

# **MALHEUR COUNTY COURT MINUTES**

**December 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. 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 #2020-4959

## **COURT MINUTES**

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

## **SUPPLEMENTAL BUDGET RESOLUTION**

Commissioner Hodge moved to approve Supplemental Budget Resolution R20-46: 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 DOC (Department of Corrections) CESF (Coronavirus Emergency Supplemental Funding) grant funds in the Community Corrections Fund that were not anticipated when the adopted budget was prepared; the grant funds are limited to the housing needs of non-COVID positive clients under the County's supervision where those needs are associated with the preparation for, response to, and prevention of the spread of COVID-19. See instrument #2020-4955

## **EMPLOYMENT AGREEMENT – HARMON**

Commissioner Wilson moved to approve Temporary Employment Agreement Public Information Officer with Erika Harmon. Commissioner Hodge seconded and the motion passed unanimously. The agreement terminates June 30, 2021. See instrument #2020-4957

## **CROSSING PERMITS**

Commissioner Wilson moved to approve Crossing Permit #42-20 to Cascade Natural Gas to install gas service on Claggett Ln. #890; Crossing Permit #43-20 to Cascade Natural Gas to install gas service on NW 36th St. #537; Crossing Permit #44-20 to Cascade Natural Gas to install gas service on NW 4th Ave. #890; Crossing Permit #45-20 to Devin Strong for installation of conduit on Clark Blvd. #857; Crossing Permit #46-20 to Idaho Power Company to install overhead transformer on Janeta Avenue #1043; and Crossing Permit #47-20 to Idaho Power Company to install overhead transformer on Jacobsen Gulch Road #771. Commissioner Hodge seconded and the motion passed unanimously. Original permits will be kept on file at the Road Department.

**AMENDMENT - IGA #159822**

Commissioner Hodge moved to approve Sixteenth Amendment to Oregon Health Authority 2019-2021 Intergovernmental Agreement for the Financing of Public Health Services. (Original Intergovernmental Agreement (IGA) recorded as instrument #2019-3374) Commissioner Wilson seconded and the motion passed unanimously. A copy will be returned for recording.

**MANAGEMENT AGREEMENT FOR RECREATION - BULLY CREEK RESERVOIR AND BEULAH RESERVOIR**

Commissioner Wilson moved to approve Bureau of Reclamation Management Agreement for Recreation at Bully Creek Reservoir and Beulah Reservoir, Agreement No. 21-07-11-L5423. Commissioner Hodge seconded and the motion passed unanimously. The term of the agreement is twenty-five years. A copy will be returned for recording.

**AMENDMENTS - IGA #159173**

Commissioner Wilson moved to approve Twelfth and Thirteenth Amendments 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 recorded as instrument #2019-2611) Commissioner Hodge seconded and the motion passed unanimously. The financial awards are amended. Copies will be returned for recording.

**LEASE EXTENSION - CITY OF VALE**

Commissioner Hodge moved to approve First Amendment to Lease Agreement Between City of Vale and Malheur County for Use of Vale City Hall, which was Recorded with the Malheur County Clerk on November 4, 2020 as Instrument Number 2020-4199. Commissioner Wilson seconded and the motion passed unanimously. The term of the lease is extended to March 31, 2021. See instrument #2020-4956

**EMPLOYMENT AGREEMENT – HARRIMAN**

Commissioner Wilson moved to approve Lieutenant Malheur County Sheriff's Office - employment of PERS (Public Employees Retirement System) retiree Employment Agreement with Richard Harriman. Commissioner Hodge seconded and the motion passed unanimously. The agreement expires December 31, 2021. See instrument #2020-4954

**RESOLUTION - DECLARATION OF STATE OF EMERGENCY**

Commissioner Hodge moved to approve Resolution R20-47: In the Matter of Declaring a Continued State of Emergency within Malheur County. Commissioner Wilson seconded and the motion passed unanimously. The Court declares a continued state of emergency until May 7, 2021 due to the worldwide pandemic of COVID-19 or Coronavirus. See instrument #2020-4958

**CARES BUSINESS RELIEF GRANT APPLICATION**

County Counsel Stephanie Williams updated the Court on the County CARES (Coronavirus Aid, Relief and Economic Security) Business Relief Grant applications. Staff is reviewing the applications for eligibility as they are received. The review committee is recommending

prioritizing funding for restaurants, gyms, barbershops, saloons/groomers, and possibly small retail businesses that were closed by Executive Order 20-12. Many applications for the grant funding have been received and a demonstrated economic need in our community has been shown. The applications will be kept on file in case future CARES funding is available.

One eligibility criteria has come to our attention - the State contract requires that the business be headquartered in Oregon and have a principal place of business in Malheur County. Some applications that have been received are for businesses that operate in Malheur County but are headquartered in Idaho; they have filed with Secretary of State as a foreign business corporation or foreign limited liability company and it has been determined that these applicants are not eligible for the grant funds. The review committee also recommends that a fixed dollar amount be applied for business owners/operators who live in Malheur County (possibly \$3,000-\$5,000). The Court indicated their support for the recommendations of the review committee.

The review committee will present recommendations for funding to the County Court on December 30, 2020.

#### **COURT ADJOURNMENT**

The meeting was adjourned.