

MALHEUR COUNTY COURT MINUTES

October 14, 2020

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:01 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 Surveyor/Engineer Tom Edwards. 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 # 2020-3745

ROAD VACATION PETITION

Surveyor/Engineer Tom Edwards reviewed his Engineers Report regarding the petition for vacation of a portion of NW 9th Street in Corrected Plat of Oregon and Western Colonization Co. Second Addition filed by Tammy Stone on September 15, 2020. Ms. Stone is requesting the vacation of NW 9th Street, Ontario, between Lots 12 and 13 in the referenced plat. Ms. Stone represents 100% of the adjoining landowners; and the petition submittal fee of \$400.00 was provided. According to the petition, the reasons for the requested vacation are: the street dead ends into the County Fairgrounds and will never be used and there are buildings owned by the petitioner built in the right of way.

This area is in the urban growth boundary of the City of Ontario. Discussions have taken place with the City of Ontario, County, and the petitioner and it is proposed to replat a portion of Lot 12 and all of Lot 13 with new dedication of NW 9th Street and additional dedication for other streets to replace what would be vacated.

A hearing is not required on the road vacation petition as 100% of the adjoining landowners signed the petition. The road vacation order would be executed in conjunction with the Court's approval of the replat.

Consensus of the Court was to proceed as recommended without a hearing on the road vacation petition. See instrument # 2020-3748 for the Engineers Report.

Mr. Edwards left the meeting.

COURT MINUTES

Commissioner Wilson moved to approve Court Minutes of October 7, 2020 as written. Commissioner Hodge seconded and the motion passed unanimously.

AMENDMENT - IGA #159822

Commissioner Hodge moved to approve Thirteenth Amendment to Oregon Health Authority 2019-2021 Intergovernmental Agreement (IGA) for the Financing of Public Health Services,

Agreement #159822 (original IGA is recorded as instrument # 2019-3374. Commissioner Wilson seconded and the motion passed unanimously. Exhibit B Program Elements #01 State Support to Public Health and #12 Public Health Emergency Preparedness and Response (PHEPR) are superseded and replaced in their entirety. A copy will be returned for recording.

SUPPLEMENTAL BUDGET

Commissioner Hodge moved to approve Supplemental Budget Resolution R20-41: In the Matter of Fiscal Year 2020/2021 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Wilson seconded and the motion passed unanimously. The purpose of the supplemental budget is to allocate additional funds from the Secretary of State for election security in the County Clerk budget that were not anticipated when the adopted budget was prepared - the funds are to be used for projects already approved by the Secretary of State; and to allocate additional State Mental Health Allotment funds in the Mental Health budget that were not anticipated when the adopted budget was prepared - these are funds for MHS (Mental Health Services) 20 for activities, supplies and services in response to COVID under the CARES (Coronavirus Aid, Relief and Economic Security) Act. See instrument # 2020-3746

EMPLOYMENT AGREEMENT – EDWARDS

Commissioner Wilson moved to approve County Surveyor/Professional Engineer - employment of PERS (Public Employees Retirement System) retiree Employment Agreement with James T. (Tom) Edwards. Commissioner Hodge seconded and the motion passed unanimously. The agreement expires December 31, 2021. See instrument # 2020-3747

AMENDMENT - IGA #159173

Commissioner Hodge moved to approve Tenth Amendment to Oregon Health Authority 2019-2021 Intergovernmental Agreement for the Financing of Mental Health, Addiction Treatment, Recovery, & Prevention, and Problem Gambling Services Agreement #159173. (original IGA is recorded as instrument #2019-2611) Commissioner Wilson seconded and the motion passed unanimously. The amendment awards funding for Invoice Services. A copy will be returned for recording. See instrument #2020-3825

FAIRGROUNDS FUNDING

Commissioner Hodge noted that the Court received email correspondence from Fairgrounds Manager Lynelle Christiani. The Fair Board received \$46,303 from the Cultural Trust grant. The Fair Board is in the process of moving the water line on the horse end of the Fairgrounds from City to well water; this project will cost approximately \$9,000. The Fair Board is still determining how to spend the Cultural Trust grant funds. One project under consideration is an upgrade to the restrooms under the grandstands and the project cost is approximately \$50,000. Ms. Christiani requested the County pay for one-half of the cost to upgrade the restrooms.

Ms. DuBois explained to the Court that the CARES grant funds can only be used to cover costs that are necessary expenditures incurred due to the public health emergency with respect to COVID-19. After discussion, Commissioner Wilson said he would follow up with Ms. Christiani.

SECOND PUBLIC HEARING - ORDINANCE NO. 225

Judge Joyce opened the second public hearing for consideration of Ordinance No. 225 - In the Matter of: Amendment to Malheur County Outdoor Mass Gathering Ordinance. The amendment is needed due to legislative changes made in 2019. No public comments were received. The hearing was closed. Commissioner Wilson moved to adopt Ordinance No. 225. Commissioner Hodge seconded and the motion passed unanimously. See instrument #2020-3749

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.

**Residential Lease Agreement between Fair Board and Jayce Garthwaite, Dawstin Ho'Opai-Bobek, Keagn Richards recorded as instrument # 2020-3793