

MALHEUR COUNTY COURT MINUTES
April 4, 2018

County Court met with Judge Dan Joyce presiding with Commissioner Don Hodge and Commissioner Larry Wilson present. Staff present was Administrative Officer Lorinda DuBois.

Also present was John Braese of the Malheur Enterprise and public member Tonya Beesley.

DEDICATION OF LINDA CUMMINGS MEMORIAL BENCH

Present for the dedication ceremony of the Linda Cummings Memorial Bench were numerous family members, friends, co-workers, and community partners of Linda Cummings. Larry Meyer of the Argus Observer was also present. Jane Padgett from DHS and Undersheriff Travis Wolfe spoke. The memorial bench will be located outside in front of the courthouse. The following words were given by Ms. Padgett: *Linda Marie Cummings was a beloved wife, mother, daughter, and grandmother. She was born on December 21st, 1956 in The Dalles, Oregon and lost her battle with lung cancer on October 14th, 2015. She passed away at home surrounded by many family and friends. Linda was raised in The Dalles and graduated in 1975 from The Dalles High School. In 1979, she graduated from Western Oregon College and completed a practicum with the Wasco County Juvenile Department. Linda began her career with the Malheur County Juvenile Department in 1979, and in 2004 she became the Director of the Juvenile Department. Linda worked for Malheur County for 36 years - she had an easy going, non-judgmental nature, which showed in the large number of people devastated by her passing. In fact, several of her former juvenile department "kids" reached out following her death to say what a difference she had made in their lives. Linda married Bill Cummings on February 28th, 1981. To their marriage they added two children, Joe and Alicia, who joined Tony and Toby. Linda loved spending time with her family, and was particularly proud of being a grandmother! She was also quite passionate about the Boys & Girls Club of the Western Treasure Valley, which she helped to establish. Unfortunately, Linda died before we could celebrate her retirement. In typical Linda fashion, her family, friends and acquaintances convened an impromptu Celebration of Life and Memorial Service for her on Saturday, October 17, 2015 (the day previously planned for her retirement party) at the Four Rivers Cultural Center. The Malheur County Drug Free Community Coalition and many others who worked with Linda and knew her well have chosen to further honor her memory with the dedication of this bench and plaque "To the Youth of Malheur County." May it be a place of peace and respite in Linda's memory for many years to come.*

ROAD DEPARTMENT

Road Supervisor Richard Moulton met with the Court. Commissioner Wilson moved to approve 2018 Fund Exchange Agreement, Improvements on Various County Roads, Malheur County, Agreement No. 32597. Commissioner Hodge seconded and the motion passed unanimously. Funding is in the amount of \$437,537.10. The Fund Exchange agreement provides funding for specific roadway projects and may also be used for the purchase or production of aggregate and purchase of equipment to be used for highway purposes. A copy will be returned for recording. Commissioner Hodge moved to sign the Oregon Parks and Recreation Department County Parks Assistance Program Certification Statement for July 1, 2018-June 30, 2019. Commissioner Wilson seconded and the motion passed unanimously. The estimated RV fee revenue distribution

for Malheur County is \$54,589.00 which will be budgeted in the Marine and Parks budget. See instrument #[2018-1129](#)

Mr. Moulton told the Court he will be meeting with ODOT (Oregon Department of Transportation) regarding a road use agreement for access to the Tub Mountain Aggregate site (ODOT is in the process of completing its application for an aggregate mining permit for Tub Mountain). County roads that will be involved are Moores Hollow Road and Alkali Gulch Road.

FAIRGROUNDS UPDATE

Fairgrounds Manager Lynelle Christiani met with the Court and provided a monthly update of activities. Wyatt Currey's Senior Project was a great experience and very successful. The footings in Horse Barn C were poured; trusses were put on and they started putting the roof on yesterday. The Hog Barn has one more concrete pour; the sidewalks are poured and painting is taking place. Trees are onsite and should be planted in a couple more weeks. SRCI's (Snake River Correctional Institution) work crew removed the arena fencing. New fencing has been constructed. The concrete for Girvin Hall should be poured next week. The concrete for the Small Animal Barn was poured last week. The Burkhardt family beef/cattle wash rack project is moving forward (the old wash rack has been removed). Idaho Power dug trenches yesterday for the Girvin Hall transformer. Upcoming events being held at the fairgrounds include: hog sale in the Red Barn, wedding reception in the Commercial Building, Ontario Prom in the Red Barn, Fruitland Prom in the Commercial Building, and the annual PEO Dinner in the Commercial Building.

COURT MINUTES

Judge Joyce moved to approve Court Minutes of March 21, 2018 as written. Commissioner Wilson seconded and the motion passed. (Commissioner Hodge was not present on March 21, 2018.)

BUDGET TRANSFER RESOLUTION

Commissioner Wilson moved to approve Resolution No. R18-5: In the Matter of Fund Transfers Under Local Budget Law ORS 294.463. Commissioner Hodge seconded and the motion passed unanimously. Funds transferred are within the Sheriff's Office budgets. See instrument #[2018-1130](#)

EOCA INVOICE

Commissioner Wilson moved to authorize payment of Eastern Oregon Counties Alliance (EOCA) Invoice in the amount of \$1220.69 for EOCA Expenses. Commissioner Hodge seconded and the motion passed unanimously.

SEACT

Commissioner Wilson moved to appoint City of Ontario Community Development Director Dan Cummings as a voting member of the Southeast Area Commission on Transportation (SEACT). Commissioner Hodge seconded and the motion passed unanimously. (Mr. Cummings was previously the County's Alternate for SEACT.)

AMENDMENT TO EMPLOYMENT AGREEMENT - CASTRO

Commissioner Hodge moved to approve Malheur County Sheriff Deputy - employment of PERS (Public Employees Retirement System) retiree First Amendment to Temporary Employment Agreement Recorded with the Malheur County Clerk as Instrument Number [2018-0023](#) with Roy Castro. Commissioner Wilson seconded and the motion passed unanimously. See instrument #[2018-1131](#)

GRANT APPLICATION RESOLUTION - ASSESSOR'S OFFICE

Assessor Dave Ingram met with the Court. Commissioner Wilson moved to approve the 2018-2019 Grant Application Resolution for the Department of Revenue's County Assessment Funding Assessment Program. By approving the resolution, the County agrees to appropriate the budgeted dollars based on 100% of the expenditures certified in the grant application in the amount of \$1,033,343. See instrument #[2018-1126](#)

EASEMENT - CASCADE NATURAL GAS

Commissioner Hodge moved to approve Right of Way Easement with Cascade Natural Gas Corporation. Commissioner Wilson seconded and the motion passed unanimously. The easement is for property at the fairgrounds. Cascade Natural Gas will record the document. See instrument #[2018-1149](#)

RAC MEETING - PELICAN POINT

Commissioner Hodge mentioned that the airstrip at Owyhee Reservoir/Pelican Point was discussed at his recent Resource Advisory Council (RAC) meeting.

CHECK REGISTER

The Court signed the Accounts Payable (AP) register for February 2018.
The meeting recessed until 1:00 p.m.

EXECUTIVE SESSION

Executive Session was called in accordance with ORS 192.660(2)(a) - Employment of Public Officers, Employees and Agents with Judge Joyce presiding and Commissioner Hodge and Commissioner Wilson present. Also present was Administrative Officer Lorinda DuBois and Brad Duckworth. No decisions were made during or following the session.

EXECUTIVE SESSION

Executive Session was called in accordance with ORS 192.660(2)(a) - Employment of Public Officers, Employees and Agents with Judge Joyce presiding and Commissioner Hodge and Commissioner Wilson present. Also present was Administrative Officer Lorinda DuBois and Jeff Mendiola. No decisions were made during or following the session.

EXECUTIVE SESSION

Executive Session was called in accordance with ORS 192.660(2)(a) - Employment of Public Officers, Employees and Agents with Judge Joyce presiding and Commissioner Hodge and Commissioner Wilson present. Also present was Administrative Officer Lorinda DuBois and David Tiffany. No decisions were made during or following the session.

EXECUTIVE SESSION

Executive Session was called in accordance with ORS 192.660(2)(a) - Employment of Public Officers, Employees and Agents with Judge Joyce presiding and Commissioner Hodge and Commissioner Wilson present. Also present was Administrative Officer Lorinda DuBois and Logan Keller. No decisions were made during or following the session.

EXECUTIVE SESSION

Executive Session was called in accordance with ORS 192.660(2)(a) - Employment of Public Officers, Employees and Agents with Judge Joyce presiding and Commissioner Hodge and Commissioner Wilson present. Also present was Administrative Officer Lorinda DuBois and Brian Cortright. No decisions were made during or following the session.

COURT ADJOURNMENT

The meeting was adjourned.