

MALHEUR COUNTY COURT MINUTES

November 4, 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 # 2020-4206

COURT MINUTES

Commissioner Hodge moved to approve Court Minutes of October 14, 2020 as written. Commissioner Wilson seconded and the motion passed unanimously.

CHECK REGISTER

Commissioner Wilson moved to approve the Accounts Payable Register for July, August and September 2020. Commissioner Hodge seconded and the motion passed unanimously.

SUPPLEMENTAL BUDGET

Commissioner Hodge moved to approve Resolution No. R20-42: 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 was not anticipated when the adopted budget was prepared - the funds are to be used for projects already approved by the Secretary of State; to allocate VOCA (Victims of Crime Act) grant funds in the District Attorney budget from the Department of Justice to raise awareness of human trafficking that was not anticipated when the adopted budget was prepared; and to allocate State Mental Health funds in the Mental Health budget that were not anticipated when the adopted budget was prepared - these funds are invoiced by Lifeways for treatment services. Commissioner Wilson seconded and the motion passed unanimously. See instrument # 2020-4203

LEASE - CITY OF VALE

Commissioner Hodge moved to approve Lease Agreement with City of Vale, nunc pro tunc to October 20, 2020. Commissioner Wilson seconded and the motion passed unanimously. Due to COVID-19 restrictions, Grand Jury proceedings will be held in the former Vale City Hall; the lease agreement terminates December 31, 2020. See instrument #2020-4199

PERSONAL SERVICE CONTRACT - HOLCOMB CONSTRUCTION

Commissioner Wilson moved to approve Personal Service Contract with Holcomb Construction. Commissioner Hodge seconded and the motion passed unanimously. The project is the front door

remodel construction project at the Courthouse; work will be completed by April 1, 2020. See instrument #2020-4204

EMPLOYMENT AGREEMENTS - HEALTH DEPARTMENT

Commissioner Hodge moved to approve Temporary Employment Agreement for Office Assistant II - Malheur County Health Department (COVID-19 funding) with Alliana Ramirez, instrument #2020-4200; Temporary Employment Agreement COVID-19 Case Investigator - Malheur County Health Department with Jamie Estrada, instrument #2020-4201; and Temporary Employment Agreement COVID-19 Case Investigator and PHEP (Public Health Emergency Preparedness) Coordinator - Malheur County Health Department with Shad Bostick, instrument #2020-4205. Commissioner Wilson seconded and the motion passed unanimously.

VECTOR CONTROL DISTRICT

Commissioner Wilson moved to appoint Jeremy Evers to the Vector Control Board of Trustees. Commissioner Hodge seconded and the motion passed unanimously. (Mr. Evers fills the position recently vacated by Gary Schneider.)

DETENTION AGREEMENT - CANYON COUNTY

Commissioner Hodge moved to approve Memorandum of Agreement Between County of Malheur, State of Oregon and County of Canyon, State of Idaho. 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 Canyon County Juvenile Detention Center. The agreement terminates September 30, 2021. A copy will be returned for recording. See instrument #2020-4336

UPDATED COUNTY POLICY 101

Commissioner Wilson moved to approve updates to County Policy 101 - Prohibition of Harassment, Sexual Assault, Discrimination and Bullying; No-Retaliation; Complaint Procedure; Request for Accommodation (Disability and Pregnancy Related); Reporting Concerns or Violations of Other Laws. Commissioner Hodge seconded and the motion passed unanimously. See instrument #2020-4202

ACCEPTANCE OF QUITCLAIM DEED

Commissioner Wilson moved to accept Quitclaim Deed from State of Oregon, Department of Transportation (ODOT) for parcels acquired from the SW 4th Avenue - N Oregon Street project in 2001 as the property was incorrectly conveyed to ODOT rather than the County. Commissioner Hodge seconded and the motion passed unanimously. ODOT will return the deed for recording after fully executed.

It was also noted that Surveyor/Engineer Tom Edwards has suggested that after the conveyance is completed, the County may want to consider selling tax lot 1503, tax lot 1502, and tax lot 1401 as one unit at a future County Land Sale.

CROSSING PERMIT

Commissioner Wilson moved to approve Crossing Permit #37-20 to Idaho Power Company for replacement of a pole on Jacobsen Gulch Road #771. Commissioner Hodge seconded and the motion passed unanimously. The original permit will be kept on file at the Road Department.

AMENDMENT - IGA #159173

Commissioner Hodge moved to approve Eleventh Amendment to Oregon Health Authority 2019-2021 Intergovernmental Agreement (IGA) for the Financing of Mental Health, Addiction Treatment, Recovery, & Prevention, and Problem Gambling Services Agreement #159173. (original IGA recorded as instrument #2020-2611) Commissioner Wilson seconded and the motion passed unanimously. Services are extended for 4143 Prime Plus Peer Project Services. (This pilot project is through the Health Department.) A copy will be returned for recording. See instrument #2020-4400

MANAGEMENT AGREEMENT - BULLY CREEK PARK & BEULAH RESERVOIR

County Counsel Stephanie Williams updated the Court on discussions with Bureau of Reclamation (BOR) regarding the management agreement for Bully Creek Park and Beulah Reservoir. BOR conducted ADA (American's with Disabilities Act) Assessments at Beulah Reservoir and Bully Creek (will be a part of the management agreement document); the assessments are of what work needs to be done for future planning and there is no deadline for completion, nor is there a dollar amount attached to the assessments. There is a 50/50 cost share provision in the agreement and BOR is on a three-year financial cycle; BOR has not contributed financially to the park for years. A Comprehensive Condition Assessment was also conducted by BOR for Bully Creek (this document will not be a part of the maintenance agreement). The new maintenance agreement has additional reporting provisions in it; it is a 25-year agreement with a 180 notice of termination provision. The park revenue barely covers its expenses and there may be a deficit this year. BOR will meet with the Court November 18, 2020 to ask the Court to sign the 25-year agreement.

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.