

MALHEUR COUNTY COURT MINUTES

December 6, 2017

County Court met with Judge Dan Joyce presiding with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois, Surveyor/Engineer Tom Edwards and Road Supervisor Richard Moulton.

Also present was John Braese of the Malheur Enterprise.

DISTRICT ATTORNEY'S OFFICE - VICTIMS ADVOCATE DIRECTOR

District Attorney's Office Manager Nancy McDaniel met with the Court. It was explained that a Victims Advocate recently resigned from the Office; currently there is one advocate and the program normally staffs three. Ms. McDaniel explained the request to hire a Victims Services Director (the position has been vacant for some time as grant funding was pursued; the VAWA grant was not received.) One of the current grants the County receives specifies that a percentage of the funding be used for a Victims Services Director; the position is currently in the budget. Consensus of the Court was to proceed with advertising/hiring for a Victims Services Director as requested.

ROAD DEPARTMENT

Road Supervisor Richard Moulton met with the Court. Commissioner Hodge moved to approve Crossing Permit #45-17 to Idaho Power Company to install a transformer bank on an existing pole on Railroad Avenue #874; Crossing Permit #46-17 to Vale Oregon Irrigation District to install a water main line on 12th Ave W #731; and Crossing Permit #47-17 to Vale Oregon Irrigation District to install a water main line on S Rd J #1112. Commissioner Wilson seconded and the motion passed unanimously. Original permits will be kept on file at the Road Department.

Mr. Moulton also explained that correspondence was received from Oregon Department of Transportation (ODOT) inquiring if the County wanted to implement a fee for authorization of single-trip oversize/overweight permits. House Bill 2017 allows for incremental increases in administrative fees, and county road authorities can now charge up to \$8.50 for the permit. ODOT administers the County Single-Trip Permit program and a portion of the fee will be allocated to ODOT and a portion to the County. Commissioner Wilson moved to authorize the Single-Trip Permit fee in the amount of \$8.50. Commissioner Hodge seconded and the motion passed unanimously. See instrument #[2017-4580](#)

Mr. Edwards and Mr. Moulton left the meeting.

COURT MINUTES

Commissioner Wilson moved to approve Court Minutes of November 15, 2017 as written. Commissioner Hodge seconded and the motion passed. (Judge Joyce was not present on November 15, 2017.)

Judge Joyce moved to approve Court Minutes of November 29, 2017 as written. Commissioner Hodge seconded and the motion passed. (Commissioner Wilson was not present on November 29, 2017.)

WEED BOARD

It was noted that terms for Jerry Erstrom and Clayton Kramer on the Weed Advisory Board would expire the end of 2017. The Court requested the Weed Advisory Board submit recommendations for the positions.

County Counsel Stephanie Williams joined the meeting.

MEMORANDUM OF AGREEMENT (MOA) - BUILDING CODES DIVISION

Commissioner Hodge moved to approve Memorandum of Agreement Relating to Delegated Building Inspection Program with Building Codes Division. Commissioner Wilson seconded and the motion passed unanimously. The MOA sets forth the delegation from the State to the County's building inspection program. A copy of the MOA will be returned for recording.

INTERGOVERNMENTAL AGREEMENT (IGA) - SUPPORT OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

Commissioner Hodge moved to approve Intergovernmental Agreement in Support of a Community Development Block Grant from the 2017 Community Development Block Grant Program Administered by the Oregon Business Development Department, Infrastructure Finance Authority for Sponsorship of the Harney Malheur Residential Housing Rehabilitation Initiative. Commissioner Wilson seconded and the motion passed unanimously. Community in Action will enter into a sub-recipient agreement with the lead agency, City of Ontario, to manage the housing rehabilitation program. The purpose of the proposed CDBG is to manage a housing rehabilitation grant and revolving loan fund to provide assistance to low income homeowners to repair their homes. A copy of the IGA will be returned for recording.

OUTSIDE LEGAL COUNSEL

Ms. Williams visited with the Court about hiring outside legal counsel to review the purchase and sale agreements for the properties the Malheur County Development Corporation recommends for the industrial park/reload facility project; the parties to the agreements will be the landowners and the County. (The County will do an assignment of the properties to the Development Corporation in the future if needed.) The agreements will be drafted in-house and reviewed by an outside legal firm. Brian DiFonzo and Shawna Peterson (Yturri Rose LLP) have agreed to review the documents; the rate is \$225.00 per hour and there are funds available in the outside legal counsel line-item. Consensus of the Court was to proceed with contracting with outside legal counsel to review the purchase and sale agreements.

COURT ADJOURNMENT

Judge Joyce adjourned the meeting.