DRUG AND ALCOHOL TESTING POLICY

Commissioner Wilson moved to approve Malheur Council on Aging & Community Services Drug and Alcohol Testing Policy. Commissioner Hodge seconded and the motion passed unanimously. The policy was recently updated at the request of ODOT (Oregon Department of Transportation); MCOA&CS's Executive Board has approved the policy. ODOT requires that the County also approve the policy as it relates to the public transit and paratransit services provided by MCOA&CS with ODOT funds the County receives. See instrument # 2020-3459

REF # 3500

The County received a written offer from Gregg Zehr to purchase Ref. #3500 (tax lot 7100) for \$800. The County acquired the property through the tax foreclosure process and offered the property for sale at the County Land Sale in 2002 and the property did not sell. Ref. # 3500 is an 8-foot strip of property; Gregg Zehr owns the adjoining lot to the south and Richard Zehr owns the adjoining lot to the north. It appears that a building on Richard Zehr's property may be encroaching on the County's lot; however, Richard Zehr submitted a notarized statement indicating he is agreeable to Gregg Zehr purchasing the lot. Surveyor/Engineer Tom Edwards has visited with Gregg Zehr about the possible encroachment issue. Commissioner Hodge moved to authorize the sale of Ref. #3500 to Gregg Zehr for \$800.00 plus recording costs of \$92.00. Commissioner Wilson seconded and the motion passed unanimously. See instrument #2020-3476

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.